

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133453/P1AA/2022

Date registered valid: 5 April 2022

Proposal: Prior Approval for the enlargement of a dwellinghouse to allow for the construction of one additional storey to create three storeys in total

Address: 415 Wilbraham Road, Manchester, M21 0UT

Ward(s): Chorlton Park Ward

Applicant: Mr Amir Khan, 415 Wilbraham Road, Manchester, M21 0UT

Agent (if any): Mr D K Seddon, Howard and Seddon Architects, 64 Washway Road, Sale, M33 7RE

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 30.05.2022

Application details

Type of application: Prior Approval - Dwellings Storeys

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 April 2022

Expired: 29 April 2022

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/area

This application relates to a detached two storey property fronting Wilbraham Road in a well established residential area. The house has been the subject of significant extensions.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Prior Approval for the enlargement of a dwellinghouse to allow for the construction of one additional storey to create three storeys in total.



Consultations & Notification Responses

One objection received from a residents on the following grounds:

1. I live across the road opposite this house and face this all the time.
2. There is already a house next door to this (413) which is totally out of character for this area and ugly looking.
3. This area is becoming more and more congested, cars are parked everywhere and 7 to 8 cars are parked in front of this house. What will happen if the permission is granted for this application.
4. I live in a house of the original size and design and only 2-3 persons live. I pay council tax very high and goes up every year. My council tax is same as the extended houses on this road, that is not fair.
5. I can carry on for ever, but cut it short, overall this is bad idea and destroying the area and climate.

Issues

Planning History

034859 Part single part two storey extension to side and rear to form dining room, utility room and bedroom. Approved 14.11.1989

054171/FH/CENTL1/98 Construction of railings on front wall of house. Approved 20.05.1998

063800/FH/SOUTH1/01 First floor front extension, part single, part two storey rear extension with first floor terrace and single storey side extension to form additional living accommodation. Refused 01.02.2002

065037/FH/SOUTH1/02 Erection of part 2 storey part single storey rear extension, first floor front extension and alterations to front elevation and single storey side extension to form additional living accommodation. Refused 04.07.2002

065964/FH/SOUTH1/02 Erection of a single storey front and side extension and two storey rear extension. Approved 03.10.2002

085355/FH/2007/S1 Erection of single storey side and front extensions and part single /part 2 storey side extension, 2 storey front extension, re-roofing of existing property and alterations to elevations. Approved 10.03.2008

090519/FH/2009/S1 Retrospective Application for the erection of a single storey side and front extensions, part two storey side extensions and two storey front extension together with elevational alterations. Approved 03.08.2009

126975/FH/2020 Erection of first floor side extension, two storey rear extensions, alterations to roof including inclusion of rear balcony to form additional living accommodation together with associated elevational alterations. Refused 17.09.2020

129677/P1AA/2021 Enlargement of a dwellinghouse by construction of additional storeys. Turned Away 15.03.2021

130042/P1AA/2021 Prior approval application for the enlargement of a dwellinghouse by construction of an additional storey to increase maximum height of dwellinghouse by 1.3 metres. Turned Away 01.06.2021

Policy

Rather than the City Council's policies the application is considered against the criteria set down in Class AA of Part 1 Schedule 2 of the GPDO.

Issues

Class AA Part 1 Schedule 2 of the GPDO

Was the current building constructed between 1 July 1948 and 5 March 2018? – Yes

Have additional storeys already been added to the original building (as it stood on 1 July 1948, or as built after that date; or, if 'Crown land', as it stood on 7 June 2006, or as built after that date)? – No

Was the current use of the building as dwellinghouses only granted by virtue of permitted development rights under Schedule 1, Part 3, Class G, M, MA, N, O, P, PA or Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)? – No

Is any part of the land or site on which the building is located:

- in a conservation area;-No
- in an area of outstanding natural beauty;-No
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;-No
- in the Broads;-No
- in a National Park;-No
- in a World Heritage Site;-No or
- in a site of special scientific interest;-No

Will the proposed additional storeys only be constructed on the principal part of the building (i.e. the main part of the building excluding any front, side or rear extension of a lower height, whether this forms part of the original building or a subsequent addition)? – Yes

Would the floor to ceiling height, measured internally, of any proposed additional storey exceed: - 3 metres - No; or the floor to ceiling height, measured internally, of any existing storey of the principal part of the existing building-No

Would the proposed extended building's:

- height exceed 18m (as measured from ground level to the highest part of the roof) No ; or-
- roof be:
- more than 3.5 metres higher than the highest part of the existing roof, where the existing building consists of one storey above ground level - No; or - more than 7 metres higher than the highest part of the existing roof, where the existing building consists of more than one storey above ground level. – No

-If the dwellinghouse is not detached, would the proposed extension result in the highest part of the roof exceeding 3.5 metres above either:

- the highest part of the roof of the building it is joined to (e.g. by party wall or adjoining main wall) House is detached;- or
- if in a terrace, the highest part of the roof of any building in the row it is situated – House is detached

Will the roof pitch of the principal part of the proposed extended dwellinghouse be the same as the roof pitch of the existing dwellinghouse? – Yes

Will the development include a window in any wall or roof slope forming a side elevation of the building? – No

Will the materials used in any exterior work be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse? – Yes

Following the development, will the dwellinghouse be used within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?-Yes

Will any proposed engineering operations reasonably necessary to construct the additional storeys include:

- provision of visible support structures on or attached to the exterior of the building upon completion of the development; - No or
- anything other than works within the existing curtilage of the building to strengthen existing walls and foundations -No

Description of proposed works

The immediate area is predominantly two storey and therefore any property with an additional storey would stand out. It is considered that the design of the proposed additional storey would appear incongruous and out of character with the area. As such the proposed development would conflict with condition AA.2 (3)(a) (ii)(aa) and (bb) of the order. The presence of the larger home allowed on appeal at 413 Wilbraham Road would not justify development of this scale.

Impact on neighbouring dwellings

In terms of privacy / overlooking the proposed development would not involve any further side facing windows. The additional storey of windows to the front and rear are not considered to offer any further overlooking than from the existing property, it is not therefore considered that the development would result in any significant loss of privacy / provide overlooking.

In terms of overshadowing there is some limited potential for the front and rear gardens to suffer some overshadowing although this is not considered to be significant. Windows to the neighbouring properties would not be unduly affected.

Traffic and Defence Assets Impacts

The proposed development would still meet the Council's requirements in terms of parking and there are no known defence assets in the area.

Protected Views

There are no protected views

Conclusion

It is considered that the design of the proposed additional storey would have an unacceptable impact on the character of the area and the proposal therefore conflicts

with the conditions attached to Class AA.

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

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

1) The proposed development fails to meet the requirements of condition AA.2 (3)(a) (ii)(aa) and (bb) of the Order as the external appearance of the dwelling house including the design and architectural features of the property would result in a development that is out of character with the adjacent properties and appear incongruous within the street scene when viewed from Wilbraham Road.

Appendix 1 – List of consultees & neighbours notified

413 Wilbraham Road, Manchester, M21 0UT
Whalley Range Afc, Kings Road, Manchester, M21 0XX
2 White Moss Avenue, Manchester, M21 0XU
324 Wilbraham Road, Manchester, M21 0UX
322 Wilbraham Road, Manchester, M21 0UX
417 Wilbraham Road, Manchester, M21 0UT

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