

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132384/FO/2021

Date registered valid: 14 December 2021

Proposal: Erection of a single storey rear extension to form additional living accommodation

Address: 10 Wilton Road, Manchester, M21 9DW

Ward(s): Chorlton Ward

Applicant: Mrs Sue Wrigley 10 Wilton Road, Manchester, M21 9DW

Agent (if any): Mr Dan Rostron Brick Design Studio 178 Stamford Street, Stamford Street, Manchester, M16 9LU

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 07.01.2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 February 2022 Expired: 10 February 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application relates to a mid terraced two storey property with a front bay window, with a two storey outrigger and rear yard. The area is predominantly residential.

The proposal is for a single storey rear infill extension incorporating roof lights. The extension would infill the area of the yard between the boundary wall, with the same projection as the existing two storey rear outrigger. The extension would be parallel with the neighbouring property. The height of the extension would be 3.6 metres at the highest point diminishing to 3 metre along the common boundary, with a rearward projection of 5.6 metres. The extension would have a width of approximately 1.6 m from the side wall and span the full width of the rear of the property.

Negotiations

Concerns were raised in relation to the original proposal for a two-storey rear extension due to its unacceptable overbearing impact on the occupiers of the surrounding properties and a revised scheme removing the first floor element was submitted.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and before the proposals were amended to include a two storey rear and side extension, two occupiers of the same property objected to the proposal due to its overbearing impact. After the proposal was modified to a

single storey rear extension, two objections from the same house hold were received. The concerns with the single storey extension are as follows:

- The side wall due to its close proximity would reduce light through the living room door, windows and kitchen window.
- The kitchen window will face a brick wall, having a negative impact on quality of our life living.

The issues raise will be address within the body of the report.

Issues

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1.

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

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

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.

Core Strategy policy DM1 indicates all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

Development in all parts of the City should make a positive contribution to neighbourhoods of choice including: 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; protect and enhance the built and natural environment.

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

Unitary Development Plan

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- a. They are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Issues

The principle of householders extending their properties to provide additional living accommodation is generally acceptable subject to further consideration of the impacts of proposals on residential amenity and the character of the area.

Residential Amenity - The proposal is located to the rear of the property and would project sideways from the existing side wall by 1.6m. The rearward projection is longer than that generally accepted under policy DC1 (3.65 metres) but in this instance a similar projection on the boundary with the adjoining property and could be constructed under the prior approval process for larger householder subject to no objections received. However, in this instance objections have been received in relation to the impact of the extension in terms of the loss of light and oppressive impact. Therefore, consideration has been given to the orientation of the property and the yard areas between the outriggers which would be in shadow for a majority of

the day due to the existence of the two-storey outrigger and orientation towards the north west. Whilst the built form is on the boundary, consideration has also been given to potential fall back position with regards to permitted development rights which would allow a 3-metre rearward extension along the common boundary or a two metre high boundary treatment along the boundary without the need for planning permission. Whilst the rear ward projection proposed is in excess of that allowed under permitted development rights, the impacts on the rear patio windows/doors would be similar to those experienced with an extension of less depth, or a 2m high boundary treatment. It is noted that similar extensions have been approved within the street with similar relationships as such it is not considered on balance that the impact of the extension in this location in this instance would be so significant as to warrant refusal and is therefore considered to be acceptable.

Character of the Area - Given the location the proposal would have limited public viewing points from Wilton Road, the use of matching materials on the side elevation will also assist in the proposals being able to be assimilated into the area successfully. It is not considered that the proposal would give rise to unacceptable impacts on the character of the area.

Other matters- Bins could continue to be stored at the rear of the property.

An objector has raised a matter in relation not permitting work that may need to be undertaken from their property. The granting of planning permission does not override any other permissions required through separate legislation or civil matters relating to the party wall. As indicated above the proposals are considered to be acceptable from a planning assessment point of view.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also 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:

AE-10-002 Rev A, and AL-10-003 Rev B, stamped as received on the 3 February 2022.
The Location Plan stamped as received on the 14 December 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

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

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 Manchester's Local Development Framework: The Manchester Core Strategy

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 the approved drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

7 Wilton Road, Chorlton, Manchester, M21 9GS
9 Wilton Road, Chorlton, Manchester, M21 9GS
8 Wilton Road, Chorlton, Manchester, M21 9DW
3 Chequers Road, Manchester, M21 9DX
12 Wilton Road, Chorlton, Manchester, M21 9DW
7 Chequers Road, Manchester, M21 9DX
5 Chequers Road, Manchester, M21 9DX

Appendix 2 – Planning constraints

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