

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128082/FH/2020

Date registered valid: 28 September 2020

Proposal: Erection of a single storey rear extension, increased height of existing rear extension, replacement of conservatory to side with a brick and tile extension, along with an area of decking to the rear and elevational alterations.

Address: 254 Withington Road, Manchester, M21 0YB

Ward(s): Chorlton Park Ward

Applicant: Mr Qais Ahmad, 254 Withington Road, Manchester, M21 0YB

Agent (if any): Mr Saghir Hussain, Create It Studio Architects, Universal Square, Devonshire Street North, Manchester, M12 6JH

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 November 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Photos received with application

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 30 September 2020 Expired: 21 October 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site relates to a two storey semi-detached dwelling house of red brick with a hipped roof, that has previously been extended. Planning history reveals one previous approval (080650/FO/2006/S1) which approved a first floor rear extension in 2006 and a recently refused Lawful Development Certificate for the works contained within this application.

Description of area

The surrounding area is predominantly residential in nature, comprising of similar large semi-detached family dwelling houses with gardens, many having been significantly extended already.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension, increased height of existing rear extension, replacement of conservatory to side with a brick and tile extension, along with an area of decking to the rear and elevational alterations.

Consultations & Notification Responses

Local residents, as per appendix 1 – One letter of support from a and one letter of objection from a local resident (across several emails) were received.

Supporter – *Great idea to update and renovate existing house, upgrade them and improve housing prices.*

Objector – *The issues we have with the development are:*

- *Disruption to us in terms of privacy and noise*
- *Privacy - Since the work would take place at the side of the house where we normally sit, there'll be workmen around*
- *Fence in front of the conservatory at the side - is that to be removed?*
- *Noise*
- *Workmen / applicant possibly requiring access to our property to carry out the renovation*
- *Is the old wall at the rear being demolished and a new one replacing it - where will the wall go - the fence is on our side of the boundary - is this fence going to be moved*
- *Traffic and parking - suppliers/workmen potentially blocking the driveway entrance and parking inconsiderately*
- *Overall appearance from our side*
- *How high is the new wall and roof going to be - this will block the sun from our garden. Disappointed that we are going to lose what little autumn/winter sun we have in our garden.*

Also, I want to bring something to your attention: I have been in contact with the Neighbourhood Compliance Team at Manchester City Council, complaint reference number MAN/3544. My complaint was that I had reported an environmental issue quite some time ago and I hadn't got the response I expected. As a result, number 254 Withington Road is currently under investigation by the Environmental Health Team (Food Compliance) for selling honey from the premises.

Enforcement Planning are also investigating if a business was being run from number 254 without planning permission, reference number ENF/14869/20-254 Withington Road.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2018)

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Issues

Principle – The principle of extending existing single storey extensions at the side and rear, along with raising an existing roof and installing an area of decking, to provide additional living space is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The extension at the rear would project an additional 1.8m from the existing outrigger, as existing (essentially a re-build of the external store), with a width of 2.7m, an eaves height of 2.8m and a maximum height of 3.78m. It would be sited along the boundary shared with No.252. The existing outrigger would be extended away from the boundary towards the centre of the garden with a width of 1m and a depth of 6m, as well as

being extended in height by 0.4m resulting in eaves of 2.8m and a ridge (sited 2.7m from the shared boundary) at 3.78m. An area of decking is also proposed adjacent to the extension, 6m deep and just 0.3m in height, featuring a 1.3m handrail. At the side an existing conservatory would be replaced with a brick and tile extension of the same scale, 4m in depth and 1m in width, with a height to eaves of 2.5m and ridge 2.9m. Originally these works were applied for under an LDC but refused, mainly due to the fact these affected existing extensions. There are no works proposed for the shared boundary or any part of the property which would be visible from the public highway. Although the cumulative rearward projection exceeds that which is stipulated within policy DC1 (Of 3.65m), the gardens of these properties are large, several nearby houses have similarly extended outriggers and outbuildings along the boundaries and these extensions do not project beyond the outer edges of the existing footprint of the dwelling house and the heights are within Permitted Development parameters, hence the siting, scale and massing of the proposal is now considered acceptable.

Appearance and visual amenity – The extension would be constructed of facing brickwork, roof tiles and white uPVC windows/doors to match the original dwelling house. The raised roof over the extended outrigger would be dual-pitched with 4no rooflights. The side elevation of the outrigger would contain a new set of bi-folding doors opening onto the garden via the decking and the side extension replacement would form a blank wall, as would the side elevation of the rear outrigger and re-built store. Due to its siting at the rear of the house it would not feature within the street scene and is not considered to harm the visual amenity of the house nor wider area, which has already been altered in character by numerous house extensions. The design is to be expected of single storey house extensions and is considered acceptable, pursuant to policies DM1, DC1 and SP1.

Residential amenity – Due to the size and orientation of the plot and the scale and siting of the extensions the only neighbour likely to be affected by these works is No.252 to the north of the site. As the works along or close to this shared boundary are to existing structures, the only material change is the raising of the roof over the rear projection by 0.4m. Due to the westerly orientation of the rear elevations and depth of the existing rearward projection this increase in height will affect the sunlight reaching the garden of No.252, however as their garden is approximately 10m in width and 26m in length and the proposal would not exceed the eaves and maximum height limits set out in the GPDO (2015) at 2.8m and 3.78m respectively, the impact is not deemed significant. The objection received also mentioned issues with privacy, traffic and noise during construction, which are not factors that can be controlled by this process. Their other concerns included the ongoing enforcement case (potential change of use regarding beekeeping and selling honey) and Environmental Health case (regarding selling honey) but again neither of these are relevant to this application. Questions were raised regarding the shared wall and fence and the agent confirmed that no works are to take place in relation to these aspects. Therefore the proposal is considered acceptable in terms of impacts on residential amenity.

Conclusion – The proposal broadly complies with policies DM1, DC1, SP1 and the NPPF and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the area, therefore the development is deemed acceptable and may commence in accordance with the following conditions.

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: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant issues have arisen during the consideration of this application and the application has been determined in a timely manner in accordance with the Core Strategy policies.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the drawings numbered:

- A1280(02)AP001
- A1280(02)AP002
- A1280(02)AP003
- A1280(02)AP004

Stamped as received by the City Council as Local Planning Authority with the application form on the 23rd September 2020.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extensions hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the submitted application form.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Afc, Kings Road, Manchester, M21 0XX

279 Withington Road, Manchester, M21 0ZA
277 Withington Road, Manchester, M21 0ZA
275 Withington Road, Manchester, M21 0ZA
256 Withington Road, Manchester, M21 0YB
252 Withington Road, Manchester, M21 0YB

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