

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133429/FH/2022

Date registered valid: 4 April 2022

Proposal: Erection of a single storey front and side extension incorporating garage and roof terrace together with a two storey rear extension to form additional living accommodation.

Address: 38 Whitelow Road, Manchester, M21 9HR

Ward(s): Chorlton Ward

Applicant: Jamie Smith Gemma Tate 38 Whitelow Road, Manchester, M21 9HR

Agent (if any): Mrs Paula Butterfield Groves Butterfield Architecture Ltd 102
Roseneath Road, Manchester, M41 5AZ

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

Recommendation: Refuse

Date of recommendation: 19.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 April 2022

Standard consultations:

Printed: 12 April 2022 Expired: 3 May 2022

Neighbour notifications

Printed: 12 April 2022 Expired: 3 May 2022

Site notice

Posted: 22 April 2022 Expired: 13 May 2022

Press advert

Published: 19 April 2022 Expired: 10 May 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a Two storey with elevated ground floor semi detached villa on the west side of Whitelow Road. There is a basement/Ground floor bay on the front elevation and the front door is recessed. The property has a duel pitch roof and the gable has either been painted or rendered.



At the rear of the property is a three storey outrigger shared with the adjoining property. The front garden is approximately 3.7 metres deep and along Whitelow Road there is a brick wall topped with terracotta copings. Behind the wall is an unauthorised horizontal planked fence 2.2 metres high. At the north end of the road frontage are double gated and gate posts leading to an off street parking space.



The side garden is 11.2 metres wide and the rear garden approximately 2.2 metres deep.

Listed building: Adjacent property is the Grade II Listed St Johns Church

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order: Within Conservation Area

Description of area

This is a predominantly residential area. The adjoining property to the south is unextended. Adjoining the side garden to the north is grounds of St John RC Church, a grade II Listed Building. Along the boundary with the site is a high hedge beneath which the ground level is higher than that of the application site. Adjoining the site to the west is the rear garden/car parking for a flat conversion on St Clements Road. Facing the site across Whitelow Road is a large electricity sub station and the car park at the rear of a flat development on High Lane.

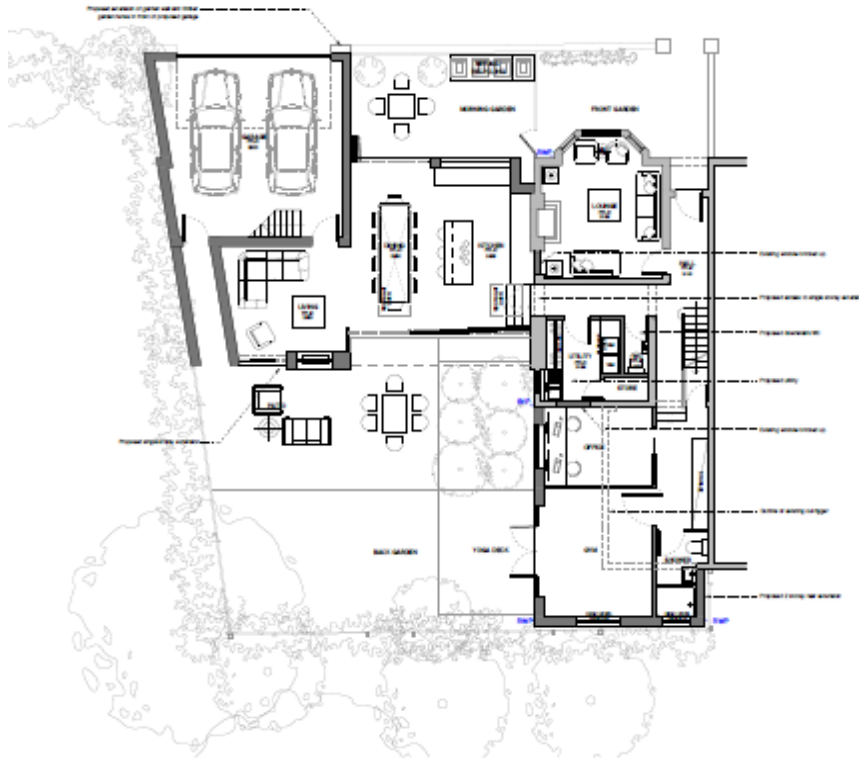
Description of development

Consent is sought to erect a single storey side extension extending from the side wall to the site boundary with the church. The extension would be level with the front face of the main body of the building for approximately 9.8 metres at which point it would step forward to the back of footpath. Where it adjoins the house the extension would be approximately 5.3 metres deep. The extension would have a flat roof part of which would be green and part a terrace accessed by an internal stair. The extension would provide an open plan living area and a double garage. The front and rear elevations of the living accommodation would be predominantly glazed, whilst the garage would have a roller shutter door. A chimney would be located on the rear face of the extension.

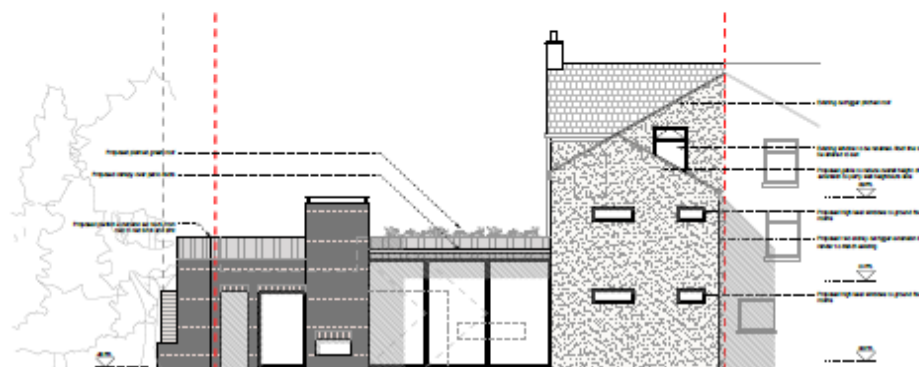
It is also proposed to increase the height of the fence to approximately 2.6 metres to create a private morning garden at the front of the property.

At the rear it is proposed to erect a two storey wrap around extension on the existing outrigger. The extension would extend as far as the plane of the side wall of the main body of the building and to the rear boundary of the site. The roof of the side part of the extension would be a continuation of the roof of the outrigger. The rear part of the extension would have an asymmetric dual pitched roof. The extension would be rendered as would the visible rear face of the outrigger. The rear elevation would have two high level windows per floor whilst the side

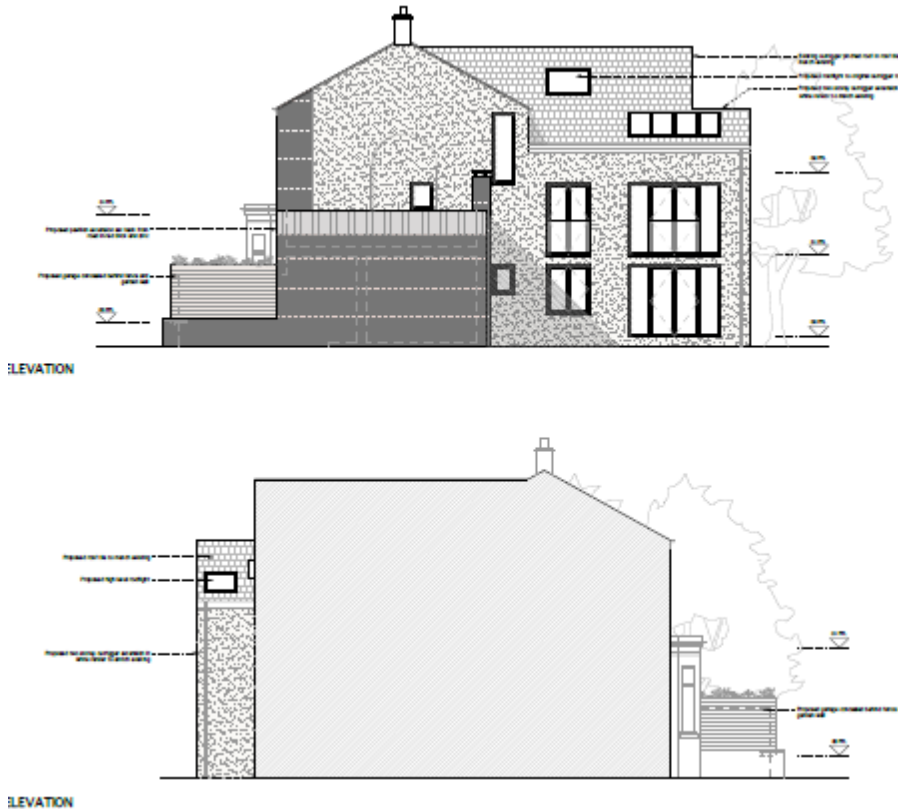
elevation would on the ground floor has a set of French doors with side panels and a window at ground floor level and two sets of French doors, one with side panels and both with Juliet balconies at first floor level. There would also be roof lights added to the existing outrigger roof and the proposed extension and three new windows in the side elevation of the existing property. There would also be a single rooflight in the south facing slope of the rear extension roof.



NT ELEVATION



R ELEVATION



The applicants say that the extensions are required as the garden is not particularly usable as it is in the shadow of the house.

Consultations & Notification Responses

Local Residents

One letter has been received objecting to the proposed development. The issues raised are summarised below.

- The proposed development is not at all in keeping with the Victorian villas surrounding it on Whitelaw road.
- The size and scale of it grossly outweighs the existing house and is not in proportion with the house.
- The chimney on the proposed extension is unsightly and not in keeping with the surrounding Victorian villas this house is situated in.
- There is no precedent in this street where front and side extensions have been completed.
- All extensions to houses on this street have been to the rear of the houses with only glimpses of what has been added visible from the street.
- The materials proposed are not in keeping with the surrounding Victorian villas or the conservation area with the property is set in.

Chorlton Voice

- The scale, massing and design of the proposed extension is not in keeping with the development pattern of the surrounding streets. The location of the extension, in advance of the building line, would be an obtrusive feature that would dominate the aspect of the original building.

Highways

- The existing dropped kerb will be extended. It should be noted that Highways will not accept anything greater than a double dropped kerb.
- It is recommended that a H-Bar marking be installed across the driveway to reduce any inconsiderate parking.
- It is expected that all modifications / improvements to the public highway are achieved with a maximum carbon footprint of 40%.
- There should be provision of an Electrical Vehicle charging point (minimum 7kW)
- It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.
- The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.
- Refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Neighbourhood services (Arboriculture)

- The arboricultural method statement provided by the applicant has detailed how to ensure all the offsite tree are to be protected during construction, it is of the utmost importance on this site, that the contractors have a copy of this AMS and strictly adhere to it.
- All work must be carried out in accordance with BS:5837.

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 policies are DC1 and DC18

Policy DC1 establishes the principle of extending a house to meet the changing needs of the occupiers, whilst not adversely impacting upon the character of the building or the area.

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

NPPF

Paragraphs 189 through 208 relate to Conserving and Enhancing The Historic Environment.

Paragraph 189 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 197 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 199 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 202 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 policy DC1 establishes the principle of extending a property to meet the changing needs of the occupiers consideration must be given in this instance to the impacts of the proposals on the character of the conservation area. The issues raised as a result of this proposal are discussed in more detail in the following sections.

Scale

The proposed single storey side extension occupies the full width of the wide side garden and is significantly wider than the host property. It is therefore considered that it would appear overlarge and out of character with that property.

The scale of the proposed wrap around extension, which is less noticeable, is generally considered to be acceptable, as it is subservient to the host property.

The proposed fencing at the back of footpath is considered to be excessive in terms of its height and would appear incongruous.

Design

Whilst the use of a contrasting contemporary style is normally considered appropriate in conservation area this has to be informed by the design of the existing properties. In this case concern is expressed about the substantial flat roof, the proportion of the openings and the use of a pallette of materials that is not found on the properties in the immediate area.

Residential amenity

In a more tightly knit area the proposed single storey extension with its roof terrace could give rise to a loss of privacy however, across Whitelow Road there is a electricity sub station and a car park to an apartment development. To the rear of the site is a car park and amenity space to flats, it is considered that this is sufficiently far from the single storey extension for overlooking not to be an issue, whilst the two storey extension has high level windows in its rear elevation and the larger windows and doors with there Juliet balconies are in the side elevation and would only have oblique views to the rear.

It is therefore considered that the proposed development would not have a significant impact on residential amenity.

Impact on the character of the conservation area.

The application site is one of a small group of properties within the conservation area that have very small rear gardens which is offset by large side gardens. This spacing between the properties forms an important part of the character of these properties and thus the conservation area at this point.

The proposed extension occupies the full width of the side garden and due to the need for a parapet to the terrace is high. It is considered that the proposed extension due to its size intrudes significantly into the character of the conservation area and that this is exacerbated in that the garage element of the extension which is significant, projects forward of the building line.

The two storey extension is generally considered to be acceptable in terms of its scale although it would be improved by introducing a break line in the side elevation between the extension and the gable wall.

Whilst the gable wall has been either painted or rendered at some point, the use of render is not a characteristic in this part of the conservation area and its use here on the extensions and to cover existing brickwork is considered would harm the character of the conservation area.

Concern is also expressed about the proportions of the proposed new windows which do not reflect those in the original property and therefore appear incongruous.

Boundary walls are an important aspect of conservation areas and concern is expressed not only about the current unauthorised fence behind the boundary wall but also the proposal to significantly increase its height, which it is considered would significantly harm the setting of the building and the street scene.

Whilst the proposed development would cause less than substantial harm to the conservation area it is considered that it would not either preserve or enhance its character.

Trees

Trees are an important feature of the conservation area, this proposal could impact on some of the existing trees and hedges, however, the Council's Arboriculturist is satisfied that as long as the Arboricultural Method Statement is adhered to the development would not adversely impact on the trees.

Conclusion.

It is considered that the proposed development would cause unacceptable harm to the character of the conservation area. The applicant is aware of the Council's concerns but other than an acknowledgement there has been no indication of any intention to submit a revised proposal.

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 this part of the Wilbraham Road Edge Lane Conservation Area the single storey side extension by reason of its excessive footprint and projection forward of the building line would form an over dominant and visually intrusive feature to the detriment of the character of the Wilbraham Road/Edge Lane Conservation Area. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, DM1 and EN3 and saved Unitary Development Plan policies DC1 and DC18 and the guidance contained in the National Planning Policy Framework

2) The proposed fencing on top of the existing boundary wall would be reason of its excessive height form a visually intrusive feature in the street scene to the detriment of the character of the Wilbraham Road/Edge Lane Conservation Area. The proposed development would therefore be contrary to the provisions of Core Strategy policies SP1, DM1 and EN3 and saved Unitary Development Plan policy DC18 and the guidance contained in the National Planning Policy Framework.

3) The proposed development by reason of its design and pallet of materials would form an over dominant and intrusive feature to the detriment of the character of the Wilbraham Road/Edge Lane Conservation Area. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, DM1 and EN3 and saved Unitary Development Plan policies DC1 and DC18 and the guidance contained in the National Planning Policy Framework

Appendix 1 – List of consultees & neighbours notified

Highway Services
Neighbourhood Team Leader (Arboriculture)
Chorlton Voice

St Johns Presbytery, 1 St Clements Road, Manchester, M21 9EE
Flat 15, 5 St Clements Road, Manchester, M21 9HT
Flat 14, 5 St Clements Road, Manchester, M21 9HT
Flat 13, 5 St Clements Road, Manchester, M21 9HT
Flat 12, 5 St Clements Road, Manchester, M21 9HT
Flat 11, 5 St Clements Road, Manchester, M21 9HT
Flat 10, 5 St Clements Road, Manchester, M21 9HT
Flat 9, 5 St Clements Road, Manchester, M21 9HT
Flat 8, 5 St Clements Road, Manchester, M21 9HT
Flat 7, 5 St Clements Road, Manchester, M21 9HT
Flat 6, 5 St Clements Road, Manchester, M21 9HT
Flat 5, 5 St Clements Road, Manchester, M21 9HT
Flat 4, 5 St Clements Road, Manchester, M21 9HT
Flat 3, 5 St Clements Road, Manchester, M21 9HT
Flat 2, 5 St Clements Road, Manchester, M21 9HT
Flat 1, 5 St Clements Road, Manchester, M21 9HT
40 Whitelow Road, Manchester, M21 9HR
Flat 2, 65 High Lane, Manchester, M21 9EE
65 High Lane, Manchester, M21 1EE
Flat 18, 65 High Lane, Manchester, M21 9EE
Flat 17, 65 High Lane, Manchester, M21 9EE
Flat 16, 65 High Lane, Manchester, M21 9EE
Flat 15, 65 High Lane, Manchester, M21 9EE
Flat 14, 65 High Lane, Manchester, M21 9EE
Flat 13, 65 High Lane, Manchester, M21 9EE
Flat 12, 65 High Lane, Manchester, M21 9EE
Flat 11, 65 High Lane, Manchester, M21 9EE
Flat 10, 65 High Lane, Manchester, M21 9EE
Flat 9, 65 High Lane, Manchester, M21 9EE
Flat 8, 65 High Lane, Manchester, M21 9EE
Flat 7, 65 High Lane, Manchester, M21 9EE
Flat 6, 65 High Lane, Manchester, M21 9EE
Flat 5, 65 High Lane, Manchester, M21 9EE
Flat 4, 65 High Lane, Manchester, M21 9EE
Flat 3, 65 High Lane, Manchester, M21 9EE
33 Whitelow Road, Manchester, M21 9HG
Flat 1, 65 High Lane, Manchester, M21 9EE

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 - Wilbraham Road/Edge Lane Conservation Area 2005
Area Team Boundary - Name: SOUTH