

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133193/FH/2022

Date registered valid: 16 March 2022

Proposal: Erection of part single, part three storey rear extension to provide additional living accommodation

Address: 7 Hightrees Drive, Manchester, M20 2JF

Ward(s): Didsbury West Ward

Applicant: Mr Chris Cooper, 7 Hightrees Drive, Manchester, M20 2JF

Agent (if any): Mr Derek Watmough, 4mation Architecture Ltd, 27 Blythe Avenue, Bramhall, Stockport, SK7 1EU

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 11 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 March 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 March 2022 Expired: 7 April 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a modern three storey, end terrace townhouse which is predominantly constructed in brick, with concrete roof tiles and a single storey render outrigger.



Photograph 1 Front elevation as viewed from High Trees Drive, Source: www.google.com/maps accessed 11.05.2022

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: No, TPO trees removed as part of approved application 093760/TPO/2010/S1.

Description of area

The area is predominantly residential in nature, with a variety of design and styles. From the converted former hospital and surrounding buildings to the more modern housing estate surrounding the former hospital. The area is located close to West Didsbury local centre on Burton Road and sources of employment at Withington Hospital and Siemens sites.

Description of development

The applicant is seeking planning permission to erect a part single, part three storey rear extension to provide additional living accommodation

Consultations & Notification Responses

Local Residents – Two representation have been received in response to the notification letters sent out to local residents. One representation objected to the application the second was neutral in that they neither supported nor objected to the application. In the case of the latter's comments, they questioned what consideration had been given to constructor parking and ensuring that this does not restrict access to other residents.

The objection raised concerns with a loss of view and that the extension would have an impact on daylight and sunlight.

Environmental Health – Recommended a gas membrane for the extension in order to alleviate any possibility of landfill gas ingress to the building and not to compromise any existing remedial measures previously installed at the site.

Issues

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning History Summary – There have been two previous relevant planning applications at this site. Both applications were approved and relate to the development of the wider estate.

Application Reference	Site	Description
080297/FO/2006/S1 Date Valid: 11.09.2006 Target Date: 06.11.2006	Former Withington Hospital, Nell Lane, West Didsbury, Manchester	Conversion of existing hospital into 116 apartments and 14 town houses including alterations to elevations, and erection of 2 part 3 part 4 storey, and three 3 storey blocks of in total 139 self contained flats, and the erection of 92 three storey houses with associated car parking and landscaping, including selective demolition
093345/JO/2010/S1 Date Valid: 28.06.2010 Target Date: 23.08.2010	Former Withington Hospital, Nell Lane, Barlow Moor, Didsbury, Manchester, M20 2LR	Variation of condition 2 of planning permission 080297/FO/2006/S1 to allow for alterations to previously approved lower ground floor car park layout

The Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

Further consideration will be given as to whether the proposal has any impact on surrounding visual amenity in particular the effect upon the amenity of neighbouring occupiers.

Residential and Visual Amenity – The proposals seek the erection of a three storey rear extension which would also assimilate with the existing single storey outrigger and occupy the full width of the rear except for a 20 centimetre gap to the shared boundary with no. 5 Hightrees Drive. If approved the proposal result in an addition to the property that would be 9.6 metre high gable end roof, which would have a maximum rearward projection of 4.295 metres and a minimum of 2.535 metres from the existing outrigger. At first and second floors the proposed reward projection would be 2.88 metres.

The proposed floor plan show that the property would gain additional living accommodation in the form of an enlarged kitchen/dining room and two additional bedrooms (resulting in a total of 5). The principle of an extension to the property is acceptable especially if it is to adapt to changing household needs.

However, concerns were raised with the applicant regarding the width of the extension, as this would be contrary to saved policy DC1.3c of the UDP which specifically seeks to resist full width extensions to terraced properties. In addition, concerns were also raised regarding the proximity of the proposed extension to the shared boundary with No. 5 Hightrees Drive as it could result in an extension that would have an overbearing impact that would be detrimental to the amenity of the occupiers. Therefore, to reduce the visual impact on the streetscene and overbearing impact on no.5 Hightrees Drive, officers sought to negotiate a revision to proposal that would be set in at first and second floors. No amended drawings were received to address these concerns, a planning statement was provided by the applicant (authored by Paul Butler Associates) to address the concerns. However, the statement whilst in depth seeks to support the application as submitted.

In discussing the concerns regarding the overbearing impact, the statement discusses:

"Floorplans have been reviewed and have identified that the ground and first floor windows located closest to the shared boundary with No.7 are to a WC and landing (refer to figure 6 below). Both these rooms are not considered 'habitable' in planning terms and therefore do not benefit from the same level of protection. Were these windows serving habitable rooms then it is accepted that there could be a degree of overbearing impact associated with the proposed rear extension, however since they are not habitable windows it is concluded that no such overbearing impact will be created. " (Page 11)

Whilst the statement argues that there would be no overbearing impact, officers would disagree and that full width extension with a rearward projection of 2.88 metres at first and second floor would have an impact that would be detrimental to their amenity.

In assessing the application officers reviewed the similar extensions at No.123 Nell Lane (ref: 122704/FH/2019) (photograph 2) and more recently at No.3 Hightrees Drive (ref: 130859/FH/2021) (drawing 1). In the case of 123 Nell Lane the application would also be three storeys high, although the rearward projection at 123 Nell Lane is the same as the existing outrigger and does not occupy the full width of the property. At No.3 Highwater Drive, the planning application approved a part single, part two storey rear extensions. However, the approved extension is set in at first floor and does not occupy the full width of the property. Therefore, it is considered that the proposal would not be in keeping with the character of the approved development in the area.

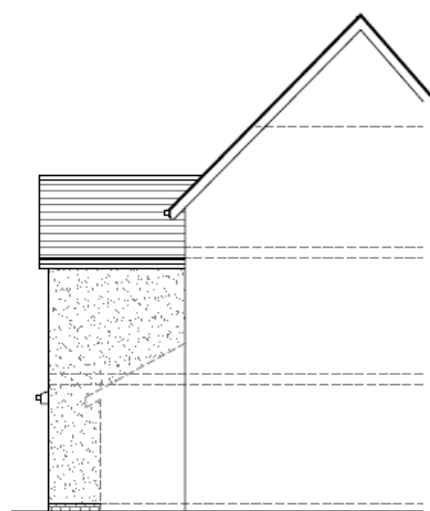
The layout of the estate would also means that the extension would be prominent and high visible to properties at the rear and Houseman Crescent.



Photograph 2 Extension at 123 Nell Lane source: case officers photographs



Proposed Rear Elevation



Proposed Side Elevation

Drawing 1 Approved Proposed Side and Rear Elevation at 3 Hightrees Drive, application reference: 130859/FH/2021

There are no concerns with the design of the proposed extension and the proposed materials are considered to be in keeping with the character of the property.

Car Parking – Car Parking would be unaffected by the proposal and remain at the front of the property

Refuse Storage – The gap at the side of the dwellinghouse would allow for bins to be stored at the rear or side of the property

Contaminated Land – Environmental Health have recommended a condition requiring a gas membrane for the extension in order to alleviate any possibility of landfill gas ingress to the building and not to compromise any existing remedial measures previously installed at the site as part of the original application for housing.

Conclusion - The extension is considered to be contrary to SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP for the reasons listed below and as explained in the section of this report.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed development would be detrimental to the visual amenity and character of the area. In particular it would create a visually intrusive feature in the street scene by reason of its location and massing and would be detrimental to the visual amenities of the adjoining properties no.1, 3 and 5 Hightrees Drive. As such the proposal is contrary to saved policy DC1

of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

2) The proposed extension by reason of its projection, scale, height and massing in close proximity to the shared boundary with the adjoining property no.5 Hightrees Drive would result in an unduly overbearing visual appearance of the occupants. The proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

125A Nell Lane, Manchester, M20 2LG
125 Nell Lane, Manchester, M20 2LG
8 Hightrees Drive, Manchester, M20 2JF
6 Hightrees Drive, Manchester, M20 2JF
5 Hightrees Drive, Manchester, M20 2JF
Flat 33, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 32, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 31, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 30, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 29, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 28, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 27, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 26, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 25, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 24, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 23, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 22, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 21, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 20, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 19, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 18, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 17, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 16, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 15, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 14, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 34, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 12, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 11, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 10, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 9, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 8, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 7, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 6, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 5, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 4, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 3, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 1, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 2, 2 Houseman Crescent, Manchester, M20 2JQ
Flat 41, 4 Houseman Crescent, Manchester, M20 2JY
Flat 40, 4 Houseman Crescent, Manchester, M20 2JY
Flat 39, 4 Houseman Crescent, Manchester, M20 2JY
Flat 38, 4 Houseman Crescent, Manchester, M20 2JY
Flat 37, 4 Houseman Crescent, Manchester, M20 2JY
Flat 36, 4 Houseman Crescent, Manchester, M20 2JY
Flat 58, 4 Houseman Crescent, Manchester, M20 2JY
Flat 42, 4 Houseman Crescent, Manchester, M20 2JY
Flat 43, 4 Houseman Crescent, Manchester, M20 2JY
Flat 44, 4 Houseman Crescent, Manchester, M20 2JY
Flat 45, 4 Houseman Crescent, Manchester, M20 2JY
Flat 46, 4 Houseman Crescent, Manchester, M20 2JY

Flat 47, 4 Houseman Crescent, Manchester, M20 2JY
Flat 48, 4 Houseman Crescent, Manchester, M20 2JY
Flat 54, 4 Houseman Crescent, Manchester, M20 2JY
Flat 55, 4 Houseman Crescent, Manchester, M20 2JY
Flat 56, 4 Houseman Crescent, Manchester, M20 2JY
Flat 57, 4 Houseman Crescent, Manchester, M20 2JY
Flat 35, 4 Houseman Crescent, Manchester, M20 2JY
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Flat 49, 4 Houseman Crescent, Manchester, M20 2JY
Flat 50, 4 Houseman Crescent, Manchester, M20 2JY
Flat 51, 4 Houseman Crescent, Manchester, M20 2JY
Flat 52, 4 Houseman Crescent, Manchester, M20 2JY
Flat 53, 4 Houseman Crescent, Manchester, M20 2JY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH