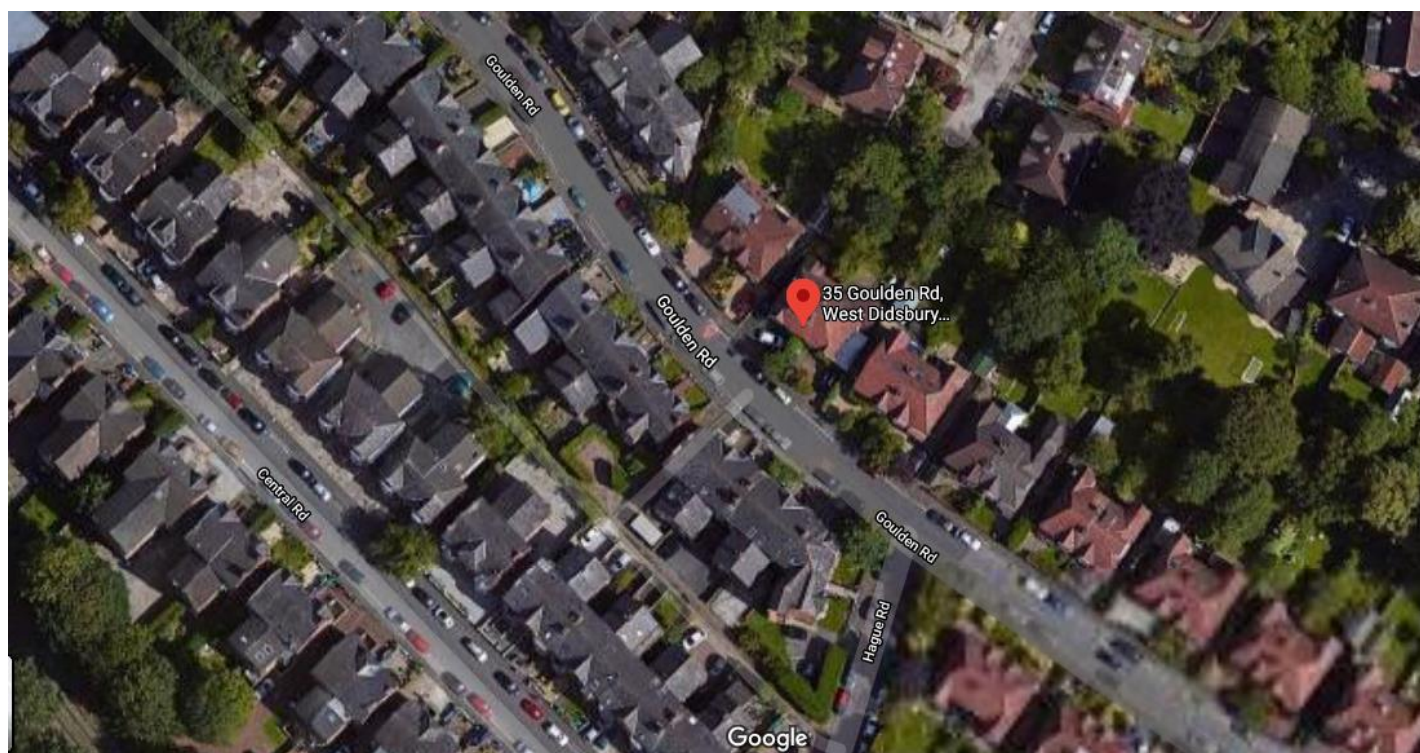


Planning

Growth & Development

Delegated officer report for planning application

Application no.	128296/FO/2020
Date registered valid:	14 October 2020
Proposal:	Erection of a single storey rear extension, hip to gable roof with rear dormer together with Juliet balcony and the insertion of two roof lights to the front elevation to provide additional living accommodation
Address:	35 Goulden Road, Manchester, M20 4ZE
Ward(s):	Old Moat Ward
Applicant:	Ms C Byrne, Manchester Rent-a-Home, 11 Wilbraham Road, Manchester, M14 6JS
Agent (if any):	Mr Ian Turnbull, Concept Building Design Services Ltd, 5 Willow Close, Anderton, Chorley, PR6 9PJ
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	9th December 2020



Application details

Type of application:	Full Application Consent
Development type:	Minor Other
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 2 November 2020 Expired: 23 November 2020
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 semi-detached property is in an established residential area which is predominantly characterised by family dwelling houses, many with original boundary treatments. The application site benefits from a rear garden, together with a driveway and hardstanding to the front. The property has projecting bays to the front elevation.



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

Description of area

This is primarily a residential area in character.

Description of development

Erection of a single storey rear extension, hip to gable roof with rear dormer together with Juliet balcony and the insertion of two roof lights to the front elevation to provide additional living accommodation

Consultations & Notification Responses

Local residents, as per Appendix 1 – one letter of objection has been received in respect of this application, summary of comments as follows:

- no less than five sets of tenants have lived in the Property. With each set of tenants, we have had varying degrees of issues including cars being parked across our drive, doors slamming, loud music, late-night parties and illegal drug taking at the Property.
- late night parties, general noise and untidiness of the property that is not in keeping with the street.
- it is clear to us that the intention is to continue to operate the property as an HMO with more bathrooms and an increase in size to the communal areas such as the kitchen and lounge.
- intensification of an existing HMO
- the increase in size is going to cause an even greater noise disturbance than what we are already dealing with
- have concerns that this extension will be used to squeeze in a sixth bedroom. Given that the property would have five bathrooms if the work goes ahead, it is entirely feasible that the extra space will be divided up to provide an extra bedroom and a similar size kitchen and lounge to what they already have.
- In areas of high concentration, extensions to HMOs (as defined in the Housing Act 2004) would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation.
- We have a genuine concern that this extension will ultimately lead to an additional bedroom being squeezed in and/or that such large bedrooms with en-suites will result in couples moving into them thereby increasing the level of occupation.
- the dormer conversion will be large enough for a couple to move into with an increase to the number of tenants
- while other properties have similar dormer conversions, they are generally being used as within family homes. This will result in our garden being overlooked during the day and a reduction in our privacy.
- wouldn't be opposed to development of the property it was not a HMO and developed for family use.
- Number 35 is one of only two HMOs on the semi-detached end of the street and is out of place with the residential character of the road. The Property is poorly maintained with blocked gutters, decrepit roof tiles and overgrown trees.
- even bigger HMO if extended
- existing issue with parking on Goulden Road which intensifies the parking issue and it will likely become even worse if rented to more people

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

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. 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

The plans considered as part of this proposal are as follows:

EXISTING and PROPOSED

Received 14th October 2020 numbered 2020-01-01 Existing and Proposed Plans and Elevations

History

There have been no previous applications relating to this site

Residential Amenity

The applicant is seeking to extend the property by erecting a single storey rear extension, hip to gable roof with rear dormer together with Juliet balcony and the insertion of two roof lights to the front elevation to provide additional living accommodation. There is an existing single storey rear outrigger.

Concerns have been raised by a local resident in relation to the proposals potential to increase in occupancy due to the increase in size and the increase of noise as a result of the proposal.

Single storey rear extension

The applicant proposes to erect an extension which would project off the existing rear outrigger and rear wall to a total projection of 6.0 metres extending the width of the property up to the shared boundary with the adjoining semi-detached property no. 37 Goulden Road. The City Council shares its concerns with the local resident and believes that an increase to the rear of the property, which is an existing House in Multiple Occupation would provide the potential for an increase in occupancy leading to associated increase in noise.

Hip to gable roof and rear dormer with associated roof lights

The applicant proposes to change the roof and construct a large rear dormer which would provide a bigger bedroom and ensuite. Whilst the City Council notes that there is not an increase in bedrooms to the property as annotated on the existing and proposed plans, the City Council considers that given the existing use of the property that this could potentially be increased to six bedrooms and therefore would lead to an increase in occupancy leading to loss of residential amenity to the occupiers of surrounding properties particularly the adjoining and adjacent occupiers.

The properties within this particular area are made up largely of single family occupancy properties with a marginally small number of flats. As a whole, the area is characterised as being a district of Manchester predominantly made up of family dwellings and one which as a result has created a sustainable and stable community.

The City Council considers that an extension of this size could potentially provide additional bedrooms leading to an increase in occupancy. If approved there would be an increase in the comings and goings at the property which would not only be a disturbance created by residents and visitors within the communal areas of the property but also additional disturbance from noise and activity on the outside the property from the extra movements in and around of the property. This has greater potential to disturb the amenity of the occupiers of the adjoining properties on Goulden Road.

Whilst it has been assumed by the objector that more people would end up occupying the premises, the fact remains that the additional increase could potentially lead to an increase in the amount of people within the property. In general, the City Council considers that an increase in space may give rise to the increase in activity at the property.

It is the view of the City Council that the proposal would amount to an intensification of the use of the property, likely to add to noise and disturbance associated with this rise in activity at the site which would have a detrimental impact upon the levels of residential amenity currently being enjoyed by the occupants of no. 33 and 37 Goulden Road. Accordingly, the proposal would conflict overall with policies SP1, and DM1 of the Core Strategy and NPPF and would therefore fail to comply with the development plan as a whole."

In terms of residential amenity it is considered that the proposed development would provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered does not accord with Core Strategy Policy DM1 and SP1.

Siting, scale and massing

The size and footprint of the proposed extension is believed to provide a detrimental impact upon the residential amenities of the adjoining property and is therefore considered that the proposal would be out of character with the existing and surrounding properties in the area. The proposal not satisfactory and is considered not to accord with the principles policy DC1, DM1 and EN1 of the Core Strategy.

Design

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.

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.

Waste management

Not affected by this proposal

Parking

Concerns have been raised by a local resident in relation to existing car parking issues, however the applicant has not put forward any car parking to be considered as part of the proposal and therefore the City Council considers that off road parking is not affected by this proposal.

Conclusion

It is considered that the proposal would provide a detrimental impact to the occupiers of the surrounding area and if approved would lead to a loss of residential amenity currently enjoyed by neighbours impacting on the character of the area and therefore does not comply with Council saved policies DM1, SP1 and EN1 of the Manchester Core Strategy.

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

Positive and proactive working - 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.

Reasons for recommendation to refuse

1) The proposal would represent an over-intensive use of the property which fails to enhance or create character, protect or enhance the built environment. The additional comings and goings and the associated noise and disturbance generated by the additional occupiers would be detrimental to the levels of residential amenity enjoyed by the occupants of those properties adjoining the site. The proposed development is therefore contrary to policies, DM1 and SP1 of the Manchester Core Strategy Development Plan Document and NPPF.

Appendix 1 – List of consultees & neighbours notified

33 Goulden Road, Manchester, M20 4ZE
22 Rutland Avenue, Manchester, M20 1JD
37 Goulden Road, Manchester, M20 4ZE

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