

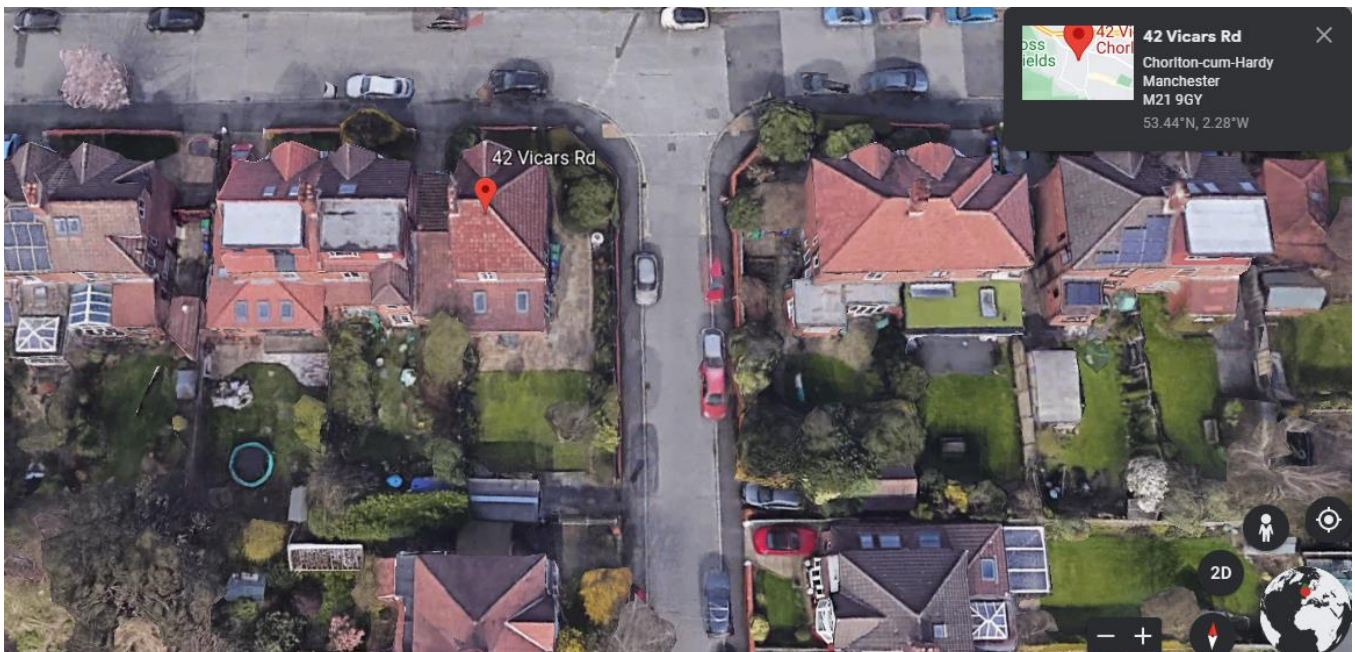
Planning

Growth & Development

Delegated officer report for planning application

Application no. 129908/FH/2021
Date registered valid: 31 March 2021
Proposal: Erection of conservatory to rear and side elevations to provide additional living accommodation
Address: 42 Vicars Road, Manchester, M21 9GY
Ward(s): Chorlton Ward

Applicant: Mr & Mrs Pickles, 42 Vicars Road, Manchester, M21 9GY
Agent (if any): Howard Bland, Clearview Home Improvements, 43 Alma Avenue, Colne, BB8 7NS
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk
Recommendation: Refuse
Date of recommendation: 19th May 2021

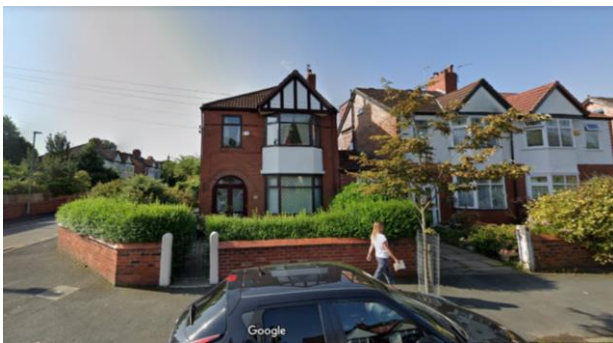


Application details

Type of application:	Full Householder Application
Development type:	Householder
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 8 April 2021 Expired: 29 April 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 site relates to a two storey detached property located on the corner of Vicars Road and Marmion Drive in the Chorlton Ward area of Manchester. The site benefits from an existing single storey rear extension. Gardens are to the front, side and rear of the property.



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

Description of area

The area is predominantly residential in character.

Description of development

The applicant seeks to erect a single storey side and rear conservatory to provide additional living accommodation.

Consultations & Notification Responses

Local residents, as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments have been received in respect of this application. Environmental Health – should the proposal be approved attached gas membrane condition

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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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 EN19 Waste
- 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.

Principle

The proposal is for the erection of a conservatory to the rear and side elevations to provide additional living accommodation to provide additional living accommodation.

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.

Plans considered - Existing and Proposed Plans and Elevations

Plan dated 31st March numbered 391540321 Existing and Proposed Plans and Elevations

History

There has been one previous planning applications relating to this site as follows:

Reference no. 081789/FH/2006/S1 for the erection of single storey side and rear extension. This application was refused on 23rd February 2007. This decision was upheld by the Secretary of State on their decision dated 17th October 2007

Residential Amenity

The applicant proposes the erection of a single storey side and rear extension to provide additional living accommodation.

The proposal would be setback from the front wall of the house and would extend approximately 5.9 metres along the side wall adjoining an existing single storey rear extension and forming a wrap around. Projection beyond the side wall towards the boundary fronting Marmion Drive would be 2.8 metres with a total width across the rear of 4.6 metres. Height to eaves would be 2.675 metres and ridge would be 3.263 metres.

The City Council considers that although the proposal is single storey, it would interfere with the openness to the side of the property and would lead to a detrimental impact within the street scene. Given the low boundary treatment the extension would not be screened from the street and therefore would impact on the character of the area.

The City Council considers that the proposed increase to the side and rear of the property would provide a structure which is not in keeping with the host dwelling and would provide an overbearing and detrimental impact on the adjacent and surrounding properties.

In terms of residential amenity it is considered that this is compromised by the increase in the footprint of the dwelling house providing undue harm within the street scene which would give rise to loss of residential amenity that the surrounding occupants 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

Siting, scale and massing

The size and footprint of the proposed extension is believed to provide an overbearing impact upon the street scene and is considered to be out of character with the existing and surrounding properties in the area. It is considered that the position to the side and rear of the property would provide an unacceptable view within the application site and to the street.

The extension would be visible from the public highway and therefore would be a feature within the street scene. The character of the area has already changed over time and although the houses in the immediate vicinity are themselves altered and extended, this proposal is out of character with the host dwelling and other properties in the area and is therefore considered unacceptable and its impact upon visual amenity is not considered negligible.

Therefore, it is considered that the scale and mass of the proposed extension is not satisfactory and is considered not to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design and appearance

The design of the proposal is considered unacceptable with the existing and surrounding properties in the area. The design is not detailed as what is normally expected of such a structure and is believed to be overbearing within the street scene to the detriment of the surrounding properties.

On balance it is considered that the design and appearance of the proposed development does not accord with Core Strategy Policies DM1 and EN1 and in general the design is considered unacceptable.

Parking

Parking is not affected by this proposal as there is designated car parking provided outside of the site.

Bins

Bin storage details have not been provided as part of this proposal.

Conclusion

The proposal is considered to be unacceptable, taking into consideration, the dimensions of the proposal, together with the orientation within the site; The Council considers that the current planning application would give rise to a significant overbearing impact within the street scene removing the open element to the side of the site thus detrimentally affecting residential amenity contrary to 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.

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

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application and a satisfactory resolution has not been reached.

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

1) The proposed development by reason of its siting, scale and design would form an overly dominant and visually obtrusive feature within the street scene, would have a negative impact with the character of the property and the area, and which would adversely affect the character and appearance of this part of the streetscene. As such is contrary to saved Policy DC1 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

44 Vicars Road, Manchester, M21 9GY
69 Vicars Road, Manchester, M21 9JB
67 Vicars Road, Manchester, M21 9JB
65 Vicars Road, Manchester, M21 9JB
40 Vicars Road, Manchester, M21 9GY
2 Marmion Drive, Manchester, M21 9JD
1 Marmion Drive, Manchester, M21 9JD
71 Vicars Road, Manchester, M21 9JB

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
Area Team Boundary - Name: SOUTH