

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131438/FH/2021
Date registered valid: 19 August 2021
Proposal: Part retrospective application for the retention of two storey rear extension
Address: 14 Holmside Gardens, Manchester, M19 1WR
Ward(s): Burnage Ward

Applicant: Mr & Mrs Safia & Jonny Azar-Smith, 14 Holmside Gardens, Manchester, M19 1WR
Agent (if any): Mr Steven Walker, Walker Design, Unit B, First Floor, Lostock Office Park, Lynstock Way, Bolton, BL6 4SG
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 11th October 2021



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	Photos have been submitted by the agent at validation
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 2 September 2021 Expired: 23 Sept 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 site relates to a two storey semi-detached C3 property located in the Burnage Ward area of Manchester. The property is positioned at the end of a Cul de Sac surrounded by similar type properties. A two storey rear extension is present with raised decking. Gardens lie to the front and rear with access along the side.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

Holmside Gardens is a residential street within the Burnage Ward area of Manchester, characterised by two storey semi-detached family dwellinghouses with gardens, consisting of current and ex-social housing.

Description of development

The applicant is proposing a retrospective application for the retention of a two storey rear extension

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered unacceptable and it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed not to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Plans considered

The plans considered as part of this proposal are as follows:

EXISTING

Received 19 th August 2020	2278.P.101.A	Existing Plans & Elevations
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PROPOSED

Received 1 st October 2021	2278.P.102.E.	Proposed Plans & Elevations
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History

There is one previous planning application relating to this site as follows:

Planning reference number: 130563/FH/2021 for Erection of a single storey rear extension to form additional living accommodation. This application was Withdrawn on 10th August.2021.

Residential Amenity

The applicant is seeking retrospective consent for the retention of a two storey rear extension to provide additional living accommodation.

The two storey rear extension subject of this application was constructed in June 2018. The extension projects off the rear wall by 3.0 metres and is sited across the rear wall up to the shared boundary with the adjoining semi-detached property no. 16 Holmside Gardens. The height of the extension is parallel to the existing eaves and roof ridge height of the property. On the ground floor are Bi folding doors which are positioned on the rear leading into the garden with a window on the side elevation facing the rear garden of no. 12 Holmside. At first floor there are two windows which serve a rear bedroom and an en-suite. No windows are present on the side of the extension at first floor.

Due to the relationship with the adjoining semi-detached house and the fact that the adjoining property has only a single storey extension to the rear, it is considered that the extension along the shared boundary provides an overbearing and oppressive outlook for the existing and any future occupiers of the adjoining semi-detached property. In addition, it is considered that due to the orientation of the application site, the proposal would provide overshadowing and loss of light in the late afternoon and earlier evening which would lead to a harmful impact upon the living conditions for the occupiers of the adjoining semi-detached property no, 16 Holmside Gardens.

The City Council considers that the two storey extension currently provides an overbearing and unsatisfactory visible appearance to the occupiers of the adjoining property interrupting clear views enjoyed from the rear.

Overall, given the orientation of the application site and its relationship to the neighbouring property, it is considered that the proposal would provide an overbearing structure which would be out of character with the area and lead to the loss of residential amenity by the occupiers of the adjacent property. The proposal is therefore considered would conflict with policies as set out in the Core Strategy for the City of Manchester Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension in close proximity to the shared boundary is deemed oppressive creating an overly dominant feature within the view of the adjoining occupiers. The extension is not considered to be subservient to the original house which is out of character with other properties in the area and therefore provides an unneighbourly visual impact to the residential amenity of the area.

It is therefore considered that the scale and mass of the proposed extension is not satisfactory and is considered not to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design and Appearance

The design of the proposal is considered unacceptable with the existing and surrounding properties in the area. The design is not detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development does not accord with Core Strategy Policies DM1 and EN1 and in general the design is considered unacceptable.

Waste management

The location of refuse bins are unaffected by this proposal as there is space along the side of the property for the movement of bins from the rear to the front for collection and therefore accords with EN19 of the Manchester Core Strategy.

Parking

Parking is unaffected by this proposal as off road parking would be available on the front drive.

Conclusion

It is considered that the proposal provides visual harm to the occupiers of the adjoining property by way of appearance, bulk and mass and if approved would provide an overbearing and detrimental impact on the residential amenity of the occupiers of the adjoining property and the character of the area and therefore does not comply with Council saved policies DC1 of the Unitary Development Plan and policies DM1, SP1 and EN1 of the Core Strategy.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application and on this occasion a satisfactory solution could not be reached.

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

1) The development, by reason of its proximity to the shared boundary, together with the scale, bulk and massing of the extension, is considered to have an overbearing impact upon the occupiers of the adjoining property No. 16 Holmside Gardens and creates an intrusive feature as viewed from surrounding homes and gardens, to the detriment of residential amenity. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

12 Holmside Gardens, Manchester, M19 1WR
16 Holmside Gardens, Manchester, M19 1WR
9A Milton Court, 590 Burnage Lane, Manchester, M19 1RX
11 Milton Court, 590 Burnage Lane, Manchester, M19 1RX
451 Kingsway, Manchester, M19 1NR
10 Milton Court, 590 Burnage Lane, Manchester, M19 1RX
9 Milton Court, 590 Burnage Lane, Manchester, M19 1RX
18 Holmside Gardens, Manchester, M19 1WR
449 Kingsway, Manchester, M19 1NR
447 Kingsway, Manchester, M19 1NR

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
Area Team Boundary - Name: SOUTH