

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131046/FH/2021
Date registered valid: 16 July 2021
Proposal: Erection of first floor rear extension to provide additional living accommodation
Address: 249 Platt Lane, Manchester, M14 7HH
Ward(s): Fallowfield Ward
Applicant: Ms Duniya Tegow 249 Platt Lane, Fallowfield, Manchester, M14 7HH
Agent (if any): Mr Colin Williams Alpha Design 11 Gilda Crescent Road, Eccles, Salford, M30 9AG, Manchester, M16 8BR
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Refuse
Date of recommendation: 23 November 2021



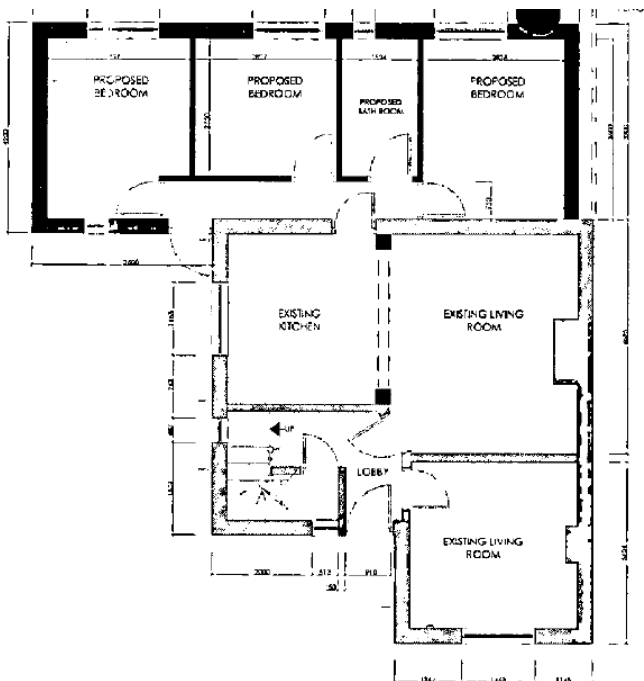
Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 6 September 2021
Standard consultations: No consultations have been printed and sent.
Neighbour notifications Printed: 2 November 2021 Expired: 16 November 2021
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

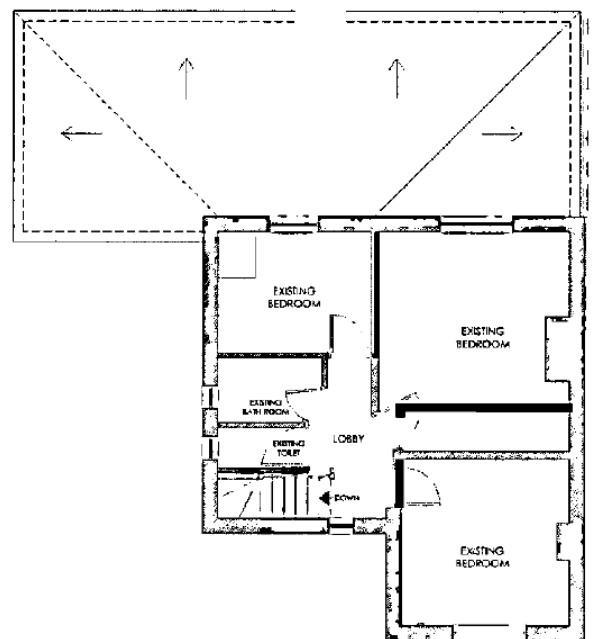
Description of site/building

The application site is a red brick inter-war semi-detached dwelling situated on the south side of Platt Lane, east of Princess Road, in the Fallowfield ward. The property occupies a roughly triangular plot on account of it fronting a semi-circular area of landscaped amenity land on the corner with Princess Road. This means that there is no parking in-curtilage at the site or at any neighbouring properties.

The property is set back 9 metres off the front boundary and has a rear garden that is 5 metres deep following erection of a 4.2-metre deep single storey rear extension. This was approved in 2013 (Ref: 103552/FH/2013/S1) and is shown on the approved floorplans as providing 3no. ground floor bedrooms and a ground floor bathroom:



PROPOSED GROUND FLOOR PLAN
47.3 Sq M



PROPOSED FIRST FLOOR PLAN

On a visit to the site, it was noted that there were also 2no. entrance porches in situ; one on the front and one on the side elevation which were erected without the benefit of planning consent. A search of Google Earth historic images show that these have been in situ since at least 2016. No action with the Council's Planning Compliance team has therefore been undertaken.

Description of area

The site is within a mainly residential area comprising of a similar inter-war housing typology along either side of Platt Lane and east of Princess Road. It lies close to the William Hulme

Grammar School playing field a short distance to the west, and to the Parkway Business Centre, a short distance to the north-west.

Description of development

Erection of first floor rear extension to provide additional living accommodation.

The proposal originally sought 2no. first floor 4-metre-deep bedrooms close to the boundary with the adjoining semi, No.251 Platt Lane.

This was subsequently revised to 1no. first floor 4-metre-deep rear bedroom off-set from No.251 by 2.6-metres.

Both sets of drawings indicate that 2no.rooms within the existing ground floor extension together with the kitchen and side porch, are used for the applicants' childminding business.

Neighbour notifications were carried out on receipt of both sets of drawings, with comments reported below.

Consultations & Notification Responses

A total of 6no. neighbours on Platt Lane, Princess Road and Prestbury Avenue were notified of the application by letter. 3no. comments were received:

1st notification comments

Since the previous extension was approved on the property in question in 2013 (which we also objected to, and was for a two-storey extension-ref no 103552/FH/2013/S1-so this is just retrying the same proposal again as that was reduced to single storey on objection) to accommodate 2 further bedrooms, the family at 249 Platt Lane has not increased, in fact the eldest child has since moved out.

This application is based on the title 'Erection of first floor rear extension to provide additional living accommodation' however the plans clearly show that the only thing being added is two rooms for a childminding business, and the two bedrooms added in the original extension are merely being moved upstairs. Therefore, the submission should be more appropriate to be referenced to as 'addition of business premises in a solely residential area'.

The high-level proposed extension would block out all-natural daylight coming from the east/southeast up to midday each day (in the summer this would be 6-8 hours a day approximately in peak summer daylight hours) as there is a very large tree in an adjacent property which is already quite sizeable which the proposed extension would join in the line of sight from the living room in our own property, as well as two of our three bedrooms. The amount of available daylight in winter would be far worse given there is so little daytime light available to start with.

The childminding business has been running from this property for a number of years now (not sure how long exactly, as it doesn't appear to be registered on the Companies House website from what we can see), and we have previously complained to the local authority when two large banners for the business were put up on the house itself and the garden fence, providing a very shabby appearance, these were quickly removed when the council contacted my neighbour to remove them.

The child-minding service also uses the front entrance of the property and not the side entrance as in the previous approved application. I believe there are at least 4 children currently using this service but that is based on what I've seen when I come home from work, there could be more children during the day.

Outside of the above, the fact our back garden will be overshadowed by a two-level brick wall will not only look unsightly and out of character with all the other properties in the area (we can see several properties from our house, and none have ground level extensions, let alone first floor extensions, it will also likely devalue our property as well with such an extension being approved.

I would hope for the same outcome as the previous application for a two-storey extension in 2013 given that no circumstances have changed since then, and if anything (given the adjacent neighbours tree), they have only got worse. Pictures showing the current view from our house are attached to this email. The first picture is from inside our property, the view is what we see currently when sat on our sofa. I have also attached picture of the drainpipe repair by a paid contractor, just to show the current level of workman ship by the contractors Duniya employed, this was only a few months ago.

I am really concerned how much light will be blocked out by the proposed extension and how intrusive this will be on our property given we are a corner property and our back garden is small.

It seems odd to assume that there doesn't appear to be any loft conversion considered by my neighbour to avoid any planning requirements?

Please note that your planning ref 103552/FH/2013/S1 shows the original two storey application as well as the single storey one which was eventually approved (but doesn't look like the existing drawings of the current application, as it shows four downstairs rooms added and not the two in the current proposal).

2nd notification comments

In response to the amended plans, I have the following to add to my original objection:

Whilst noting that the original plan has been scaled back from two to one bedroom, the original issue still exists in regard to blocking light from my property both internally and externally, this is despite the bedroom being offset from the original plans. Throughout this process there has been the addition of the property being used as a childminding facility (which I do not have any objection to, and to date have never had any issues with), however it is worth noting that the 'childminding entrance' on the original plans is actually not used for that purpose as the main front door is the single point of entry for all household access. With this in mind, and as there is already an existing structure in place, surely the best option would be to place the additional bedroom in this area and replace the unused childminding entrance, therefore not impacting on any light issues to our property or anyone else's.

Policy

The application is subject to assessment under the following planning regulatory framework:

Unitary Development Plan – Saved policy DC1 – Residential Extensions

Core Strategy policies – SP1 – Spatial Principles and DM1 – Development Management.

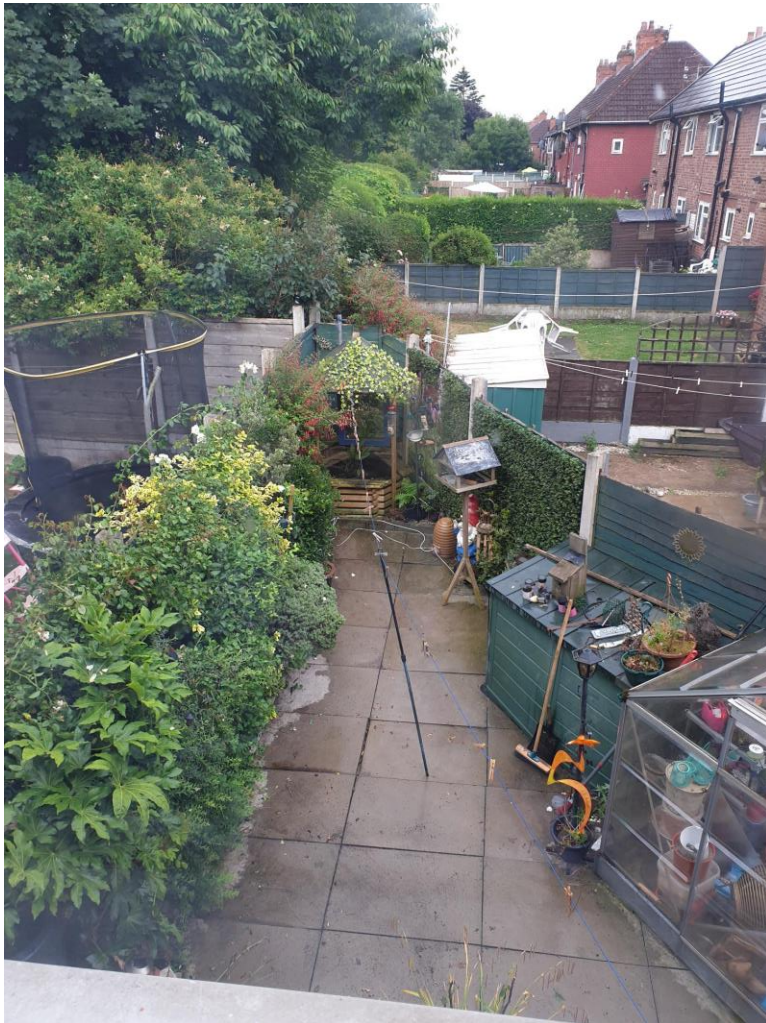
Issues

The above policy framework makes provision for residents to extend their homes subject to satisfactory impacts on residential and visual amenity, parking and bin storage. Only the first two issues are of relevance in this application.

The Council has concerns particularly with the residential amenity impacts as set out below and has considered a revised scheme which sought to overcome those concerns. This has not been achieved and the application is recommended for refusal.

Residential amenity

The amended proposal comes off the rear wall of the dwelling and extends over the single storey extension to a depth of 4 metres. It is off-set from the party wall of No.251, the adjoining property to the west, by 2.6-metres, with a hipped roof. From ground level, the height to eaves is 4.85 metres, and 7.4 metres to the apex. The height, scale and depth of the rear extension and its proximity to the boundary with No.251 would give rise to an oppressive relationship and overbearing impact on the occupiers of this property, contrary to saved UDP policy DC1. This would be compounded by the small rear garden at No.251 and its perpendicular relationship with No.355 Princess Road situated 3.13 metres away to the south-west.



View of rear garden at No.251 Platt Lane. The site is to the left.

Additionally, the proposal would give rise to overshadowing the ground floor habitable room at No.251 in the earlier part of the day resulting in this property suffering a loss of existing levels of amenity which is contrary to saved UDP policy DC1.

Furthermore, it is noted that the relationship of No.251 to No.355 Princess Road means that half of the rear of No.251 is already overshadowed from mid-afternoon onwards, despite being south facing.

Lastly, the impacts on No.251 would be compounded by the fact of several mature trees in the rear gardens of houses fronting Platt Lane and Princess Road, which creates a dense canopy to the south and south east.

The occupiers of this property have raised concerns in this regard which have not been overcome by the revision to the scheme.

On the basis of the above, the proposal fails to protect the amenity of neighbouring occupiers and so is contrary to saved UDP policy DC1 and to Core Strategy policies DM1 and SP1 as well as to the general provisions within the NPPF which emphasise the delivery of sustainable development through the planning system.

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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has refused the application for the reason below and as set out in the delegated report. The application raised concerns with the Council and on public notification. An amendment to the original application was submitted but the original concerns have not been overcome. The agent was notified of the concerns with the amended scheme before the decision was issued.

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

1) The proposed first floor rear extension, by reason of its height, scale, rearward projection and relationship to the rear elevations and boundaries with No.251 Platt Lane and No.355 Princess Road, would have an unduly overbearing and oppressive impact on the occupiers of these properties, to the detriment of residential amenity. This is contrary to saved Unitary Development Plan policy DC1 and policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

20 Prestbury Avenue, Manchester, M14 7HF
251 Platt Lane, Manchester, M14 7HH
247 Platt Lane, Manchester, M14 7HH
22 Prestbury Avenue, Manchester, M14 7HF
357 Princess Road, Manchester, M14 7ER
355 Princess Road, Manchester, M14 7ER

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH