

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129729/FO/2021

Date registered valid: 12 April 2021

Proposal: Erection of first-floor rear extension on top of existing single-storey to form additional storage area for existing pharmacy

Address: 117B Withington Road, Manchester, M16 8EE

Ward(s): Whalley Range Ward

Applicant: Everest Pharmacy 117B Withington Road, Manchester, M16 8EE

Agent (if any): Mr Saghir Hussain Create It Studio Architects Universal Square, Devonshire Street North, Manchester, M12 6JH

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 10.06.2021

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 26 April 2021

Standard consultations:

Printed: 20 April 2021 Expired: 11 May 2021

Neighbour notifications

Printed: 20 April 2021 Expired: 11 May 2021

Site notice

Posted: 26.04.2021 Expired: 17 May 2021

Press advert

Published: 27 April 2021 Expired: 18 May 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey semi detached property at the junction of Withington Road and Yarburgh Street. The property has a second floor within the roof and there are two dormers on the front elevation. At the rear is an original two storey outrigger, shared with the adjoining property. The property has shop front projecting in front of the main face of the property to both Withington Road and Yarborough Street. There is a single storey rear extension which wraps around the outrigger and projects 10 metres from the rear face of the outrigger. The extension occupies the full width of the site. There is a small yard at the rear of the extension. The premises are currently used as a chemist shop with living accommodation over.

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

Description of area

The property is located at the northern end of the Withington Road local centre within the Whalley Range conservation area. The other half of the semi is used as a solicitors office and car hire office within Class E with living accommodation above. The rear yard is used for the storage of vehicles. There are commercial properties with residential above facing the site across Withington Road and across Yarburgh Street is the side elevation and rear yard of a commercial property fronting Withington Road and the front elevations of commercial properties with residential above fronting Yarborough Street. At the rear of the property separated by a narrow alley is an area of incidental open space.

Description of development

Consent is sought to erect a first floor extension above the existing rear extension. The extension would occupy the full width of the existing extension and extend from the rear face of the outrigger to the rear face of the existing extension. The extension would be of brick construction with a dual pitched roof. The ridge height would be marginally lower than that of the outrigger. The eaves height would be similar. There would be three windows in the south elevation and two in the east elevation. The extension is required to provide additional storage. In support of the application the agent said "Everest Pharmacy is very active in delivering essential covid vaccination to the local community of Whalley Range and Manchester in general. They are likely to be engaged with this and other important pharmaceutical services for several years to come. The additional storage space is essential for them in order to cater for the demands brought about by covid not only due to vaccinations but also for storage and delivery of prescription-based medications. It is, therefore, essential for the pharmacy to maximise the additional storage space for it to deliver essential services to the local community."

Consultations & Notification Responses

Local residents/businesses

No representations received.

Policy

Core Strategy

The relevant Core Strategy Policies are SP1, DM1 and EN3

Policy SP1 sets down the spatial principles that will guide development in the City including the creation of neighbourhoods of choice.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Policy EN3 seeks to preserve or enhance the City's heritage assets

Unitary Development Plan

The relevant saved UDP policy is DC18

Policy DC18 seeks to preserve or enhance the City's conservation areas.

NPPF

Paragraphs 184 through 202 relate to Conserving and Enhancing The Historic Environment.

Paragraph 184 says these assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 185 refers to the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation.

Paragraph 192 says that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viability.

Issues

Principle

Whilst the Council seeks to assist local businesses this cannot be at the expense of the amenity of residents or have a harmful impact on the character of the area or the conservation area. The issues arising from this application are discussed below. The application has been the subject of discussions in respect of the issues below but the applicant has requested that the application is determined as submitted.

Scale

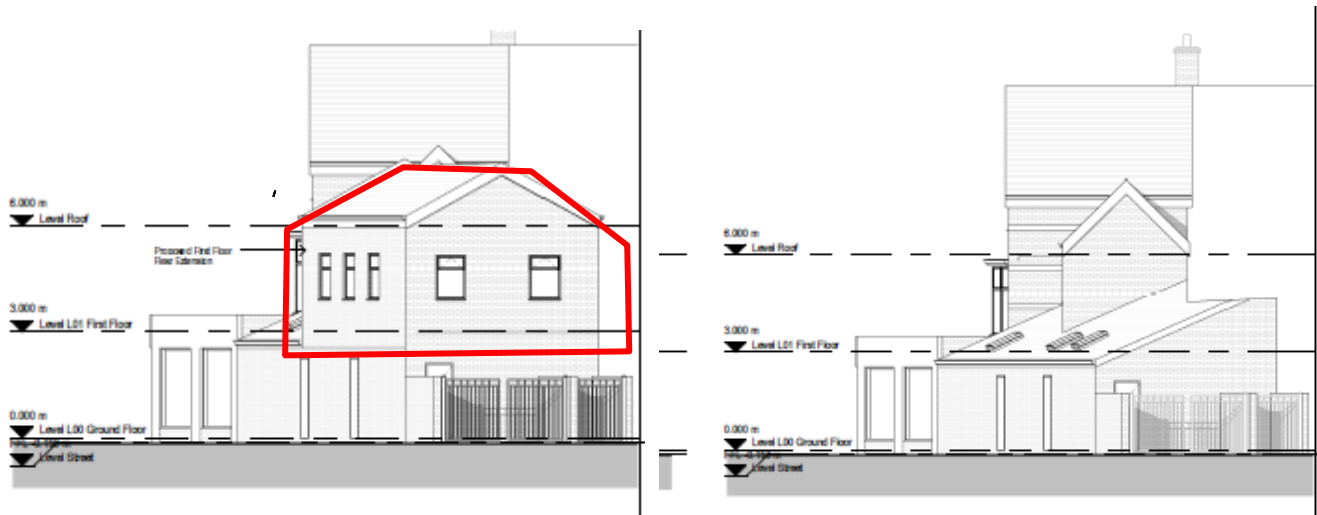
The proposed extension will create in effect a two storey structure with a 10 metre road frontage along Yarburgh Street where there is currently a single storey extension with clear sky above. The proposed extension is in a prominent position where it is considered that it would have a significant impact due to its scale when viewed along Yarburgh Street in either direction and also from the living accommodation above the adjacent property. Given the historic pattern of development in the area and the exposed nature of the site the scale of the proposed extension is considered to be excessive



South elevation (extension outlined in red)

Design

The design of the proposed extension is very simple however, it fails to pick up on the detailing found on the original building, whilst the window proportions and design lack the vertical proportions found on buildings in the area. The proposed extension would project forward of the building line along Yarbrugh Street of the first floor of the original building creating an unattractive gable detail that would be highly visible. Whilst the roof would be dual pitch with a gable which is a feature of the host property due to the width of the extension the pitch of the roof is flatter and therefore appears incongruous.



Rear elevation Proposed

Rear elevation existing

It should be noted that the drawings are incorrect and outrigger is shared with the adjoining property and the ridge should be on the boundary.

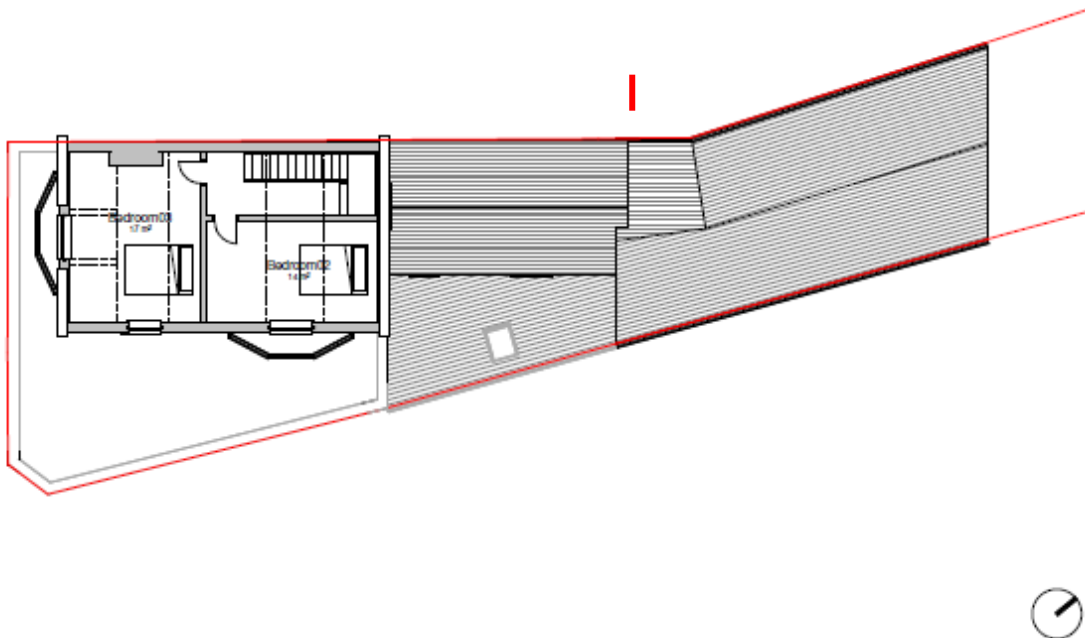
On balance it is considered that the design is utilitarian and not informed by the host property.

Refuse

The proposed development would retain the existing yard and refuse storage arrangements. This is considered satisfactory.

Residential amenity

The proposed extension is located to the south of the adjoining property which has living accommodation at first floor level with a window in the rear elevation of the outrigger. Due to the crank in the rear extension it would at least in part cross this window, and with the excessive rearward projection of its position due south of the window it is considered that the proposed extension would have an overbearing impact.



Roof plan of the proposed extension showing the approximate position of the adjoining residential window (red line)

No other properties would be affected in terms of overbearing impact or privacy, although the scale and design of the proposed extension would impact on the visual amenity of the area.

Impact on the character of the conservation area.

The proposed extension does not reflect the scale or historic pattern of development found in the Conservation area, Across Yarburgh Street the property retains its original footprint with a substantial rear yard that is characteristic on this part of the conservation area. The erection of a first floor extension would create a sense of enclosure that is not part of the character of the area and due to the openness of the site the extension would be highly visible heading in both directions along Yarburgh Street and from the residential accommodation to the north. Whilst beyond covering an original gable the proposed development does not result in the loss of historic fabric, it is considered that the proposed extension would have an impact on the character of the conservation area. Whilst this harm may be less than significant it is considered that it would be sufficient to justify a refusal of planning permission.

Where the harm is considered to be less than significant, the harm could be offset by the public benefits of the development. In this case whilst there are clearly some benefits to allowing the Chemists to expand given recent changes to the use classes order concern would be expressed that the rear extension could become a separate unit in its own right which would have significant implications of the character of the conservation area.

On balance it is considered that the harm to the conservation areas character outweighs any public benefit.

Conclusion

The proposed extension would be unacceptable due to its impact on the amenity of the adjacent first floor flat, that it also impacts unacceptably on the character of the conservation area is such that any benefits accruing to the improved service that could be offered would be lost. On balance therefore the proposed extension cannot be support and is contrary to Council policy.

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

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) Having regard to the pattern of development found in the area the proposed first floor rear extension by reason of its scale, design and prominent location would have a detrimental impact on the character of the Whalley Range Conservation area and the area in general. The proposed development is therefore contrary to the provisions of Core Strategy policies DM1 and EN3 and saved Unitary Development Plan policy DC18.

2) The proposed first floor rear extension by reason of its scale, position on the site boundary and orientation would have an overbearing impact on the first floor window in the rear elevation of the outrigger and the rear yard of the attached property. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum

Whalley Range Conservation Area Group

Top Flat, 117A Withington Road, Manchester, M16 8EE

Flat 1, 100 Withington Road, Manchester, M16 8FA

4A Yarburgh Street, Manchester, M16 7FJ

Sport Bar, 121 Withington Road, Manchester, M16 8ED

98 Withington Road, Manchester, M16 8FA

98A Withington Road, Manchester, M16 8FA

6 Yarburgh Street, Manchester, M16 7FJ

4 Yarburgh Street, Manchester, M16 7FJ

119 Withington Road, Manchester, M16 8EB

117A Withington Road, Manchester, M16 8EE

100 Withington Road, Manchester, M16 8FA

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

Conservation Area - Whalley Range Conservation Area 1992

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH