

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128849/FH/2020

Date registered valid: 4 January 2021

Proposal: Erection of two storey side and rear extension to form additional living accommodation

Address: 91 Egerton Road South, Manchester, M21 0YH

Ward(s): Chorlton Park Ward

Applicant: Michelle Zephir 91 Egerton Road South, Manchester, M21 0YH

Agent (if any): Mr Daniel Labella 21 Dale Road, Marple, Stockport, SK6 6EZ

Case officer: Dave Morris
Tel: 0161 600 7924
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Recommendation: Refuse

Date of recommendation: 24.02.2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: None undertaken due to Covid 19 pandemic. Applicant has provided photographs of property and online resources also reviewed.

Standard consultations:

Printed: 5 January 2021 Expired: 26 January 2021

Neighbour notifications

Printed: 5 January 2021 Expired: 26 January 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

This application relates to a two storey semi detached property. The property has a dual pitched roof with a gable at the side. The property is of brick construction with an original rendered first floor front elevation. There is a single storey rear extension across the full width of the rear of the property. At the front of the property is a canopy across the full width of the property above a bay window and an entrance porch. The front garden is approximately 5.2 metres deep and is largely paved. There is a drive at the side of the property leading to a detached garage in the rear garden. The rear garden is 22.8 metres long.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is located on the south side of Egerton Road South. Adjoining the site to the rear is the Fallowfield Loop footpath/cycleway and the Metrolink light rail line. The other half of the semi-detached property has a part single part two storey rear extension and a part single part two storey rear extension. The first floor of the side extension is set back approximately 1.92 metres from the front elevation. To the west is a semi-detached house with a single storey rear extension and a lean to structure at the side. This property was granted planning permission in February 2009 reference 088022/FH/2008/S1, for a for a part single part two storey side and first floor rear extension. The set back of the side extension at first floor level was 2 metres, a previous application with no setback was refused consent in November 2007 reference 083852/FH/2007/S1.

Facing the site is Lambton Road either side of which are the front elevations of properties fronting Egerton Road South.

Description of development

Consent is sought to erect a part single/part two storey side extension projecting 1.8 metres from the side of the property and projecting at two storeys 4 metres beyond the rear face of the original dwelling to the rear elevation of the existing rear extension. A first floor extension will adjoin the two storey rear element of the proposed extension. The front face of the ground floor extension would be set back 150 mm at ground floor level and 0.9 metres at first floor level.

The extension would be of brick construction with a tile roof. The roofs would be dual pitched with gables to the side and rear. The front elevation would contain a garage door at ground floor level and a single window at first floor level. There would be four small obscure glazed windows in the side elevation facing number 93 and a single roof light. The rear elevation would contain an additional window at ground floor level and French doors with side panels and a Juliet balcony at first floor level. There are no openings in the elevation facing the adjoining property.

In terms of accommodation the extension would provide on the ground floor, a store, an enlarged kitchen, a utility room and a wc. At first floor level there would be a new bedroom with en suite, a new bathroom and an enlarged bedroom.

Refuse storage would be in the store and the submitted plans show parking for two cars at the front of the property.

In support of the application reference has been made to other developments in the area involving two storey side extensions with small setbacks.

Consultations & Notification Responses

Local Residents

No Representations received.

Policy

Core Strategy

The relevant Core Strategy [policies are SP1 and DM1

Policy SP1 sets down the spatial principles that will guide development in the City and establishes the principle of creating neighbourhoods of choice.

Policy DM1 seek to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan.

The relevant saved UDP policy is DC1. This establishes the principle of extending a property to meet the changing needs of the occupiers whilst protecting the reasonable amenity of surrounding properties and the character of the area. The policy at DC1.4 makes specific reference to the harm terracing can cause. And suggests a gap of 1.5 metres to the site boundary to avoid the effect.

Issues

Principle

The proposed development accords with the principle of extending a property to meet the changing needs of the occupiers. There is an issue with impacts in regards of the proposals relating in potential terracing which is addressed elsewhere in this report.

Scale

The proposed extension is set in from the side boundary by 0.6 metres, however as a consequence of the modest setback 0.9 metres at first floor level it is considered that the roof of the proposed extension would not be far enough below the level of the roof of the property to prevent terracing occurring. The scale of the front of the proposed extension is therefore considered to be excessive. At the rear of the property it is considered that the scale is acceptable.

Design

The proposed extension retains the features of the original property in terms gables and roof pitches, however, it is considered that the failure to set the front elevation back further at first floor level means that the front elevation appears intrusive. On balance therefore the design is not considered to be satisfactory.

Terracing

Terracing can significantly affect the character of an area as detached and semi detached properties appear to merge and become terraces. Policy DC1 specifically seeks to prevent this happening.

The applicant has been requested to increase the set back of the first floor to 2 metres which would be consistent with the setback on both the adjoining properties. Whilst the set back has been increased to 0.9 metres this is not considered to be sufficient to address the impact that terracing would have, and it would be inconsistent with the decisions in respect of the two adjoining properties. With such a limited setback at first-floor level is considered to be insufficient to overcome concerns regarding the potential for a terracing effect and the ability to share the development gap equally with the neighbouring occupier at no 93 Egerton Road South.

The applicant has referred to other developments in the area where the setback is less, however, each case has to be considered on its own merits and circumstances and being further afield from the site it is considered that the decisions made in respect of the adjoining properties are more relevant.

The applicant points out that a 2 metres setback would render the extension to the front bedroom unusable, however, it is not considered that this would outweigh the harm arising from terracing, and even with the 0.9 metre set back the enlarged bedroom has an awkward shape.

On balance it is considered that the development would result in the terracing affect and that this would harm the character of the area.

Parking

The proposed development would still leave two off street parking spaces available for use by residents. This is in excess of the single space currently required by the Council.

Refuse storage

It is proposed that refuse could be stored in the store at the front of the proposed extension. This is acceptable and could be the subject of a condition.

Residential amenity

It has already been established that the development would adversely affect the amenity of the area. This section deals with the impact on the amenity of the occupiers of adjacent properties. In terms of privacy principle windows are in the front and rear elevations. The window in the front elevation would face Lambton Road and obliquely the houses either side, similarly the windows in the rear elevation would face the footpath cycleway and Metrolink line and have oblique views of the rear gardens of the adjacent properties. The windows in the side elevation which are close to the shared boundary face the side elevation of the single storey structure at the side of the property are to be obscure glazed.

On balance it is considered that the development would not result in any significant loss of privacy.

Given the existence of the structure to the side of the adjacent property and the distance of first floor elevation from the shared boundary and the existence of a rear extension to that property it is considered that there would be no significant overbearing impact.

Conclusion

It is considered that the terracing impact of the proposed development outweighs any benefits accruing to the applicant from the proposed development.

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. The concerns of the local planning authority with the proposals have been communicated to the applicants agent. In this instance 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) If the proposed two-storey side extension is built, the development gap between No.91 Egerton Road South and 93 Egerton Road South would not be capable of being shared equally and would have the potential to result in a terracing effect. As such, the proposal is contrary to saved Policy DC1.4 of the Unitary Development Plan for the City of Manchester, the National Planning Policy Framework and policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

Transport For Greater Manchester

66 Egerton Road South, Manchester, M21 0ZH

93 Egerton Road South, Manchester, M21 0YH

89 Egerton Road South, Manchester, M21 0YH

68 Egerton Road South, Manchester, M21 0ZH

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) -

Area Team Boundary - Name: SOUTH