

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131353/FH/2021

Date registered valid: 26 August 2021

Proposal: Erection of single storey side and rear extensions, elevational alterations to the front basement entrance including creation of lightwell, the installation of a rear dormer extension, and alterations to driveway

Address: 15 Whalley Road, Manchester, M16 8AD

Ward(s): Whalley Range Ward

Applicant: Mr Dharman Jeyasingham, 15 Whalley Road, Manchester, M16 8AD

Agent (if any): Chris Mulholland, Mulholland Architecture, Ltd Flat 1, 37 Upper Chorlton Road, Manchester, M16 7RW

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 October 2021



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 30.09.2021
Standard consultations: Printed: 1 September 2021 Expired: 22 September 2021
Neighbour notifications: Printed: 1 September 2021 Expired: 22 September 2021
Site notice: Posted: 10 September 2021 Expired: 1 October 2021
Press advert: Published: 7 September 2021 Expired: 28 September 2021
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Whalley Range Conservation Area 1992
Tree Preservation Order: N/A

Description of site/building

The application site is a 3-storey red brick, semi-detached Victorian dwelling situated on the eastern side of Whalley Road in the Whalley Range Conservation Area.

The site has an 11-metre deep front garden and driveway alongside which drops towards a basement-level access that is currently blocked in.

The property has large bay windows over both storeys and a decorative 'black and white' timber gable over the first floor.

There is a narrow access along the south side of the property which leads to the rear garden.

The rear elevation of the property is constructed of grey/buff brick with a large decorative oriel window at ground floor.

Description of area

The site is within a tree-lined residential area of mixed typology. The adjoining property is similarly in single family occupation as are several similar houses going south, whilst the large building to the east has been extended into 18 flats. Facing the site to the north is another development of 20no. flats with various flat conversions along Whalley Road.

Description of development

Erection of single storey side and rear extensions, elevational alterations to the front basement entrance including creation of lightwell, the installation of a rear dormer extension, and alterations to driveway.

The application extends the dining room and lobby at ground floor, adds a bedroom in the rear dormer and creates a new access to the basement and driveway.

Consultations & Notification Responses

Neighbour notifications and Site Notice – No comments received.
Whalley Range Forum – No comments received.
Whalley Range Conservation Area Group – No comments received.

Policy

National Planning Policy Framework (July 2021)

The 1990 Act is supported at national policy level in the government's National Planning Policy Framework (NPPF) and accompanying National Planning Policy Guidance (NPPG). Section 16 of the revised NPPF, entitled Conserving and Enhancing the Historic Environment provides guidance for the conservation and investigation of heritage assets and notes that:

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. 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.

In decision-making, the Framework requires that local planning authorities take account of the following:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. 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.

199. 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.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. 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 viable use.

Core Strategy policies EN3, EN14, DM1 and SP1
Saved UDP policies DC1 and DC18.1

Issues

The key issues relate to the impacts on residential and visual amenity, including the impact on the Conservation Area and for parking.

Residential Amenity

The proposal is considered to have acceptable impacts on residential amenity. The side and rear extension is sited 8.2 metres off the front elevation and projects 3.6 metres beyond the rear elevation of the flats to the west. It has a height to a flat roof of 3.67 metres and no windows on the side elevation. The facing elevation of on the side of the flats has several obscurely glazed windows which indicate bathrooms or WC's would face the side of the extension. The occupiers would therefore experience a minimal loss of amenity as a result of any approval.

The rear elevation of the flats has a raised internal floor level 1 metre above that of the site, with bay windows over both storeys. The extension would sit below the header of the ground floor bay window on this property which is approximately 2 metres off the boundary with the site. This, and the fact the rear of the site is orientated south-east, would limit any overshadowing of this window to the late afternoon / evening, so would only be partially shaded with most of the window still in full sun.



The dormer and front elevational alterations are considered to have limited impacts on residential amenity.

Visual Amenity / Impact on the Conservation Area

Guidance on the assessment of development on the character of heritage assets is found in Chapter 16 of the NPPF. Paragraph 194 requires an application to identify the significance of any heritage assets whilst paragraph 195 requires the same of local planning authorities, against which the impact of the proposal should be assessed. The assessment requires a judgement as to the level of harm that would ensue from the proposal (para.199) with emphasis placed on preserving and enhancing those assets. This objective also underpins policy EN3 of the Core Strategy and saved UDP policy DC18.1.

Significance of the Conservation Area

The application is accompanied by a Design and Access Statement which reproduces the description of the Conservation Area in designation.

The Council's assessment of the character of the Conservation Area notes that the key areas of significance which justified the designation derive from associative, historic and architectural values:

The association with Joshua Brooks

Significant Listed buildings including the Muslim Heritage Centre and St. Bede's College.

Spaces between buildings

Tree-lined roads

Architectural detailing of buildings – corbels, bracketing, decorative brickwork.

Materials - Walls are generally red or orange-red brick with stone dressings, but some houses are buff brick with yellow stone.

Boundary walls with recessed panels and stone copings.

Impact

The proposals are considered to have limited but positive impacts on visual amenity and the appearance of the dwelling in the Conservation Area.

The side and rear extension will only be partially visible in the street scene, being sited over 5 metres off the front elevation and less than 3 metres in height at its closest point, with a raised parapet behind to 3.6 metres. It is designed to be distinguished from the Victorian dwelling which it achieves by adopting a contemporary design language. It is of a simple box type design on a broadly rectangular plan form with angled rear elevation. The materials are a combination of matching brick and contrasting red cedar cladding and simple glazing edged in dark grey metal frames, which define the extension and are acceptable for this scheme.

The most visible alteration is to the basement entrance and driveway which will tidy up and enhance the appearance of the front garden area.

The proposal creates a terrace with stepped access down into a basement kitchen / living area with full-height glazing to the front elevation. This matches the scale and proportions of the bay windows above and will be bordered on each edge by 1.2-metre high x 2.9-metre long glazed balustrades which sit on brick retaining walls. The glazed entrance will receive the same materials treatment as found on the extensions which will tie these alterations together and contrast with the red brick and stone of the main dwelling which remains fully expressed. The flats to the west have a similar basement treatment which is of a good quality and so adds value to the appearance of the street scene.

The remaining garden area will be mostly hard landscaped, and the level raised in front of the basement access to create a sloping driveway. Drainage details will be required as set out

below. This also affords a degree of privacy through still visible through the glazed balustrade. The terrace will be bordered by planting to both sides which will soften the hard materials.

Historic architectural details, including all of the front and rear bay windows will be retained and unsympathetic painted retaining walls in the front garden area will be removed and replaced with the landscaping as above which will enhance the overall appearance of the dwelling in the street scene. This will therefore be of benefit to the wider Conservation Area.

At the rear, the dormer is an L-shaped box structure with flat roof and picture window. It is proposed to be clad in the same red cedar which will form a relationship with the materials proposed for the side and rear extension. The dormer will have no visibility in the street scene.

Drainage

The slope of the driveway will result in rainwater run-off towards the public highway which could lead to an increase in localised water accumulation. To mitigate this, further details of the driveway design and the means of directing run-off into the site's existing drainage system are required to be submitted prior to installation of the driveway. A condition to this effect is appended to ensure compliance with saved UDP policy EN14.

Parking

Parking can continue to be taken from the front of the property.

Bin Storage

Bin storage is maintained at the side of the property forwards of the front elevation.

Conclusion

The proposals represent a modest amount of development to a single-family dwelling house to enable the internal space to flow better and meet the needs of the occupiers who have recently purchased the property.

Existing architectural features of merit are retained, and well-designed extensions proposed which will have acceptable impacts on residential and visual amenity.

The opportunities to simplify and enhance the front garden area will improve the appearance of the property in its curtilage which will have a positive impact on the character of the Conservation Area.

On this basis, the proposal accords with saved UDP policies DC1 and DC18, Core Strategy policies SP1, DM1, EN3 and EN14 and with the guidance contained within Chapter 16 of the National Planning Policy Framework.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The proposed extensions raised no objections on public notification and has been determined in a timely manner.

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 received on the 13th of August 2021 or as stated:

Application form

Location Plan - Ref: Ex-022-001

Existing Site Plan - Ref: Ex-022-002

Existing Ground Floor and Basement Plans - Ref: Ex-022-100

Existing First and Second Floor Plans - Ref: Ex-022-101

Existing Roof Plan - Ref: Ex-022-102

Existing Front and Rear Elevations - Ref: Ex-022-200

Existing Side Elevation 01 - Ref: Ex-022-201

Existing Side Elevation 02 - Ref: Ex-022-202

Existing Side Elevation - Ref: Ex-022-301

Design and Access Statement prepared by Mulholland Architecture dated August 2021

Received on the 26th of August 2021:

Existing and Proposed Driveway Sections - Ref: Pr-022-302

Proposed Site Plan - Ref: Pr-022-002

Ground Floor and Basement Plans - Ref: Pr-022-100

Proposed First and Second Floor Plans - Ref: Pr-022-101

Proposed Roof Plan - Ref: Pr-022-102

Proposed Front and Rear Elevations - Ref: Pr-022-200

Proposed Side Elevation 01 - Ref: Pr-022-201

Proposed Side Elevation 02 - Ref: Pr-022-202

Proposed Long Section AA - Ref: Pr-022-301

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the approved details as set out in the drawings and documents specified in Condition 2 of this approval.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 and DC18 of the Unitary Development Plan for the City of Manchester, SP1, EN3 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) Prior to installation of the driveway and notwithstanding the details provided in the approved drawings in Condition 2, detailed drainage design drawings which show the means of directing rainwater run-off from the driveway into the properties' drainage system, shall be submitted to and approved in writing by the City Council as local planning authority. The driveway shall be constructed and maintained at all times thereafter in accordance with the approved plans.

Reason - To avoid the risk of surface water accumulation on the public highway, pursuant to Core Strategy policies SP1, DM1 and EN14.

Informatives

Building Regulations - Fire Safety

The applicant should ensure that any external elevation treatments, including for the side/rear extensions approved for planning purposes, are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum

Whalley Range Conservation Area Group

17 Whalley Road, Manchester, M16 8AD

26 Withington Road, Manchester, M16 8BX

Apartment 9, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 7, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 4, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 2, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 16, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 14, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 11, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 8, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 6, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 5, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 3, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 18, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 17, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 15, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 13, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 12, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 10, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Apartment 1, The Poplars, 1 Whalley Road, Manchester, M16 8SS

Flat 6, 10 Whalley Road, Manchester, M16 8AB

Flat 5, 10 Whalley Road, Manchester, M16 8AB
Flat 4, 10 Whalley Road, Manchester, M16 8AB
Flat 3, 10 Whalley Road, Manchester, M16 8AB
Flat 2, 10 Whalley Road, Manchester, M16 8AB
Flat 1, 10 Whalley Road, Manchester, M16 8AB

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