

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131893/FH/2021

Date registered valid: 28 March 2022

Proposal: Part retrospective application relating to alterations to existing roof configuration to form dormer windows to front and rear and erection of single storey rear extension and single storey side extensions to the north and south elevations of the dwellinghouse, erection of a detached single storey outbuilding and associated boundary treatment

Address: 331 Mount Road, Manchester, M19 3HW

Ward(s): Levenshulme Ward

Applicant: Mr Abdul Taher 331 Mount Road, Manchester, M19 3HW

Agent (if any): Mr Talat Zeria HSH Engineering Design Service 428 Cheetham Hill Road, Cheetham, Manchester, M8 9LE

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 18 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 31 March 2022 Expired: 21 April 2022

Neighbour notifications

Printed: 31 March 2022 Expired: 21 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

This application relates to a detached property, located on a prominent corner at the junction of Mount Road and Sandfold Lane in Levenshulme. The property is the former rectory which served St. Mark's Church that is located further south along Mount Road. The property benefits from substantial amenity space around all sides of the building with mature trees, landscaping, boundary screening and off-street car parking for several vehicles. Vehicular access is from Mount Road. The boundary treatment to the northern boundary is 1.8m chain link set between concrete posts, with railings forming the boundary to Mount Road. To the west of Mount Road is green amenity space with a MUGA, and to the north west of Mount Road is Green Bank Park. To the south of the site are a recently built pair of semi-detached houses, with one pair facing directly onto the southern boundary of the site of no.331 Mount Road, and the other pair of houses facing onto Mount Road. To the east of the site are industrial uses, with a day nursery and a former petrol filling station site to the north east.

Site Planning History

- 123368/FH/2019, Alterations to roof to form dormer windows to front and rear, and erection of single storey rear extension, and single storey side extensions to the north and south elevations of the dwellinghouse, and associated boundary treatment, Approved 25.01.2021
- 119487/FH/2018, Proposed single storey extension and a 2nd Floor extension to create habitable rooms, Withdrawn, 27.06.2018.
- 117422/NMC/2017, Non-material change application to allow the formation of additional floor to existing 2-storey houses with elevational alterations, Refused, 27.09.2017
- 111781/FH/2016/N2, Alteration to design of roof including increase in the height of the building and creation of an additional floor to form storage space, Approved, 22.09.2016.

Background

In 2016 consent was sought for alterations to design of roof including increase in the height of the building and creation of an additional floor to form storage space. This would have involved changing the existing hipped roof to a pitched roof, and incorporating 3no. small pitched roof dormer windows in the front elevation set partly on the front facade partly within the roof slope (ref:111781/FH/2016/N2), and three new windows set directly below eaves level on the rear elevation. However, when construction commenced the development was not in accordance with the approved plans. The roof was taken off the existing property and the external walls were extended upwards to form a second floor level. A subsequent Non-material change application was submitted which sought to allow the formation of additional floor to existing 2-storey houses with elevational alterations (ref: 117422) which was refused proposed as the amendments related to an increase in height of the building and associated design alterations, which was not considered to be a non material change. A further application was submitted for a proposed single storey extension and a second floor extension to create habitable rooms (ref: 119487 /FH 2018), which effectively sought to retain the unauthorised works, and build a side extension to the northern side of the property. This was subsequently withdrawn.

Another application was submitted in relation to: Alterations to roof to form dormer windows to front and rear, and erection of single storey rear extension, and single storey side extensions to the north and south elevations of the dwellinghouse, and associated boundary treatment, (ref: 123368/FH/2019), which was approved 25.01.2021. These works sought consent to erect a pitched roof above the retained first floor level (which would necessitate the removal of the unauthorised brickwork at second floor level), and incorporate three dormer windows to both front and rear roof slopes. The scheme also involved the erection of single storey rear extension, which would project rearward to the same extent as the existing single storey extension, together with single storey side extensions to the north and south elevations of the dwellinghouse. The proposed single storey extensions and accommodation in the roof space were to provide additional residential accommodation. This scheme also involved the erection of a low brick wall with brick piers and metal railings above to the Mount Road frontage and 1.8m decorative wood fencing to the other boundaries.

Description of development

Consent is sought for part retrospective works relating to alterations to existing roof configuration to form dormer windows to front and rear, and erection of single storey rear extension and single storey side extensions to the north and south elevations of the dwellinghouse, erection of a detached single storey outbuilding and associated boundary treatment.

Following an officer's site visit (dated 13.04.2022) it was clear that construction was in progress, and that the on-going works were not in accordance with planning approval (ref: 123368/FH/2019). Furthermore, that the description of works on the submitted form does not correlate to the extent of the works shown on the submitted plans for which approval is sought. Furthermore, there are other building works being undertaken on site which are not shown on the submitted plans, and therefore do not form part of this application.

The description on the submitted application forms seeks approval for alterations to roof to form dormer windows to front and rear, and erection of single storey rear extension, and single storey side a double storey extension at the rear to the north and south elevations of the dwellinghouse, and associated boundary treatment, including an out building at the rear.

Consent is sought for the erection of a detached single storey outbuilding, approximately (depth 5000mm x maximum length 9756mm x maximum height to ridge of roof 4658mm) which would be sited along the north eastern boundary (Sandfold Lane and Gyte's Lane elevation). The outbuilding would have a pitched roof, and incorporate 1no. window along the southern elevation, and further windows and 2no. doors along the western elevation.

The proposed associated boundary treatment on the submitted drawings relates to the installation of a new boundary wall and metal railing treatment to the Mount Road frontage of the site, and erection a 1.8m high decorative wooden panel fence to the north, east, and southern boundary.

In addition, the submitted drawings show an increase to eaves height along the north eastern elevation (Sandfold Lane and Gyte's Lane elevation respectively) to incorporate a second floor rear flat roof extension (Gyte's Lane elevation) with two window openings in the eastern elevation, along with 2no. windows along the second floor side elevation (Sandfold Lane elevation) (one of these windows is not shown on the proposed floor plans). Along the front elevation, (Mount Road elevation), there is an inconsistency with the submitted plans in terms of the proposed "Front Elevation" and proposed "Elevation From No 333" as these do not match in terms of the first floor windows. The side elevation at ground floor elevation facing no.333 Mount Road is also not as built, as which the openings are in the outer shell of brickwork there is blockwork infilling the openings on the inner face of the structure.

Furthermore, the proposed front elevation does not accurately portray the height of brickwork between the first floor windows and the roof, and the location of the dormer windows as built, and the proposed rear elevation and submitted floor plans do not match at ground floor level.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. Two emails have been received from one resident.

The resident welcomes the building being brought back into use . They advise that rear dormer arrangement is slightly unusual, and the front dormer cheeks have been clad in white upvc, which is technically contrary to the materials condition on the original permission, but are not the view that this is not an issue in visual terms.

They feel the design of the railings at the front of the property is a bit ostentatious and out of character with the area, suggesting a horizontal design may be more appropriate. They also suggest that a landscaping condition be attached to any approval to require the planting of a boundary hedge and / or some ornamental trees in the front curtilage, with a view to ensure the front curtilage is not hard surfaced.

There are currently a significant number of bricks piled up within the root protection of the trees which line the eastern boundary of the site. They request that any approval have a condition to ensure that the bricks are moved and that a protection zone is established and that the trees are retained.

In a further email they advise that it appears that soil from the site is being spread across the site to increase the land levels. They are of the view that this be not be allowed without proper consideration of the impact this will have on the trees , and therefore object on this basis. They also reiterate their request that a landscaping condition be applied to control the landscaping matters / the appearance of the site.

2. Environmental Health

Have no comments regarding the application

3. Highways

SINGLE STOREY REAR, NORTH AND SOUTH SIDE EXTENSIONS

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street.

The proposals are unlikely to generate any increase in vehicle trips and therefore no traffic impact on the adopted highway is envisaged.

There appears to be no proposal to amend current pedestrian or vehicular access to the property, therefore the application is acceptable in principle to Highways.

OUTBUILDING

The outbuilding is located at the rear of the site within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

BOUNDARY TREATMENTS

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.

CONSTRUCTION MANAGEMENT PLAN

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) -

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 has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance. This states:

DC1.1

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 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 street scene
- e) the effect of the loss of any on site car parking

DC1.2

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 the original buildings)

- b) they do not create an 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 street scene by virtue of design, use of materials or constructional details
- d) they would not result in the loss of off street car parking in a situation where there is so severe an existing on street car parking problem that unacceptable additional pressures would be created

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 council's guidelines on privacy distances (which are published as supplementary guidance)

Policy DC1.6

For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principle have not been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Principle

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and Visual Amenity

The principle of erecting single storey side extensions and a single storey rear extension at this dwellinghouse have been established as part of the earlier approval (re: 123368). It is considered that these elements would not present a significant adverse impact to residential or visual amenity. The previously approved proposed side and rear extension projected 6.8m to the rear of the original rear elevation of the house, which exceeds guidance within the saved UDP policy DC1.3 (a) regarding rearward extension at 3.65m. However, the rear extension projected no further at the rear than the existing garage, and effectively formed a large infill extension. As a reasonable area of garden would be retained around the application property, on balance, it was considered that there would be no significant adverse impact in terms of visual or residential amenity along the side and rear street scene with Gyte's Lane. The current plans replicate these elements of the previously approved development.

However, the submitted plans (although not referenced on the submitted forms) show the retention of an unauthorised second floor rear extension with a flat roof to the north eastern rear elevation (Sandfold Lane and Gyte's Lane elevation respectively) with two windows in the rear elevation, and additional windows at second floor /roof level in the side elevation (Sandfold Lane elevation). The retention of this element of the scheme would not be acceptable as it would lead to the retention of a bulky structure at roof level which would be out of character with the detached dwelling. Furthermore, the location of this structure is visible in the wider streetscene due to the prominent location of the application site close to the Mount Road and Sandfold Lane junction, resulting in adverse impacts to visual amenity.

In addition, there are a number of inconsistencies in regard to the submitted plans under consideration. The submitted drawings show 2 no. windows along the second floor side elevation (Sandfold Lane elevation), however, one of these windows is not shown on the proposed floor plans. Along the front elevation, (Mount Road elevation), there is an inconsistency with the submitted plans in terms of the proposed "Front Elevation" and proposed "Elevation From No 333" as these do not match in terms of the first floor windows. The side elevation at ground floor elevation facing no.333 Mount Road is also not as built, and currently has the proposed openings in the outer shell of brickwork, but with blockwork infilling the openings on the inner face of the structure. Furthermore, the proposed front elevation does not accurately portray the height of brickwork between the first floor windows and the roof, and the location of the dormer windows as built, and the proposed rear elevation and submitted floor plans do not match at ground floor level. Whilst the agent could make revisions to the submitted plans, this would not overcome the concerns in regard to the built second floor flat roofed rear extension to the rear, nor the proposed outbuilding. Furthermore, there are further building works which project forward of the frontage of the property to Mount Road and extend to the south of the already extended building, beyond that previously approved side extension, which does not form part of this or the earlier planning approval. It is therefore considered that an assessment of these inconsistent elements of the scheme shown on the submitted plans, and works not currently forming part of the submitted scheme, cannot be undertaken.

In terms of the proposed associated boundary treatment, this appears consistent with planning permission (ref: 123368) in relation to the siting of a metal railing fencing above a low brick wall and brick piers to the Mount Road frontage and erection of a 1.8m high decorative wooden fence to the north, east, and southern boundary. The scheme is considered to be an acceptable approach in visual terms, however, the location of the piers to Mount Road have not been shown on the location of boundary treatment plan to demonstrate sightlines have been taken into consideration in regard to the height of the proposed fencing and the back of pavement in relation to the retained driveway, and the junction of Gytes Lane with Mount Road. As such if the scheme were to be supported the finalised location of the proposed brick piers need to be assessed to ensure sightlines at the access to the site are safeguarded.

In addition, the submitted application also seeks consent for the erection of a detached single storey outbuilding, approximately (length 5000mm x width 9756mm x maximum height 4658mm) which would be sited along the north eastern boundary (Sandfold Lane and Gyte's Lane elevation). The outbuilding would have a pitched roof, incorporating 1no. window along the southern elevation, and further windows and 2no. doors along the western elevation. It is considered that in view of the scale of the proposed floorspace forming the outbuilding, when viewed in the context of the previously approved extensions at this property and the associated reduction in private usable external amenity space for the future occupiers, this element of the proposal is considered to be unacceptable,

Conclusion

In this instance, it is considered the proposal does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the retention of the proposed second floor rear extension (as built) would not be acceptable as it would lead to the retention of a bulky structure at roof level which would be out of character with the detached dwelling. Furthermore, the location of this structure is visible in the wider streetscene due to the prominent location of the application site close to the Mount Road and Sandfold Lane junction, resulting in adverse impacts to visual amenity; that the proposed outbuilding when viewed in the context of the previously approved extensions at this property and the associated reduction in private usable external amenity space for the future occupiers, is considered to be unacceptable in terms of residential amenity; and that the inconsistencies in the submitted plans and additional works which do not currently forming part of the submitted scheme, preclude a fully detailed assessment of proposed development for which consent is sought.

It is therefore considered that the scheme under consideration does not respond positively to Core Strategy policies SP1, DM1 and EN1 and saved Unitary Development Policy DC1.

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 was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached as the nature of the proposal was considered to be unacceptable.

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

- 1) The retention of the proposed second floor rear extension (as built) is not acceptable as it would lead to the retention of a bulky structure at roof level which would be out of character with the detached dwelling in a location visible in the wider streetscene due to the prominent location of the application site close to the Mount Road and Sandfold Lane junction, resulting in adverse impacts to visual amenity contrary to the provisions of saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), policies EN1, SP1 and DM1 of Manchester's Core Strategy Development Plan Document (2012) .
- 2) The applicant has failed to provide accurate floorplans and elevational drawings of the proposed development , and the level of detail is not sufficient to fully assess the potential impact of the proposal to the neighbouring properties . The proposed development is therefore contrary to the provisions of saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), policies EN1, SP1 and DM1 of Manchester's Core Strategy Development Plan Document (2012) .

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

286 Mount Road, Manchester, M19 3HN
284 Mount Road, Manchester, M19 3HN
280 Mount Road, Manchester, M19 3HN
337 Mount Road, Manchester, M19 3HW
333 Mount Road, Manchester, M19 3HW
2 Gytes Lane, Manchester, M19 3HB
4 Gytes Lane, Manchester, M19 3HB
335 Mount Road, Manchester, M19 3HW
Adjacent To 303, Mount Road, Manchester, M19 3ET
Ryecroft Cottage, Mount Road, Manchester, M19 3HW
Connaughton House, Mount Road, Manchester, M19 3BH

282 Mount Road, Manchester, M19 3HN
341 Mount Road, Manchester, M19 3HW
339 Mount Road, Manchester, M19 3HW

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2