

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132887/FH/2022
Date registered valid: 10 February 2022
Proposal: Erection of a part single, part two storey extension at the side and rear to provide additional living accommodation
Address: 234 Brantingham Road, Manchester, M21 0QZ
Ward(s): Chorlton Ward
Applicant: Mr Mohammad Tahir, 234 Brantingham Road, Manchester, M21 0QZ
Agent (if any): Mr Hamzah Tahir, 234 Brantingham Road, Manchester, M21 0QZ
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 6 April 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 28 March 2022

Standard consultations:

Printed: 14 February 2022 Expired: 7 March 2022

Neighbour notifications

Printed: 14 February 2022 Expired: 7 March 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 is a red brick, 3-bed semi-detached inter-war dwelling situated on the north side of Brantingham Road, west of St. Werburgh's Road in the Chorlton ward. There is an enclosed glazed porch at the front with tiled canopy roof over, whilst the main hipped roof is similarly covered in red interlocking tiles.

The property is block paved over the front garden and at the side, with a rear patio and lawn. There is a detached concrete garage on the western boundary of the rear garden.

This house type has an original single storey rear outrigger and bay window alongside.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site lies within an estate of inter-war housing of a similar typology close to the Chorlton District Centre and to Whalley Range.

Description of development

Erection of a part single, part two storey extension at the side and rear to provide additional living accommodation.

The proposal creates an extended kitchen/living/dining/bathroom and utility room at ground floor. At first floor, the side extension creates a bathroom and en-suite to the proposed 4th bedroom at the rear.

Consultations & Notification Responses

Neighbour notifications – A total of 9no. neighbours were notified of the proposal. One objection was received.

Objection

Once again, we are putting forward our objection to this proposed application which is a monstrosity.

Upon looking at the plans again, we still do have the same concerns about this extension that we raised previously.

I strongly feel that this is a rebuild of an entire house that will directly infringe on our light entering into the property and our outside environment. This will be an eyesore to our property and the surrounding properties and could generate noise pollution.

We strongly feel that the side and back elevation will be overlooking our property, and this will result in great loss of natural light and our privacy.

Due to ailing health my mother resides completely in the back room in which the proposed extension will obscure the natural light into her living quarters.

This extension will result in significant loss of light and we would have to constantly have the lights on; this would have a financial impact on our fuel cost and a detrimental effect on the climate change.

My mother's eyesight is not good and the light restrictions from this extension could result in her having a fall that will be detrimental to her health.

Can I also point out that both our neighbours have submitted planning applications in the past and if either one or both are granted this will infringe not only on our privacy and sunlight entering into the property but will leave us feeling claustrophobic and this could have a knock on effect on our health and wellbeing.

Again, we would like you to note our objection to this proposal and would like to point out the unnecessary stress that these proposals are causing both myself and my mother during what has been an overwhelming 23 months.

Flood Risk Management

The Information uploaded to the Planning Portal 10 February 2022 has been considered.

Pre-application correspondence between the LLFA and Tracie Simpson of the LPA has been considered.

The applicant has uploaded an FRS in support of their proposal.

We APPROVE with no condition required. We recommend the following Informative is included in the Decision Notice:

Informative

MCC records highlight that the underground Longford Brook / Nico Ditch is located within close proximity to the site (approximately 35 m from the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Planning History

Historically, applications have been refused on this property as set out below:

127819/FH/2020 – Subservience and loss of light to No.236

129548/FH/2021 – Subservience and loss of light to No.236

131751/FH/2021 – Subservience

Policy

The key issues in this application are the impacts on residential and visual amenity. These are considered within the following planning regulatory framework policies:

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan, however, the following policies are material to the application:

Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

Policy SP1 - Spatial Principles

Policy DM1 - Development Management

Policy EN14 - Flood Risk

The National Planning Policy Framework (NPPF 2021), in particular:

Chapter 12 - Achieving well-designed places

For reasons to be outlined below, the proposal is considered to accord with the above planning regulatory framework.

Issues

Residential amenity

The application proposal is a resubmission of last previously refused scheme (131751/FH/2021). It has taken account of the Council's concerns with regards to the impacts

on subservience and amended the proposal accordingly. Notwithstanding this, an objection has been submitted from the adjacent occupier at No.236 Brantingham Road raising concerns about a loss of light and overlooking as well as noise issues. This property has an outrigger as seen in the photo below.

It is noted that the Council were satisfied in the above application that the other previously unacceptable elements of the proposal, specifically to do with the rearward projection and siting, had been satisfactorily overcome in the assessment of that application.

In the present scheme, the ground floor proposes an extension that is 4 metres in length at the rear. This complies in principle with current allowances for single storey rear extensions under Class A of the prior approval process. It also introduces side and rear extensions that are subject to assessment under the above regulatory framework.

In considering the impact on No.236 first, a 2-storey side extension is proposed that will be sited on the driveway at the side having a width of 2 metres to the common boundary with No.236. This element of the proposal extends 6.5-metres along the side elevation to align with the original rear elevation.

The ground floor element projects beyond the rear wall of the original for 4 metres with a sloping monopitch roof which keys into a 2-storey rear extension. The first-floor rear extension has now been pulled in off the boundary with No.236 by 2 metres. This amendment, and the fact that the outrigger adjacent is 2.3-metres in length, means that the actual projection at ground floor beyond the neighbouring outrigger is 1.7-metres. This, and the fact that the outrigger is itself sited 2-metres off the site boundary, relieves the occupiers of this property from any overbearing impacts.



No windows are proposed on this elevation so the objectors'

concern that there will be overlooking is not substantiated.

In terms of overshadowing, No.236 has a door, utility window and side window in the outrigger that would face the extension. Another window is noted on the rear-facing elevation of the outrigger. The neighbouring occupier has stated that she has an elderly relative who lives in this part of her property and who would suffer significant light loss as a result of any approval.

As this property is orientated north at the rear and the site is due east, there will be some loss of light into the side-facing window as a result of any approval of this proposal. However, any light loss will only be into the one side window whilst the rear-facing window is unaffected by the proposal. As these windows serve the same room, it cannot be agreed that the light loss will be significant. Moreover, the architect has shown a 45° rule relationship between the nearest corner of the ground floor extension and the rear-facing window at No.236, which demonstrates an acceptable relationship.

With regards to the 2-storey rear extension which is also 4 metres in length, it has been acceptably amended to be set in off the boundary with No.236 since the last (2021) refusal, as well as being off-set by 2-metres from the adjoining occupier's boundary. On this basis, the proposal will have acceptable amenity impacts with no adverse loss of amenity to any extent that warrants further amendments or refusal of the application.

Visual Amenity

The extension has now addressed the issues with subservience which was the reason for refusal of the 2021 application. The extended roof ridge to the side is now hipped and set down 500mm off the original and the first floor is set back off the principal elevation by 1.5-metres.



The elevations are of a traditional design that responds to the original and materials are proposed to match.

The height, scale and massing of the proposal is proportionate to the original dwelling with eaves lined through at first floor and 2.7-metres at ground.

The width of the extension

Windows that serve ground and first floor bathrooms / WCs are required to be obscurely glazed in the interests of residential amenity.

Parking / Bin storage

Parking and bin storage can continue to be taken from the front elevation of the property. A bin store condition is appended in the interests of the visual amenities of the street scene.

Flood Risk

The site lies within Flood Risk Zone 2, a medium-risk zone for 1 in 100-year flood events. This is on account of the underground Longford Brook / Nico Ditch which runs east-west between Brantingham and Manley Roads.

The application is accompanied by a Flood Risk Assessment which has been reviewed and approved by the Council's Flood Risk Management team. There are no objections and no conditions recommended to be appended to the proposal. However, an Informative is recommended which requires that the design and construction of the drainage system prevents the increased risk of flooding, improves and protects water quality and ensures future maintenance of the surface water drainage system. It is recommended that green SuDS components are considered to mitigate for any loss of permeable area.

As the FRM team have no objections to the proposal, it complies with Core Strategy policy EN14 for flood risk.

Other matters

The objector has referred to the effects of another extension at the adjoining property to hers (No.238) and the claustrophobic effect this will have on her if the current application is approved. The adjoining occupier to her has received planning approval for a single storey rear extension (131687/FH/2021). This has been assessed as having acceptable amenity impacts. However, any future proposal for a first-floor rear extension at this property would also need to take account of the proximity of rear windows as with the current application. The objector would also have the opportunity to comment again on any such application which would be taken into consideration in assessment of the proposal.

The objector has also referred to noise and pollution in her comments. The Council acknowledges that these may be a temporary nuisance whilst any approved extension is being implemented. However, as these impacts are an unavoidable consequence of development and are of a temporary nature only, the objector's concerns cannot be afforded material weight in the consideration of the proposal.

Conclusion

Several recent applications have been submitted on the site which have raised concerns with the Council and a neighbouring occupier. The objector's concerns remain on file however and have been assessed as being disproportionate to the development as amended.

The Council's concerns have been overcome in the present application which complies with the above policies of the development plan, specifically, DC1 of the UDP and Core Strategy policies DM1 and EN14. As such, the proposal can now be recommended for approval, subject to the conditions and Informative set out below.

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: Approve

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 approved the application subject to the conditions

below and for the reasons outlined in the delegated report. The application was notified by letter to 9no. neighbouring occupiers which resulted in one objection. This has been taken into consideration in the assessment and determination of the revised scheme that is the subject of this application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 10th of February 2022 or as stated:

Application Form

Location Plan Ref:

Existing & Proposed Plans and Elevations Ref: 01 Rev 0

Flood Risk Assessment.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) Before first occupation the development hereby approved, the ground and first floor WC and bathroom windows on the front and rear facing elevations, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Before first occupation of the development hereby approved, details, including a location plan and elevations with dimensions and materials, of a secure and ventilated bin store, shall be submitted to and approved in writing by the City Council as local planning authority. The approved bin store shall be implemented and retained in situ at all times thereafter.

Reason – In the interests of the visual amenities of the area and for the protection of public health, pursuant to policies DM1, SP1 and EN19 of the Manchester Core Strategy.

Informatives

MCC records highlight that the underground Longford Brook / Nico Ditch is located within close proximity to the site (approximately 35 m from the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

267A Brantingham Road, Manchester, M21 0DZ
14 St Werburgh's Road, Manchester, M21 0TN
267B Brantingham Road, Manchester, M21 0DZ
267 Brantingham Road, Manchester, M21 0DZ
12 St Werburgh's Road, Manchester, M21 0TN
236 Brantingham Road, Manchester, M21 0QZ
232 Brantingham Road, Manchester, M21 0QZ
175 Manley Road, Manchester, M21 0GY

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH