MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127925/FH/2020
Date registered valid:	17 September 2020
Proposal:	Erection of single storey rear extension to provide additional living accommodation
Address:	558 Wilbraham Road, Manchester, M21 9LB
Ward(s):	Chorlton Ward
Applicant:	Dr T Kearney, 558 Wilbraham Road, Manchester, M21 9LB
Agent (if any):	Mr Jonathan Renshaw, ebrdesigns.com ltd, 250 Church Road, Manchester, M41 6HD
Case officer:	Jennifer Connor Tel: 0161 234 4545 Email: jennifer.connor@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**06.11.2020**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: None carried out due to COVID 19 – photos supplied and google earth used

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
No neighbour notifications have been printed and sent.

Site notice
Posted: 21 September 2020 Expired: 12 October 2020

Press advert
Published: 29 September 2020 Expired: 20 October 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The area is predominantly residential.

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order: Not applicable

Description of development

Erection of single storey rear extension to provide additional living accommodation

Consultations & Notification Responses

A site notice was displayed and a press advert placed in the newspaper meeting the requirements of the development management procedure order. No neighbour comments were received

Policies

The relevant development plan in Manchester is the **Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"),** adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and 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 proposals are considered to be consistent with the following Core Strategy Policies SP1, EN3, DM1 for the reasons set out below.

Policy SP1 - Spatial Principles. This sets out the key special principles which will guide the strategy. Development in all parts of the City should "make a positive contribution to neighbourhoods of choice including creating well-designed places that enhance or create character, make a positive contribution to the health, safety and wellbeing of residents, consider the needs of all members of the community regardless of disability and protect and enhance the built and natural environment."

Policy EN3 - Heritage. The proposal would have an impact upon Wilbraham Road/Edge Lane Conservation Area. This is discussed in more detail later in the report.

Policy DM1 - Development Management. This sets out the requirements for developments in terms of sustainability and outlines a range of general issues that all development should have regard to. Of these, the following issues are or relevance to this proposal:
• Appropriate siting, layout, scale, form, massing, materials and detail;
• Design for health;
• Adequacy of internal accommodation and amenity space;
• Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
• That development should have regard to the character of the surrounding area;
• Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
• Accessibility to buildings, neighbourhoods and sustainable transport modes;
• Impact on safety, crime prevention and health; adequacy of internal accommodation, external amenity space, refuse storage and collection, vehicular access and car parking; and
• Impact on biodiversity, landscape, archaeological or built heritage, green Infrastructure and flood risk and drainage.
These issues are considered full, later in this report.

The following saved UDP policies need to be considered in relation to the application.
DC18.1 Conservation Areas – It is considered that the proposal would maintain the character and appearance of the Wilbraham Road/Edge Lane Conservation Area. This is discussed in more detail later in the report.

It is considered that the proposal is consistent with the policies contained within the UDP.

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2018 and is a material consideration in the determination of all planning applications.
There are three overarching objectives to sustainable development: economic, social and environmental:
• an economic objective, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation; and improved productivity ; and by identifying and coordinating the provision of infrastructure;
• a social objective, supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future

generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
• an environmental objective, contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.
So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.
Paragraph 185 of the Framework stipulates that local planning authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.
Paragraph 192 states that in determining planning applications, local planning authorities should take account of:
• The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
• the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
• the desirability of new development making a positive contribution to local character and distinctiveness.
The NPPF states that where proposed development accords with an up-to-date Local Plan it should be approved. The proposals would create additional residential accommodation in a sustainable location and as set out in this report are indicated as being in accordance with the up to date Core Strategy Development Plan Document and therefore accord with the main principles and expectations of the revised National Planning Policy Framework.

Legislative requirements

Section 72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a conservation area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Principle – There is no objection in principle to the erection of a rear extension in this location, subject to detailing.

Heritage Impact of the proposals - Paragraph 193 states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

It is considered that the development proposal would cause less than substantial harm to the significance of the Wilbraham Road/Edge Lane Conservation Area, by virtue of the location of the extension, the design of the development proposal and the limited views of the proposal from public vantage points and as such the development is acceptable when considering the balance of harm caused to the heritage asset.

Appearance – The extension to the rear would be brick built with a flat roof with glazed atrium and aluminium window and patio door frames. The material palette would be sympathetic to the materials utilised in the host dwelling and buildings in the Conservation Area.

The proposal would not adversely impact upon the character of the Wilbraham Road/ Edge Lane Conservation Area.

Residential Amenity – The extension would project c. 4.83m from the rear of the property, in line with the existing outrigger (disregarding the present lean-to) that sits on the boundary with the adjoining neighbour at No. 560 measuring 8m width to a height of 4.14m to the flat roof.

There would be windows to the east elevation, however, a condition is recommended to prevent overlooking. The development (including the small scale terrace which measures c. 50cm in height, but would only have a terrace for about 1.4m projection before becoming stepped) would not offer any undue overlooking / loss of privacy / loss of light / overshadowing impact to neighbouring property.

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 polices 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

The application was determined in a positive and proactive manner. Revised plans were sought to overcome concerns and it now considered that the scheme is acceptable.

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

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 following drawings and documents:

Location Plan and Site Plan

Received 7th September 2020

Heritage Statement

Received 17 September 2020

Proposed Plans Drawing A0.5

Received 26 October 2020

Proposed Elevations Drawing A0.8

Received 05 November 2020

Reason - To ensure that 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 extension hereby permitted be as stated on the application forms and on the email received from ebrdesigns dated 5th November 2020.

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.

4) Prior to occupation of the development hereby approved the windows to the east elevation of the rear extension shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

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
Conservation Area - Wilbraham Road/Edge Lane Conservation Area 2005
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH