

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130993/FH/2021

Date registered valid: 16 July 2021

Proposal: Erection of a part single, part two storey side and part single, part two storey rear extensions, erection of a two storey front extension following demolition of existing garage to provide additional living accommodation

Address: 222 Wythenshawe Road, Manchester, M23 0PH

Ward(s): Brooklands Ward

Applicant: Dr Abdelrahim Dawood, 222 Wythenshawe Road, Manchester, M23 0PH

Agent (if any): Dr Kanadi Jagafa, Mason and Marlowe Ltd, 3 Gladwin Place, 3 Colman Gardens, Salford, M5 3NT

Case officer: Robert Tyrer
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Recommendation: Approve

Date of recommendation: 09.02.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: case officer site visit conducted 19th August 2021

Standard consultations:

Printed: 23 July 2021 Expired: 13 August 2021

Neighbour notifications

Printed: 20 January 2022 Expired: 3 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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application property is a two storey detached dwellinghouse with detached single storey garage to its western boundary with number 224 Wythenshawe Road. The existing property has a sloping front roof and two storey flat roof rear extension, there are extensive well established private garden areas to the front and rear with the main property set back from Wythenshawe Road by approximately 12 metres. The property has a front boundary wall and railings.

The detached garage extends along the boundary with number 224 for approximately 11 metres and is constructed with similar colour brick to the main dwellinghouse. An extension to the garage was approved in 2000.

Wythenshawe Road is a busy east west link with Wythenshawe Park to the south and established residential areas to the north. The properties in the vicinity of the site have a strong front building line set back from the main road frontage but there is a variety of house types and finishes behind the tree lined road.

Description of development

The proposals are for the erection of a part single, part two storey side and part single, part two storey rear extensions, erection of a two storey front extension following demolition of existing garage to provide additional living accommodation.

Following amendments to the proposals the proposed front extension to the existing sloped roof has been reduced in scope and height and is two storeys in height and the side extension has been altered to be part single part two storey. A renotification of the revised drawings was undertaken, the description of development has been subsequently amended to reflect the proposals under consideration.

Consultations & Notification Responses

Neighbouring properties were notified of the original proposals and the revised scheme, two objections were received from the same neighbour one response to each notification exercise. The comments made are summarised below:

Our main objections are concerning the garage area, which had an extension to the rear a few years ago with the previous owner.

The planning application includes an extra floor above the whole garage area and the rear garage extension. The following are the valid reasons we wish to give for objecting to this particular planning application:

- Loss of daylight/sun to one of our bedrooms, the landing window & garage.
- The gap between the two properties, i.e. their new wall of the garage and the boundary between us will need to be clearly marked/defined.
- This would also be a consideration for the emergency services ease of movement.
- We need to maintain our garage space without feeling claustrophobic. In addition, if the development does gain this extra floor, we will have to adjust our garage gate and the garage roof covering at present at considerable cost. Bearing in mind, we had the approval of the garage gate and garage roof from the previous owner for nearly 30 years.
- The actual work involved especially the garage area will cause environmental disruption, noise, and loss of privacy with the workers moving in and out.
- We use garage gate & side door as the everyday entry point into our house.
- The application is to increase the number of bedrooms to 8 (currently 4 only) and toilets/bathrooms to 7. This development does not match with the rest of neighbourhood and surrounding houses.
- Doubling the number of bedrooms and bathrooms will undoubtedly increase noise level, car parking, etc.
- A couple of years ago, we were considering to have extension to our house, particularly the flat roof and the garage area. However, we just couldn't put it to our neighbors, as we felt it will affect them negatively.

Although there is a slight change from our prospective to the Revised Plans, we still wish to object to the above Revised Plans application.

Our main objections remain the same as before, concerning the garage area, which had an extension to the rear a few years ago with the previous owner.

Policy

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

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.

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

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result 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;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 proposals are located to the side of the existing property in an area that currently incorporates a detached garage sited along the boundary with number 224 Wythenshawe Road.

Number 224 is a two storey semi detached property with attached single storey side garage and car port attached extending to the boundary, it appears that part of the car port may encroach over the boundary of the application property as the boundary fence is set off the side wall of the garage of number 222. There are two side facing windows to the main gable wall of number 224 facing towards the application property and are approximately 3 metres away from the boundary with the application property. Given the absence of a front facing window on the outermost corner of the property this window is presumed to serve the bedroom referenced by the objector with the other larger more central window serving a landing.

Following revisions to the proposals the first floor element of the side extension as been brought in away from the boundary to leave a gap of 1.4m to the outer wall of the ground floor element of the extension. This step in achieves a visual separation required to reduce the potential for future terracing and also give a subservient appearance to the side extension. No windows are proposed in the side elevation of the extension, as such it is not considered that the proposals would give rise to a loss of privacy or overlooking to the neighbouring property.

An objection has been received that the side extension would give rise to impacts in terms of loss of daylight and sunlight to a side bedroom and landing window. In this instance the property is due west of the application property. Direct sunlight would reach the side windows from mid afternoon when the sun would be higher in the sky for a short period before the sun passes further west and would be blocked by the built form of the neighbouring property. Whilst there would be a loss of some direct sunlight, given the gap to the boundary of this window together with the setting off of the extension by a further 1.4 m it is not considered that the proposals would give rise to such a significant loss of sunlight or daylight to the bedroom window as to warrant refusal of the application proposals. The landing window does not serve a habitable room but as indicated above the impacts are not considered to be so significant as to withhold consent in this instance.

Concerns have been raised about the scope of the ground floor element of the side extension, the proposal uses a similar footprint to the existing detached garage, it is not considered therefore that the built form on the ground floor boundary would give rise to impacts greater than those currently experienced. The garage in close proximity to the boundary is an established feature in this location together with a rearward extension to it in the early 2000s. As such other matters relating to features that maybe attached to it or encroachment, or maintenance would be civil matters that would need to be resolved between the neighbouring properties. The granting of planning permission does not override other legal matters outside of planning legislation that would need to be resolved. It is noted that the applicant has completed certificate A which indicates all works are to take place within the curtilage of the application property.



First floor side windows on 224 Wythenshawe Road

Given the retained gap at first floor and the relationship to the adjacent garage and carport it is not considered that the proposals would give rise to unacceptable impacts on the residential amenity of the occupiers of number 224 Wythenshawe Road as set out above. The forward facing windows of the extension would have a similar relationship to the street and the rearward facing windows would have a similar relationship down the garden to the existing rear windows and whilst closer to the boundary with number 224 it is not considered that the location of these would generate loss of residential amenity to warrant refusal of the proposals.

In the addition of a pitched roof to the existing two storey flat roof extension and its widening would improve the appearance of the rear elevation and given the separation to the neighbouring properties it is not considered that this enlargement and addition of roof would give rise to unacceptable impacts on residential amenity. The single storey extension that would project beyond the wall of the existing two storey flat roof extension would have a depth of approximately 4 metres and would retain a depth of garden of approximately 20metres in length. Given the size of the extension, distances to boundaries of neighbouring properties and boundary treatments and vegetation in situ it is not considered that this addition would give rise to unacceptable impacts on residential amenity.



Rear of number 222 Wythenshawe Road

The addition of the two-storey front extension is not considered to give rise to impacts on residential amenity. Proposed windows and door will face towards the front garden and Wythenshawe Road and would have not great impact than existing windows but would provide greater opportunities for natural surveillance of the front of the property and street beyond.



Front elevation

Visual amenity – The proposals would alter the appearance of the property when viewed from Wythenshawe Road. The addition of two storey front and part single part two storey side extension would be visible from the street. The use of matching bricks would assist in assimilating the extensions to the host dwelling and the character of the street in general. It is noted that there are a variety of house types and finishes on this part of Wythenshawe Road as

such the alterations proposed are not considered to give rise to significant harm to the character of the area to warrant refusal of the proposals.

To reduce the visual harm to the street and reduce any potential terracing if the property at number 224 wished to undertake similar side extensions, the first floor side extension has been brought in off the boundary by 1.4metres and together with a 1m set back from the existing front gable wall of the property is considered acceptable in this context.

Amount of development – The proposals would lead to a sizeable increase to the living accommodation available at the property, it is understood that this is to accommodate extended family members. The adopted planning policies in place are supportive of residents seeking to adapt their properties. The application plot is large in size with extensive grounds to the front and rear as such, and as described above, it is considered that the proposed extensions can be accommodated without giving rise to unacceptable impacts on residential or visual amenity of the area.

Car parking - Whilst the proposals would result in the removal of the side garage there remains adequate driveway space for off road car parking.

Bins - Access to the rear will be maintained and as such bins can continue to be stored away from the front of the property.

Other matters – Concerns have been raised with regards to disturbance caused by construction activities. It is considered that whilst the proposals seek additions to the property they would not give rise to complex construction activities that would not normally be expected for such a project. The impacts would be short term and temporary whilst works took place, in this instance conditions for construction management details are not considered necessary, an informative will be appended to any decision to remind the applicants of the working hours that are recommended throughout the City.

Conclusion - The proposals are considered to be acceptable and not give rise to significant impacts on residential or visual amenity. As such it is considered that they are in accordance with the adopted planning policies and can be supported.

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 application has been determined in a positive and proactive manner. In this instance amendments were sought to the proposals and revised drawings were submitted.

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:

Proposed floor plan drawings as received by the City Council as local planning authority on the 20th January 2022 and Proposed elevations drawing as received by the City Council on the 9th February 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 materials to be used on the external surfaces of the development hereby permitted shall be arranged and match those of the existing dwellinghouse in type, size, colour and texture.

Reason - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Parks & Events
MCC Flood Risk Management

220 Wythenshawe Road, Manchester, M23 0PH
167 Lawton Moor Road, Manchester, M23 0PW
169 Lawton Moor Road, Manchester, M23 0PW
165 Lawton Moor Road, Manchester, M23 0PW
224 Wythenshawe Road, Manchester, M23 0PH

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