

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132655/FH/2022

Date registered valid: 10 January 2022

Proposal: Erection of part single/part two storey rear extension to form additional living accommodation

Address: 147 Nicolas Road, Manchester, M21 9LS

Ward(s): Chorlton Ward

Applicant: Mr Cooper 147 Nicolas Road, Manchester, M21 9LS

Agent (if any): Mr Ian Birchall IPB Architecture 9 Kendal Grove, Manchester, WN7 4ES

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: Refusal

Date of recommendation: 13.04.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 09.02.2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 January 2022 Expired: 4 February 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/ Area

The application site is a traditional end semi-detached property located within the Chorlton area of South Manchester. The property benefits from amenity space to the front that is enclosed by a brick wall with coping stones and stone pillars either side of the driveway. There is sufficient room for one off street parking space within the curtilage of the property at the front. The property features an existing outrigger situated at the rear of the property and a modest rear garden.

The remainder of the area is predominately residential in nature are houses of similar style and design of the proposal site.

Description of development

The application seeks consent for the erection of a part single part two storey rear extension to form additional living accommodation.

The proposed part two storey rear extension includes a set down dimension of 0.8metres below the existing roof height. The extension would have approx. dimensions of Height 6.7m (at the eaves) 5.9m x Width 4m x Rear Projection 4m. Additionally the two storey element would be sited 1.3metres away with the shared boundary with 241 Ryebank Road.

The proposed part single rear extension would incorporate a flat roof and have approx. dimensions of Height 2.8m x Width 6.3 x Rear Projection 4m.

Consultations & Notification Responses

Local residents were notified however none responded.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

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.

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;

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Principle

It is believed due to its size, and position of the proposed two storey rear extension will have a harmful impact upon the residential amenity of neighbouring properties. Accordingly, the proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy, and Section 12 of the National Planning Policy Framework (NPPF).

Issues

Residential Amenity

Saved Policy DC1 of the Unitary Development Plan states that in determining planning applications for extensions to residential properties, the Council will, amongst other criteria, have regard to the general character of the property, the effect upon the amenity of neighbouring occupiers and the overall appearance of the proposal in the street-scene.

Policies DM1 and SP1 of the Core Strategy also indicate that consideration should be given to the effects of development upon the amenity, living conditions and the well-being of residents. It is highlighted that all developments should have regard to appropriate siting, layout, scale, massing and materials.

The Council's guidance is also supported by the National Planning Policy Framework (NPPF).

Paragraph 130 states:

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;

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;

The applicant is seeking to extend the property for the erection of part single part two storey rear extension to provide additional living accommodation. The part two storey extension would project 1.3 metres from the side wall close to the shared boundary with 241 Ryebank Road, extending a depth of 4metres with a hipped roof profile proposed.

It is considered that the overall size, projection, scale, and siting along the boundary, given the existing relationship of the properties is considered to give rise to loss of light and overshadowing throughout the morning as well as having an overbearing presence to the detriment of residential amenity.

The City Council consider that the introduction of a part two storey rear structure in this location would provide an overbearing and unsatisfactory visible appearance to the occupiers of the neighbouring properties particularly no. 241 Ryebank Road projecting significant overshadowing impacts upon their entire rear garden.

Overall, given the orientation of the application site and its relationship to the neighbouring properties, it is considered that the proposal would provide an overbearing structure which would be out of character with the area and lead to overshadowing and the loss of significant residential amenity currently being enjoyed by the occupiers of the neighbouring properties. The proposal would therefore conflict with policies set out in the Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, Scale and Massing

The size and footprint of the proposed two storey rear extension is believed to provide an overbearing impact upon the residential amenities of the adjacent property along Ryebank Road and is not considered to be an acceptable addition to the original house and therefore, it is

considered that the proposal would provide an overbearing structure that would be incongruous within the surrounding street scene.

It is therefore considered that the scale and mass of the proposed extension is not satisfactory and is considered not to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

The part single storey rear extension is an element of the application that is deemed acceptable. It does not present harmful significant impacts to the surrounding residential or visual amenity.

Materials- to be used would match those of the existing property and would be acceptable.

Parking- Would not be affected by the proposal.

Waste Management- Would not be affected by the proposal.

In light of the above and on balance, it is believed in terms of residential amenity and the overbearing impacts this proposal would have, the proposed development in this case is not considered with saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy, and the National Planning Policy Framework (NPPF).

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: Refusal

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application and on this occasion a satisfactory solution could not be reached.

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

- 1) The development by reason of its proximity to the shared boundaries, together with the scale, siting, appearance and massing of the extension, is considered to have an overbearing and overshadowing impact, creating an intrusive feature in the form of expanse of brickwork along the boundary to the detriment of the residential amenity to the occupiers of the neighbouring property. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policies DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

145 Nicolas Road, Manchester, M21 9LS
146 Nicolas Road, Manchester, M21 9LT
245 Ryebank Road, Manchester, M21 9LX
243 Ryebank Road, Manchester, M21 9LX
241 Ryebank Road, Manchester, M21 9LX
239 Ryebank Road, Manchester, M21 9LU

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) -
Area Team Boundary - Name: SOUTH