MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129548/FH/2021
Date registered valid:	26 May 2021
Proposal:	Erection of part single, part two-storey side and rear extensions 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:	Melanie Tann Tel: 0161 234 4538 Email: melanie.tann@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**20th July 2021**

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 8 June 2021 Expired: 29 June 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 residential in character

Description of development

Erection of part single, part two-storey side and rear extensions to provide additional living accommodation

Consultations & Notification Responses

Neighbours – One letter of objection has been received. The main comments are as follows:

- I strongly feel that this is a rebuild of an entire house that will directly infringe on our light and outside environment.
- This will be an eyesore to our property and the surrounding properties and could generate noise pollution.
- We strongly feel that the side and back elevation will be overlooking our property and this will result in the loss of our privacy.
- From the plans it quite clearly shows that the proposed rear extension exceeds the existing building and this will detrimentally have an effect on the daylight and sunlight to our property.

- The disturbance from the construction of the new building will have an impact on our health.

Policies

Unitary Development Plan

Saved Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
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 original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:
a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 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.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary

Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 states that 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 and 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, the NPPF states that `at the heart of the Framework is a

presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

Issues

Principle

As the proposal seeks to extend a residential property policy DM1 and saved policy DC1.1-1.6 are applicable.

Consideration has, however, been given as to whether the scale, massing, design and appearance of the extension is acceptable. In addition, consideration has been given to any impact the proposed development may have on the residential and visual amenity of neighbouring occupiers and the residential area.

This is a resubmission of a previously refused application.

Scale and Massing

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 first-floor level and 6 metres at ground-floor level.

This resubmission has addressed the third reason for refusal on the previous application by setting the first-floor back and lowering the ridge height, therefore, the potential for a terracing effect is no longer considered to be an issue in this instance.

The proposed two-storey rear extension would have a hipped roof and would fill the entire width of the property at ground-floor level but would be stepped away from the shared boundary with no. 232 by 2 metres at first-floor level.

It is considered that the proposals 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.

Residential amenity/visual amenity

The proposed extensions would form an overly bulky, and overly dominant structure, which would be oppressive and visually obtrusive to neighbouring occupiers.

The orientation of the property means that the extensions would be to the east of no. 236 Brantingham Road and would create some loss of light to windows in their side and rear elevations for a period in the morning. It is considered that the proposal would have an overbearing impact upon them due to the bulk and massing along the shared boundary.

Conclusion

For these reasons, it is considered that the extensions 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 streetscene 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 polices 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) 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.

2) 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.

Appendix 1 – List of consultees & neighbours notified

267A Brantingham Road, Manchester, M21 0DZ
14 St Werburgh's Road, Manchester, M21 0TN
267B Brantingham Road, Manchester, M21 0DZ
267 Brantingham Road, Manchester, M21 0DZ
12 St Werburgh's Road, Manchester, M21 0TN
236 Brantingham Road, Manchester, M21 0QZ
232 Brantingham Road, Manchester, M21 0QZ
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