

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130808/FH/2021

Date registered valid: 21 June 2021

Proposal: Erection of part single storey, part two storey side extension to provide additional living accommodation

Address: 46 Errwood Road, Manchester, M19 2QH

Ward(s): Burnage Ward

Applicant: Mr Khan 46 Errwood Road, Manchester, M19 2QH

Agent (if any): Philip Lambert Philip Lambert Architecture 3 Eastbourne Grove, BL1 5TR

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 January 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 29 June 2021 Expired: 20 July 2021

Neighbour notifications

Printed: 26 July 2021 Expired: 9 August 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

Description of site/building

The application relates to a large, detached Edwardian house with a basement located on Errwood Road in a predominantly residential area of Burnage ward. The property is set back a considerable distance from the back of pavement with Errwood Road with deep grass verges and mature London Plane trees.

The dwellinghouse benefits from substantial amenity space to the front, and rear elevations.

There is driveway alongside the gable of the house with off-site parking .

The application site benefits from boundary treatment to the curtilage of the property. The house is on a slightly elevated level to the property to the south on Errwood Road.

The boundary treatment to the boundary with no.48 Errwood Road comprises a concrete panel wall above a plinth in front of the building line. To the rear of the building line the same structure continues with a wooden fence and trellis above adjacent to the concrete fence on the neighbours' side of the boundary. There is ivy present on sections of the existing boundary treatment.

Planning History

073229/FH/2004/N2

Revised application for part single, part 2 storey side extension to form garage and breakfast room at ground floor, with bedroom and ensuite above, and single storey rear extension to form garden room.

46 Errwood Road, Burnage. Refused 22.12.2004

075203/FH/2005/N2

Single storey side and rear extension to form garage and additional living accommodation.

46 Errwood Road, Burnage. Approved 10.06.2005

127361/FH/2020

Erection of a part single, part two storey side extension to provide additional living

Accommodation.

46 Errwood Road, Burnage. Withdrawn 16.06.2021.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The dwellinghouse is bounded by residential properties to the west, north and south , with an island of green space to the east of Errwood Road , and Cringle Park to the south east of Errwood Road. Cringle Brook runs an east west direction in culvert 21m to the south of the property emerging from the culvert at the end of the rear garden of no.44 Errwood Road.

Description of development

Consent is sought for the erection of a part single, part two storey side extension , which would be elevated above ground level due to the presence of the existing basement in the property. The scheme would involve the removal of the existing door and associated steps and metal balustrade on the existing side gable.

At ground floor level the side extension would be set back 1.7m from the front facade of the existing house , and would extend back along the side of the dwellinghouse to the existing main building line of the existing house. At first floor level the extension would be set back from the front facade by 2.7m , projecting along the side of the house the same extent as proposed at ground level.

The extension would have a hipped roof and be 6.1m in height to eaves at the front of the house and 6.7m to eaves at the rear of the house . The eaves would be at the same level as those in the existing property , with the variation height due to ground levels.

The line of the fence as shown on the existing site plan is slightly off parallel to the house, it alters from being 2.899m at the front to 2.825m at the rear, the extension is proposed to be 2.6m wide, thus leaving a small gap between the proposed extension and boundary to the south with no.48 Errwood Road.

The part single, part two storey side extension would comprise a vehicular garage/ storage, and an extension to the existing kitchen accommodation at ground level , with two bedrooms and a shower room above.

Consultations & Notification Responses

Local residents- 11 letters objecting to the scheme have been received from 6 local residents (6 from one address).

One resident raised concerns about the delay in the receipt of the notification letter regarding the proposed development , affording the resident little time to present an objection proportionate to the impact that the proposed development would have on their property and as a consequence on themselves.

The resident indicated their intention to instruct a planning specialist review the submitted plans; to measure the site , and in particular to show exactly where the external wall of the south

elevation if the extension would be sited ; and to assess the impact of the proposed development to the street and on their property . The resident sought an extension to the timeframe to make comments.

The resident raised concerns the proposed southern elevation would be located unreasonably close to the existing southern boundary treatment. They also advised that there is currently 3m between the existing gable of no. 46 Errwood Road and the southern boundary, and the existing side gable has features which break up the massing of the wall. The resident is of the view that the proposed southern elevation would be a slab wall with no features. They also state that the description of the scheme is misleading as for the most part the structure would be two storeys in height.

They raised concerns that the application form refers to no hedges or trees being removed , but that the scheme would seriously compromise or possibly destroy ivy currently present on the boundary treatment .

They requested a site visit by the case officer to fully assess the impacts of the proposed development on their property and their quality of life.

The letter continues citing previously applications relating to no.46 Errwood Road and makes reference to an application refused at no.44 Errwood Road. They have stated that there is a skylight running north to south on the roof plan which is suggestive that an additional room is being added to the existing loft conversion. They also state that no measurements are shown on the plan and that if measurements were added it would show the south elevation being raised to a significant level, meaning that in effect an additional storey may be added to the southern side (and possibly to the north side) of the present house. As such they are of the view the description is inaccurate.

Furthermore, that the distance between the existing north elevation of number 46 and the boundary with number 44 is one metre , whereas the submitted plan seems to suggest that that north elevation stands on the boundary.

The scheme would lead to a large and imposing structure being built in a very confined space which would lead to the overshadowing of their property.

The boundary between 46 and 48 is a party fence It should not be disturbed without the owner's consent. The development is likely to cause demolition of that structure or at least damage to it. The property at 46 Errwood Road suffers from significant subsidence caused because Cringle Brook originally ran through the property and was diverted in order to build the house The house is leaning which is clearly visible from the street The stability of the house was further undermined sixteen years ago when it suffered an arson attack. The consequences of digging a foundation for the extension, for nos. 46 and 48 Errwood Road is a cause for concern. The Council must refer this to the proper channels to look into this.

The proposed extension would lead to an intensification of the use of the property which would lead to disturbance to neighbouring occupier, with an associated increase in the number of cars to be parked at the property, leading to potential damage to the grass verges between the house and Errwood Road. Additional parking requirement could lead to the blocking of neighbouring driveways.

The number of bedrooms in the property has been queried, with the potential for seven bedrooms to be present in the building, and the repurposing of the basement or further bedroom accommodation. Concerns have been raised that this would be out of character with other houses on the street.

It is advised that there used to be a garage at the rear of 46 Errwood Road, but it was demolished many years ago. Concerns have been expressed that the proposed garage could be used as living accommodation, leading to a small house being built in the driveway.

The proposed development is disproportionate to the size of the property, and is out of character . This sets an undesirable precedent. The scheme would mean that only no.46 would

have a garage at the front of the property, and a full width side extension. Spacing between houses is a special feature of the street and is what gives the street its uniquely attractive character.

There is no access to the external wall of the proposed extension to install gutters, pipes and drains, etc except via the driveway to the adjacent dwellinghouse 48 Errwood Road. Concerns are expressed regarding the potential adverse impacts to the adjoining occupier from building work and the subsequent need to undertake maintenance works in the future. Furthermore it is stated that the eaves, gutters, pipes and drains should not encroach onto the adjoining property, and concerns are expressed that the maintenance of the drains and rainwater goods would not be adequate and would have the potential to adversely affect the adjacent property. Concerns have been stated that a window is proposed in the side gable of the extension which would lead to the loss of privacy and the potential for overlooking.

The extension would result in a considerable loss of light to the kitchen, hallway, staircase and bathroom to the adjacent property.

The 1928 Deed Plan shows the houses lying between Ranford Road on the south of the plan and Milwain Road on the north. The original houses were constructed so that the footprint of the house is proportionate to each plot that it stands on, each house in keeping with the other houses on the street and preserves the street appearance and symmetry. Allowing an extension to 46 that would fill the space between the south elevation of 46 and the boundary structure between 46 and 48 would completely 'fly in the face' of that design. A design that attracted purchaser and occupants. In the first place, why should the development be allowed to stand in defiance of that principle. It would not be fair to present owners and occupiers

A letter was received from planning consultant on behalf of the local resident whose comments are detailed above. Their initial assessment indicated there is likely to be significant harm to their client's residential amenity, overbearing visual impacts, detriment to the character of the area and land stability issues, amongst other things. The finalised response raised the matters set out below:

a) Residential Amenity - concerns were raised regarding loss of natural sunlight to their client's kitchen window. They cite one of the reasons the Council previously refused planning application 073229/FH/2004/N2 at no.46 Errwood Road was that it considered "The side element of the proposed extension, by means of its size, massing and position would result in an undue loss of sunlight and daylight to the adjacent property (no.48) and would therefore be contrary to Policies DC1.1, DC1.2 and H2.2 of the Unitary Development Plan for Manchester (adopted 1995)" (second reason for refusal). It therefore follows that as the proposed development, which is the subject of the current planning application, is predominately two-storey and the building line adjacent to the shared boundary is consistent (there are no step-backs to provide relief) it will cause significant detriment to the residential amenity of No.48, specifically, loss of sunlight and daylight.

Accordingly, the proposed development is contrary to saved UDP Policy DC1.1, which suggests in determining planning applications for extensions to residential properties, the Council will have regard to, inter alia "The effect upon the amenity of the neighbouring occupiers" (criterion b). It is also contrary to saved UDP Policy DC1.2, which suggests extensions to residential properties will be allowed subject to compliance with other relevant policies of the plan and the following criteria, including "they do not create an undue loss of sunlight, daylight or privacy" (criterion b). In addition, the harmful impact would make the scheme contrary to Policy DM1 of the Manchester Core Strategy DPD (CS), which suggests all development should have regard to the following specific issues, including "Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation" (third bullet). Furthermore, the loss of sunlight and daylight is contrary to national planning policy, as reflected in the NPPF (2021), specifically theme 12 that provides policies for achieving well-designed places. Paragraph 130 (criterion f) is clear that "a high standard of amenity for existing and future users" is a minimum requirement for new developments. The proposed development will not achieve this given the harmful impacts on sunlight and daylight at No.48.

In spite of the significant detriment to the residential amenity of No.48, if the Council is minded to grant planning permission, it is suggested that obscure glazing is used in the first floor window on the south (side) elevation and it is non-openable to protect our client's privacy.

b) Overbearing Visual Impacts - At present the south (side) elevation of No.46 is 3m from the boundary fence with No.48. Its monotonous appearance from No.48, its driveway and garden are reduced by the three first floor windows. In contrast, the proposed development will be built almost on the boundary such that the open space between the two properties will be significantly reduced. There will be no step-back from the boundary to provide relief and there are no indications on the planning application drawings to suggest the use of external materials other than brick to provide variety. Similarly, there are no architectural details on the south (side) elevation to provide visual interest. The substantial scale and bulk of the development is reinforced by a pitched roof above. Overall, the proposed development will have an overbearing presence and create an oppressive sense of enclosure to the occupants of No.48.

On this basis, the proposed development is contrary to saved UDP Policy DC1.1 (criterion b). It is also contrary to saved UDP Policy DC1.2, which suggests extensions to residential properties will be allowed subject to compliance with other relevant policies of the plan and the following criteria, including "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 the original buildings)" (criterion a). In addition, the harmful impact would make the scheme contrary to CS Policy DM1, which suggests all development should have regard to the following specific issues, including "Appropriate siting, layout, scale, form, massing, materials and detail" (first bullet). Furthermore, the overbearing visual impacts are contrary to the NPPF (2021), specifically theme 12 and Paragraph 130 (criterion b), which seeks to ensure developments "are visually attractive as a result of good architecture, layout and appropriate and effective landscaping". The proposed development will not achieve this given its excessive bulk and domineering appearance that will largely be a blank wall.

It is material that the previous proposal on the application site was refused for this reason. The third reason for refusal of planning application 073229/FH/2004/N2 states "It is considered that the side element of the proposed extension would be overbearing to the adjacent property (no.48), by means of its size, massing and proximity to no.48. The proposal would therefore be contrary to Policies DC1.1, DC1.2 and H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995)." The same conclusion must be reached in assessing the current planning application given the size, massing and proximity to No.48 are all very similar to the earlier proposal.

c) Character of Area - The west side of Errwood Road is characterised by houses, predominantly semi-detached houses, set back a significant distance from the main highway with large grassed areas in front of the properties forming part of the public realm and the frontage of Errwood Road is lined by mature street trees. Most of the properties have driveways or undeveloped areas to the side leading to generous rear gardens. These undeveloped areas to the sides of the houses provide an attractive visual link between the mature trees on the Errwood Road frontage and the rear gardens of the properties on the west side of the street as well as those on Milwain Road and Ranford Road. This attractive characteristic of the area would be completely lost if the proposed development was granted planning permission and built. It would also be harmful to the street scene by introducing an incongruous extension to the property; the extension would almost resemble a terrace given its proximity to the boundary and the detached garage of No.48, which is visible from the street (when the gates are open).

But the proposed development should not be allowed because it is contrary to saved UDP Policy DC1.1, which suggests in determining planning applications for extensions to residential properties, the Council will have regard to, inter alia "The general character of the property" (criterion a) and "The overall appearance of the proposal in the street scene" (criterion d). It is

also contrary to saved UDP Policy DC1.2, which suggests extensions to residential properties will be allowed subject to compliance with other relevant policies of the plan and the following criteria, including "they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details" (criterion c). In addition, the harmful impact would make the scheme contrary to saved UDP Policy DC1.4, which seeks to prevent amongst other things a "terracing effect, where this would be unsympathetic to the character of the street as a whole" (criterion b) and "a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved" (criterion c). It is noted that the policy suggests the Council will normally permit 2-storey house extensions, which, when built, would leave a minimum of 1.52m (5ft) between the side wall and the common boundary. The proposed development would have a much smaller gap. Furthermore, the damage to the character of the area and street scene is contrary the NPPF (2021), specifically theme 12 and Paragraph 124 (criterion d), which sets out the "desirability of maintaining an area's prevailing character", and Paragraph 130 (criterion c), which seeks to ensure developments "are sympathetic to local character". The proposed development will not achieve this given the undeveloped area on the south side of No.46 will almost be completely lost. Again, it is material that the previous proposal on the application site was refused for this reason. The first reason for refusal of planning application 073229/FH/2004/N2 states "It is considered by its size, massing and position, the proposed extension would fill the space to the side of the detached property and would therefore be detrimental to the visual amenity of the original house within the street scene and the character of the surrounding area. It would therefore be contrary to Policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester (adopted 1995)." The same conclusion must be reached in assessing the current planning application given the size, massing and position are all very similar to the earlier proposal.

d) Land Stability Issues - It is understood that No.46 suffers from subsidence associated with Cringle Brook which originally ran through the property. Yet no geotechnical information has been submitted with the planning application to demonstrate the ground is able to accommodate the proposed development without causing damage to either the hot building or the neighbouring property at No.48. The risks will continue to be unknown until such time as geotechnical information is submitted in support of the planning application.

At present, the scheme is contrary to national planning policy, as reflected in the NPPF (2021), specifically theme 15 that provides policies for conserving and enhancing the natural environment. Paragraph 183 (criterion a) is clear that decisions should ensure "a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination." It is not known whether the proposed development will achieve this given the absence of geotechnical information. The planning application should therefore be refused.

A further email was also subsequently received from the resident asking for the comments made by the consultant in relation to lack of measurement on the plans to be dis-regarded, and these have been actioned in the revised plans.

Further letters from the same resident was received, in regard to the revised plan . They reiterated concerns relating to:

- several similar applications, including Application Numbers 075203/FH/2005/N2 and N1, were made and rejected by the Council in 2004/2005. Nothing has changed to make an extension acceptable now when an extension was not acceptable in 2004/2005.

The July 2020 application was, in fact, a re-submission of an application that had already been rejected in 2004/2005;

- misleading description - 2 storey, when this could be a 3-storey structure;
- raised concerns that a different section determined that application for the rear extension at a neighbouring property (which was refused) , and consideration was given to the impact on the

neighbouring property , but they feel that this consideration would not be applied in the consideration of this scheme;

- it is possible that the plans have been revised only to make them acceptable to the planning department. If the department approves the plans, the owner of number 46 might revert to his original plan, remove the shared party wall and build the extension right up to the boundary line between 46 and 48 Errwood Road;

- the scheme would lead to the creation of a large imposing structure in a very confined space. It will cast shadow to an alarming degree along the north elevation of their property. It is likely to be cold dark and damp. The south elevation of the extension will be unreasonably close to the boundary structure which they share. The south elevation will be an unsightly slab wall.

- they have been advised by a building engineer that it would be virtually impossible to build the extension without removing the shared party wall, and that it would be necessary for the builders to have access to their driveway. A project which allows the destruction of their property (the shared party wall) and allows access to their property, removes their rights as a homeowner and makes the whole project unviable;

- the potential number of bedrooms which would be created, and lack of parking spaces to accommodate the associated uplift in the numbers of people which would be resident at the dwellinghouse;

- threats from subsidence to the stability of the dwellinghouse ;

- access to the shared driveway;

- matters relating to subsidence;

- loss of light due to the proximity of the proposed two storey side extension;

- increase in noise due to the intensified occupation of the dwellinghouse;

- the potential for the house to be used as an HMO;

- the garage being used as a separate dwelling;

- the proposed development being out of character with the area;

- loss of privacy;

- lack of access for any ongoing maintenance to rainwater goods, if the extension were supported, and that no rainwater goods should encroach not the neighbouring property;

- the proposed development would set a precedent. They refer to the refusal of a prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 4m and a height at eaves of 2.5m at no.44 Errwood Road and are of the view the proposed extension would give rise to more loss of light than the development close by which was refused;

- they state that the shared wall must not be affected by the proposed development, and no storage of materials and equipment can take place at the adjacent property, nor workers enter the curtilage of the adjacent property.

2 letters of objection have been received from local residents commenting the negative impact on the quality of life that this proposal will have for the occupier of 48 Errwood Road. One resident raised issues in terms of loss of light , that the proposed two storey extension would be oppressive and overbearing upon the neighbouring property; the proposed development affecting the wellbeing of the adjacent occupier; they believe that the future usage of this property will be for

commercial purposes, as the current occupancy does not warrant the need for expanded living space, in particular, additional bedrooms.

Furthermore, that the block on which this property stands is made up of family homes with quite distinctive architectural features, and as there are no other extensions to similar houses in the area, and the proposed extension would be out of character with the immediate neighbourhood. In addition, an HMO or an equivalent type of building would not be suitable in terms of the family orientated residential nature of the block.

Another resident is of the view that the proposal relates to a huge structure to be sited in a very limited space between neighbouring properties, which would be totally oppressive, lead to loss of light, restrict air flows or act as a funnel for high winds. The passage will become a dark, gloomy and highly unpleasant access way - a 'tunnel' almost. Further, as it blocks the only external access from the front to the rear of 46 Errwood Road, there will inevitably be pressure brought to bear on the occupant of number 48, to open up their space to allow access for those living in number 46. This is unacceptable. The proposed extension will have a deleterious effect on the health and wellbeing of the occupant of number 48.

They understand that the boundary fence between the two properties is jointly owned. This is bound to be affected by both the erection of the extension and the arrangements thereafter. with huge potential for misunderstandings and pressure to change the historic boundary.

They also refer to extension being out of character and changes a single family house into a much different property of seven bedrooms, which they feel is inappropriate for a single family home. They feel this property is being prepared for sub-division or sub-letting, and question the safety of a property with no external access from front to back; it is not as if it is part of a terrace with a rear access road.

A further 2 residents have raised concerns to the potential number of bedspaces, and associated potential intensification of parking requirements and the impacts of the proposed extension on the character of the area. Furthermore, that the full width of the space to the boundary is filled, with a very high brick wall creating an oppressive canyon to the neighbour's boundary.

Flood Risk Management - The site is in Flood Zone 1, ca. 10m north of an Environment Agency main river.

The drainage of the site can be approved, but they recommend that the following informative be appended to any approval.

Informative

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 pursuant to policy EN17 of the Core Strategy.

MCC records highlight an underground EA main river is located within close proximity to the site (approximately 10m to the south of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all 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 and the EA should be contacted immediately.

Environmental Health - request a condition to restrict the hours of construction.

Issues

POLICIES

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Chapter 12 relates to achieving well designed places . Paragraph 130 (criterion f) relates to the creation of places that are safe and inclusive and accessible, and which promote health and well-being , with a standard of amenity for existing and future users. This matter is explored elsewhere in the report.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other documents as outlined below:

Manchester Core Strategy

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

Regard should be given to:

Policy SP1 (Spatial Principles) which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income, and; protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) says that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Of relevance in this instance are: appropriate siting, layout, scale, form, massing, materials and detail. Impact on the surrounding areas should be considered in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. Effects on amenity, including privacy, light,

noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise. In terms of accessibility, buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. There should be regard for community safety and crime prevention. Adequacy of internal accommodation and external amenity space, including refuse storage and collection and vehicular access and car parking must be assessed. The effects relating to biodiversity, landscape, archaeological or built heritage, including green infrastructure, open space, both public and private must be given due consideration. In addition, flood risk and drainage, including existing or proposed hazardous installations will be assessed.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies:

Large elements of the UDP have been superseded by the Core Strategy. Saved policies DC1.1, DC1.2, DC1.3, and DC1.4 which relate to determining planning applications for extensions to residential properties are of relevance in the consideration of this application.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods.

The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

It advises that high quality design is a vital attribute of successful neighbourhoods. Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

ISSUES

Principle of development

The submitted application is for the proposed erection of a part single, part two storey side extension to form additional living accommodation. The principle of the proposal is considered to be acceptable in that it would allow the adaptation of the existing house to meet changing residential needs. On balance, it is considered that the proposal represents a proportionate addition to the existing building to create improved living accommodation. However, the potential impact of the extension on the residential amenity currently enjoyed by the adjoining properties should be assessed.

Residential Amenity

Approval is sought for the erection of a part single part two storey extension with a hipped roof which would project rearward from the existing front façade to the existing rear façade of the existing dwellinghouse.

Concerns expressed by the resident regarding overlooking have been noted. A revised plan has been submitted for consideration which removes the window from the side elevation, and incorporates a rooflight above the shower room provide natural lighting to the proposed accommodation, thereby responding to concerns regarding overlooking to the adjacent property. All other areas of glazing would be located on either located on the front or rear elevations overlooking the garden areas associated with the dwellinghouse .

The location of a two storey side extension in proximity to the boundary with the dwellinghouse to the south of the site, would give rise to some impacts to residential amenity due to scale and massing. The revised scheme under consideration has sought to reduce potential impacts from massing by setting the proposed existing on back from the front building line of the existing house by 1.7m at ground floor level and 2.7m at first floor level, with the incorporation of a hipped roof to reduce the height of the structure close to the boundary. Furthermore, the extension would not project rearwards from the existing house , and the eaves would be at the level of the eaves in the existing house . It is considered on balance that the proposed side extension would not give rise to such impacts due to massing as to warrant the refusal of permission.

Saved UDP policy 1.4 states that in considering proposals for two storey side extensions, the Council will have regard to the general guidance in DC1.1-DC1.3 . In particular the Council will seek to ensure that both gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned ; that the actual or potential resulting of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole. Furthermore, the policy states as a guide 2 storey house extensions which leave a 1.52m gap between the side wall and the common boundary , and which the other requirements of the policy would be permitted. Whilst in this instance the gap which would be left between the proposed development and side boundary is limited, the proposed set back of the side extension at both floor levels would ensure that a terracing effect would not result if the adjacent occupiers wished to undertake a similar extension in the future.

In regard to the issue of loss of light, the proposed extension lies to the north of the neighbouring dwellinghouse, and therefore any loss of sunlight would not be significant . It is acknowledged that the location of the proposed extension would have the potential to reduce light levels to the windows in the side elevation of no.48 Errwood Road, but from the content of the correspondence received, it is indicated that these windows serve non habitable rooms , including kitchen , staircase, hallway and bathroom. As the extension would not project beyond the front or rear of the existing house, and due to the nature of the windows in the side gable to the neighbouring property , it is considered that impacts due to loss of natural light/sunlight would not be so significant as to warrant the refusal of permission. It is noted that the loss of light was a reason for refusal for the erection of a two storey side extension in 2004, but the design of that scheme is not the same as that under consideration , in that the 2 storey extension in 2004 projected beyond the rear of the existing dwellinghouse.

At present, as advised previously, the floor levels within this property and the adjoining semi-detached house are elevated above ground levels, due to the presence of a basement and the dwellinghouse has existing stepped access with associated balustrades to the door in the side elevation. The proposed extension would remove this arrangement thereby reducing any potential for views into the curtilage of the adjacent house .

On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Visual Amenity

The proposed side extension has been design to be sympathetic to the character of the existing house in terms of window openings , headers above windows , roof design etc, and would incorporate the use of matching materials .It is considered that the proposal would not detract from the character and appearance of the existing house, due to the context, and siting. It is therefore considered that the proposed extension would not adversely affect the appearance of the existing dwelling or visual amenity within the area and is considered on balance to be acceptable.

Comments received regarding the design of the existing side gable with windows breaking up the appearance have been noted, together with the concerns about the visual appearance of the proposed side elevation. However, in order to safeguard the privacy of adjoining occupiers the incorporation of window openings to break up the mass of the façade would not be appropriate. Whilst the property is not a listed building , nor is it in a conservation area , it is in an area characterised by brick built dwellings, and as such it is not considered that the suggested use of external materials other than brick to provide variety, would be appropriate, give the local context.

Furthermore, whilst the introduction of brick detailing in the side elevation may assist with providing visual interest, the lack of such detail would not warrant the refusal of permission. It is considered that the incorporation of a hipped rather than a pitched roof would assist in reducing any sense of enclosure /tunnel effect to the adjacent occupier.

Refence has been made by an objector that they consider the proposed development is contrary to saved UDP Policy DC1.1 (criterion b), and that it is also contrary to saved UDP Policy DC1.2. In this instance the side extension would be 2.6m in width, which is less than half the width of the existing detached house. This combined with the proposed set back from the front façade and the use of a hipped roof would lead to the proposed development being subservient to the original property .

The objector has also referred to third reason for refusal in regard to planning application 073229/FH/2004/N2 which states " It is considered that the side element of the proposed extension would be overbearing to the adjacent property (no.48), by means of its size, massing and proximity to no. 48, and is of the view that the proposal would therefore be contrary to Policies DC1.1, DC1.2 and H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995).

They are of the view the same conclusion must be reached in assessing the current planning application given the size, massing and proximity to No.48 are all very similar to the earlier proposal.

However, each planning application needs to be considered on its merits. The application which is referred to, had a two storey element of the proposed extension, which projected beyond the rear elevation of the existing house. The proposed extension under consideration, however, would be limited in its length to the extent of the existing gable of the house .

Height, scale and massing

Following concerns regarding from a resident in relation to the accuracy of plans and associated potential impacts due to massing, the planning agent submitted further plans which have been annotated with measurements for clarity.

It is considered that the scale of the development and its massing in relation to the surrounding context would be acceptable. As stated earlier, there is a basement in the existing house, so the proposed side extension would be elevated above the external ground level at the property to enable connectivity the floor level in the existing house . The proposed extension has been designed to incorporate a hipped roof to reduce the mass of the proposal and would be 6.1m in height to eaves at the front of the house and 6.7m to eaves at the rear of the house . The

eaves, however, would be at the same level as those in the existing property , with the variation height due to ground levels.

It is not considered that the proposed development would not give rise to massing issues which are so significant as to warrant the refusal of permission.

Siting

The annotated plans confirm the distance that would remain between the proposed extension and the shared boundary wall to the south. The plans have been revised to reduce any potential impacts to the foundation of the boundary wall to the south.

The line of the fence as shown on the existing site plan is slightly off parallel to the house, it alters from being 2.899m at the front to 2.825m at the rear, the extension is proposed to be 2.6m wide, so with a standard 600mm wide strip footing it would only reach 2.75m at its further point leaving an allowance of 50mm between the fence and the footing. The planning agent has advised that should it be found the fence had a larger footing that this, the new extension could be built on the edge of the foundation allowing a total of 200mm, but is of the view that it would be highly unlikely. On the basis of the above , any issues arising in connection with impacts to the southern boundary treatment would be considered to be a party wall issue rather than a planning matter .

The plans show that the side extension would be contained within the existing curtilage of the property. It is considered that the proposed siting of the extension would not significantly adversely affect neighbouring houses, and would meet the requirements of Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Design and appearance

The proposed part single, part two storey extension would be visible to the property to one side of the dwellinghouse, with views from Errwood Road, and with limited views to the houses on Milwain Road .

The extension would be traditional in design with materials matching the existing house. It is considered that the design and appearance of the proposed extension is in character with the existing house and would be acceptable in this location.

Character of Area

In regard to the character of the area the western side of Errwood Road is characterised by houses, predominantly semi-detached houses, with some detached houses, all of which are set back a significant distance from the main highway, with large grassed areas in front of the properties forming part of the public realm. Errwood Road is lined by mature street trees (London Planes) . It is acknowledged that most of the properties have driveways or undeveloped areas to the side leading to large rear gardens. However, any requirement to retain these arrangements needs to be balanced with adaptation of the existing house to meet changing residential needs. The application relates to a detached property, and the erection of a side extension due to the proposed design would not give rise to a terracing effect. It is not considered that the proposed extension would be harmful to the street scene. As stated earlier in the report, the design of the proposed extension is considered to be sympathetic to the character of the existing house.

Waste Management

Although refuse store would be accommodated within the proposed garage , it is recommended that a condition be attached to any approval to require the finalised details of the refuse storage arrangements of the property , which may require the siting of a bin store within the front curtilage of the dwellinghouse .

Car Parking

There is a hard surfaced area which forms a driveway area for vehicles to the front of the existing house. This retained arrangement together with the proposed garage along the side of the house would ensure that two vehicles could be parked off street. The concerns about potential parking issues due to the increased level of accommodation at the property have been noted together with concerns raised by local residents that the floorspace for the garage could be used as additional living space in the future . It is therefore recommended that a condition be attached to any approval to ensure that the garage is retained for use for the parking of a vehicle and is not converted into additional living accommodation.

Flood Risk

The site is in Flood Zone 1, but lies 32m to the north west of Cringle Brook. The advice from the LLFA has been noted and it is therefore proposed to attach the requested informative to any approval.

Construction Hours, and construction access to the site

Due to the scale and nature of works it is proposed to attach an informative to any approval to specify the construction hours at the site, rather than by way of a condition. Matters relating to access from adjacent properties in regard the implementation of any development and on-going requirements to maintain rainwater goods are civil matters .

Shared Boundary

The planning agent has been advised, that it has been brought to our attention that there is a pre-existing shared boundary wall, and that as this a shared boundary wall, no works should be undertaken to it , the gable wall and foundations that would affect this shared boundary wall unless both of the parties are in agreement. This however is a civil matter.

Land Stability

Whilst the comments from a resident regarding ground stability issues been noted, this property is not in an area of ground contamination ,or coal workings, and Cringle Brook lies 32m to the south east of the site. Although comments from a resident have been made suggesting that no.46 Errwood Road is suffering from subsidence associated with the former route of Cringle Brook (which it is claimed originally ran through the property), it is understood that the re-routing of the brook took place some time ago ,and therefore it is considered that any matters associated with subsidence would be a civil matter. On this basis geotechnical information has not been sought to accompany this application, and it would be for the property owner to undertake due diligence before any works commence.

Other matters raised by residents

A resident raised concerns that the application form refers to no hedges or trees being removed, but that the scheme would seriously compromise or possibly destroy ivy currently present on the boundary treatment . The ivy is located above a concrete wall and wooden fencing / trellis , neither of which would constitute the definition of a hedgerow. It is therefore considered that the submitted forms have been completed appropriately.

The request for a site visit to fully assess the impacts of the proposed development on their property and the resident's quality of life was actioned , and a planning officer met with the resident which had requested the visit, at the site to discuss their concerns .

Concerns have been noted in regard to the resultant number of bedrooms within the property, but it is acknowledged that there is a need for larger family accommodation to meet the needs of extended families in Manchester. In this instance, due to concerns expressed about the potential for the dwellinghouse to be used as an HMO in the future, it is recommended that an

appropriately worded condition is attached to any approval so that it is clear that the property can only be used as a dwellinghouse and not a sui generis HMO.

In regard to concerns that the rooflight proposed in roof would enable the loft to be used for additional living accommodation, it is understood that the proposed sky light in the southern roof slope has been incorporated to provide natural lighting to the shower room , following the need for the proposed window in the side gable to be removed to overcome privacy concerns and not on the basis of facilitating further accommodation in the roof space.

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 have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. Officers have worked with the applicant in a positive and proactive manner in order to achieve solutions to problems arising from the consideration of this planning application. In this instance, matters relating to the installation of a window in the side gable , and clarification of the measurements of the side extension were raised with the agent and the appropriate conditions have been attached.

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:

Plan refs; 21-622-00-01 Site Location Plan; 21-622-00-02 Existing Site Plan;

21-622 00-03 Existing Basement floor plan; : 21-622 00-04 Existing Ground floor plan; 21-622 00-05 Existing First floor plan; 21-622 00-06 Existing Attic floor plan; 21-622 00-07 Existing Roof plan; 21-622 00-08 Existing Elevations;
Received 21st June 2021;

Plan ref: 21-622-01-02 rev.A Proposed Site Plan; 21-622 01-03 rev.A Proposed Basement floor plan; : 21-622 01-04 rev.A Proposed Ground floor plan; 21-622 01-05 rev.A Proposed First floor plan; 21-622 01-06 rev.A Proposed Attic floor plan; 21-622 01-07 rev.A Proposed Roof plan; 21-622 01-08 rev.A Proposed Elevations;
received 21st July 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing dwellinghouse in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the dwellinghouse to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of the Manchester Core Strategy (2012).

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on plan refs: 21-622 01-04 rev.A Proposed Ground floor plan; 21-622 01-05 rev.A Proposed First floor plan; 21-622 01-06 rev.A Proposed Attic floor plan; 21-622 01-07 rev.A Proposed Roof plan; 21-622 01-08 rev.A Proposed Elevations;
received 21st July 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy (2012).

7) Prior to the installation of the door to the garage , finalised design details of the door including type and colouration shall be submitted to and approved in writing by the City Council as local planning authority the development shall be implemented in accordance with the approved details .

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of the Manchester Core Strategy(2012).

8) Prior to the development hereby approved first being occupied, finalised details of storage arrangements for refuse, including elevational details of screening/enclosure of a bin storage area, shall be submitted to, and approved in writing by, the City Council as local planning authority. The bin storage area shall be implemented in accordance with the approved scheme and shall thereafter be so maintained.

Reason - In the interests of residential and visual amenity, and to ensure the safety of the occupiers and future occupiers, pursuant to Core Strategy Development Plan Document Policies DM1 and SP1 and saved Unitary Development Plan Policy DC1.

Informatives

1) 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 pursuant to policy EN17 of the Core Strategy.

MCC records highlight an underground EA main river is located within close proximity to the site (approximately 10m to the south of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all 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 and the EA should be contacted immediately.

2) Construction/demolition works shall be confined to the following hours:-

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management

1 Milwain Road, Manchester, M19 2PX
42 Errwood Road, Manchester, M19 2QH
50 Errwood Road, Manchester, M19 2QH
44 Errwood Road, Manchester, M19 2QH
48 Errwood Road, Manchester, M19 2QH
9 Milwain Road, Manchester, M19 2PX
7 Milwain Road, Manchester, M19 2PX
5 Milwain Road, Manchester, M19 2PX
3 Milwain Road, Manchester, M19 2PX
40 Errwood Road, Manchester, M19 2PH

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2