

Planning

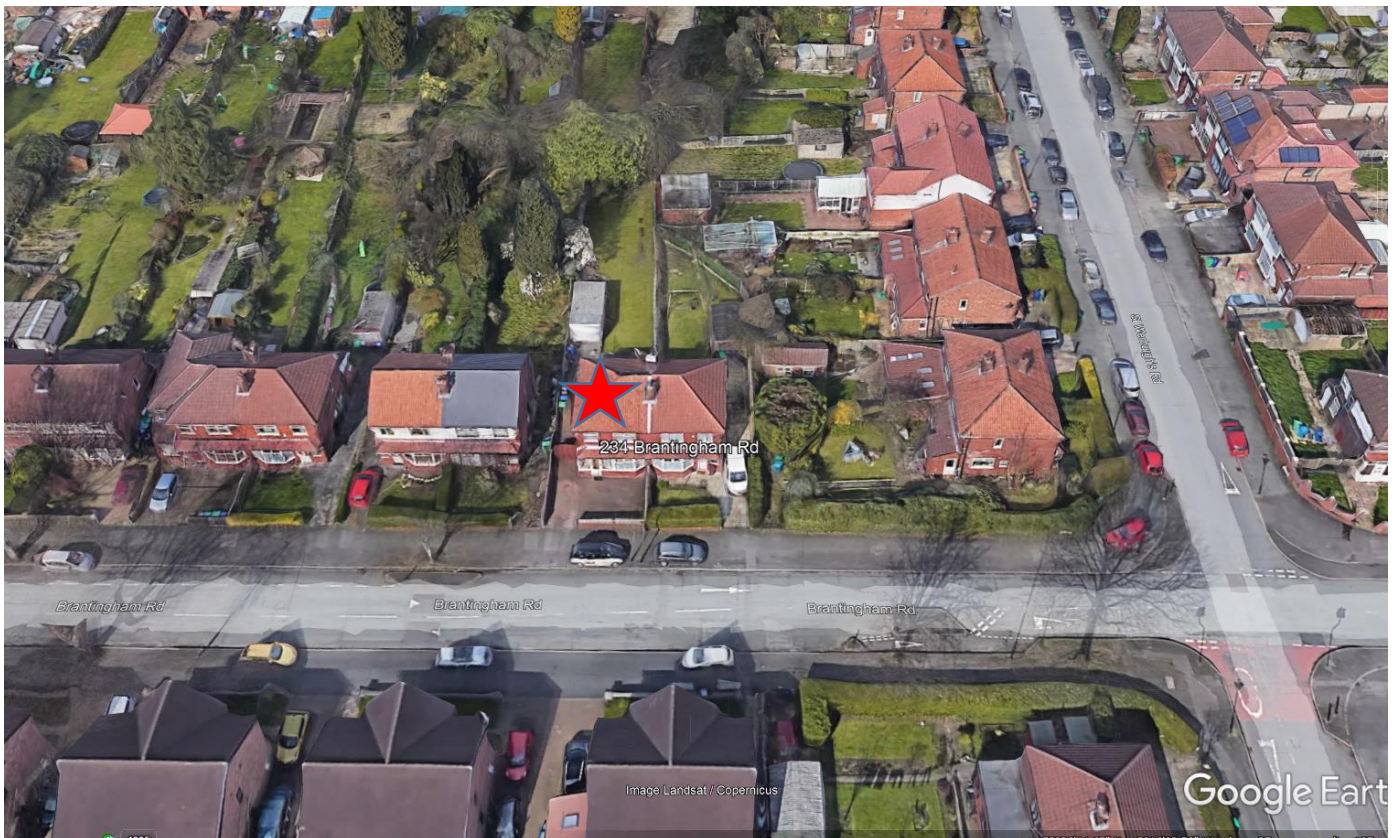
Growth & Development

Delegated officer report for planning application

Application no. 131751/FH/2021
Date registered valid: 27 September 2021
Proposal: Erection of a part single, part two storey side and rear extension to provide additional living accommodation
Address: 234 Brantingham Road, Manchester, M21 0QZ
Ward(s): Chorlton Ward

Applicant: Mr M Tahir, 234 Brantingham Road, Manchester, M21 0QZ
Agent (if any): Mr Fahad Patel, 45 Woodvale Avenue, Bolton, BL3 3HF
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 22nd November 2021



Application details

Type of application:	Full Householder Application
Development type:	Householder
Standard consultations:	Printed: 5 October 2021 Expired: 26 October 2021
Neighbour notifications	Printed: 5 October 2021 Expired: 26 October 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 property is a traditional, two-storey, semi-detached house with gardens/driveway to the front and rear



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

Description of area

The area is predominantly residential in nature

Description of development

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

Consultations & Notification Responses

Local residents, as per Appendix 1 - one letter of objection has been received in respect of this application, summary of comments as follows:

- Monstrosity of the proposed application
- Upon looking at the plans again have the same concerns about this extension that we raised in June 2021.
- Feel that this is a rebuild of an entire house that will directly infringe on our light and outside environment.
- Will be an eyesore to property and the surrounding properties and could generate noise pollution.
- Feel that the side and back elevation will be overlooking result in the loss of privacy.
- The proposed rear extension exceeds the existing building and this will detrimentally have an effect on the daylight and sunlight would obscure the natural sunlight entering into property
- The disturbance from the construction of the newbuilding will have an impact on our health.

Flood Risk

Object as a flood risk has not been considered in the proposal. In line with Government Standing Advice, a Flood Risk Assessment must be undertaken for this proposal because it is within Flood Zone 2.

Should the application be approved, recommend the applicant is made aware of the following Informative:

Informative:

MCC records highlight that the underground Longford Brook / Nico Ditch is located within close proximity to the site (approximately 35 m 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 MCC 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 should be contacted immediately.

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 EN 19 - Waste Management
- 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.

History

There have been three previous planning applications relating to this site as follows:

F05601 - Application Refused - 01.12.1976 - Formation of room in roof space of dwellinghouse.

127819/FH/2020 - Application Refused - 22.10.2020 - Erection of a two-storey side extension and part single, part two-storey rear extension to provide additional living accommodation

129548/FH/2021 - Application Refused - 20.07.2021 - Erection of part single, part two-storey side and rear extensions to provide additional living accommodation

Plans considered as part of this scheme.

- Stamped received on 27th September 2021 numbered 01 Existing and Proposed Plans and Elevations.

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.

Residential amenity/visual amenity

This is a resubmission of a previously refused planning application (129548/FH/2021) This application was refused for the following reasons:

The proposed development by reason of its scale, bulk, massing, size, design and its relationship to the original house would not be subservient to the main house; would be incongruous with the character of the area and would have an overbearing appearance to neighbouring occupiers to the detriment of visual amenity and as such is contrary to saved policy DC1.1, DC1.2, DC1.3, DC1.4 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.

The proposed extensions by reason of their height, rearward projection and close proximity to the site boundary would create an undue loss of light and have an overbearing impact to no. 236 Brantingham Road, to the detriment of the amenity of the occupiers of the property. The proposed development is therefore contrary to the provisions of DC1.1, DC1.2, DC1.3, DC1.4 of the Unitary Development Plan and policy DM1 of the Core Strategy.

The proposal subject of the current planning application put forward, in the description of the proposal Question no. 4 on the application form is stated as a part single, part two storey side and rear extension to provide additional living accommodation. The plans submitted as part of this proposal show a hip to gable, part single, part two storey side and rear extension to provide additional living accommodation. The applicant was asked to amend the application form for clarification, however, has chosen not to do so. As the proposed plans clearly show a change in the roof design the City Council will assess the proposal in its entirety against City Councils policies.

It is acknowledged that the applicant has addressed reason number 2 of the previous reason for refusal, however, the officer entered into negotiation with the applicant by email to reach a satisfactory outcome in terms of addressing reason number 1 of the previous refusal. The applicant was given the opportunity to address the concerns raised, however, has chosen not to amend the plans.

The proposed two-storey side extension would have a setback from the front of the property of 1.5 metres at first-floor level and would be flush with the front of the existing house at ground-floor level. The proposal would be sited adjacent to the shared boundary with no. 236 Brantingham Road and would extend beyond the rear of the original house by 4 metres at ground floor forming a wrap around up to the shared boundary with the adjoining semi detached property. The first floor rear would project off the wall by 4.0 metres extending partway across the rear with a gap retained to the shared boundary with no. 232 by 2 metres at first-floor level. The roof would be hipped to reflect the current style of roof of the property.

The City Council maintains that the proposal would not be subservient to the host dwelling house and would provide an overly dominant structure, which would be oppressive and visually obtrusive to neighbouring occupiers and result in visual harm within the street scene. It is considered that the proposed extension would give rise to loss of residential amenity that surrounding properties could expect to enjoy, and therefore does not accord with policies SP1 and DM1 of the Manchester Core Strategy Development Plan and saved Unitary Development Plan policy DC1 and the guidance contained within the National Planning Policy Framework

Scale and Massing

It is considered that the proposal would read as excessively large and bulky, and would have an overbearing impact upon the amenity levels of neighbouring occupiers at no. 236 Brantingham Road, and would not appear as subservient additions to the property, contrary to saved policies DC1.1, DC1.2, DC1.3, DC1.4 of the UDP.

Design

Given the proposals prominent location it is considered that the proposal has not been sited and designed appropriate to the character of the area and therefore does not accord with the principles for residential extensions set out in saved UDP policy DC1 and Core Strategy Policies DM1, SP1 and EN1.

Flood Risk

The applicant was notified about the property falling within a Flood Zone 2 Area, however, chose not to address the concerns raised by the City Council.

Waste management

The applicant outlined on floor plans that the bins will be stored along the shared boundary with the adjoining property to the front of the site. The applicant/agent was asked to provide bin store details and elevations, however, the applicant/agent chose not to submit the relevant amended plans and stated that the bins would be stored in the open air. The City Council believe that the location of bins stored out in the open to the front of the property would provide a loss in residential amenity and therefore does not comply with policy DM1 of the Manchester Core Strategy.

Conclusion

For these reasons, it is considered that the extension would have an unacceptable appearance as the resultant house would have a bulky appearance with an overbearing massing and scale to the detriment of neighbouring occupiers. In light of this, the proposed extensions are considered to be unacceptable in terms of their appearance and would be detrimental to visual and residential amenity within the area and views within the street scene contrary to saved policies DC1.1, DC1.2, DC1.4 and policies DM1 and SP1 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

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

1) The proposed development by reason of its scale, bulk, massing, size, design and its relationship to the original house would not be subservient to the main house; would be incongruous with the character of the area and would have an overbearing appearance to neighbouring occupiers to the detriment of visual amenity and as such is contrary to saved policy DC1.1, DC1.2, DC1.3, DC1.4 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

267C Brantingham Road, Manchester, M21 0DZ
267A Brantingham Road, Manchester, M21 0DZ
22 St Werburgh's Road, Manchester, M21 0TN
20 St Werburgh's Road, Manchester, M21 0TN
14 St Werburgh's Road, Manchester, M21 0TN
267B Brantingham Road, Manchester, M21 0DZ
267 Brantingham Road, Manchester, M21 0DZ
8 St Werburgh's Road, Manchester, M21 0TN
16 St Werburgh's Road, Manchester, M21 0TN
12 St Werburgh's Road, Manchester, M21 0TN
18 St Werburgh's Road, Manchester, M21 0TN
10 St Werburgh's Road, Manchester, M21 0TN
24 St Werburgh's Road, Manchester, M21 0TJ
238 Brantingham Road, Manchester, M21 0QZ
236 Brantingham Road, Manchester, M21 0QZ
232 Brantingham Road, Manchester, M21 0QZ
177 Manley Road, Manchester, M21 0GY
175 Manley Road, Manchester, M21 0GY

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH