

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126972/FH/2020

Date registered valid: 24 June 2020

Proposal: Erection of a part single/part two storey rear extension together with a hip to gable extension and increase in height of existing roof to form additional living accommodation

Address: 21 Pytha Fold Road, Manchester, M20 4UH

Ward(s): Withington Ward

Applicant: Carol Rashid & Hoda Mussa 21 Pytha Fold Road, Manchester, M20 4UH

Agent (if any): Mr Michael Cooney FINROC 3 The Mead, Salford, M5 5LL

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: r.tyrer@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 20 August 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Due to the Covid 19 Pandemic, site photographs were provided by the applicant these were also compared with the site photographs for a recent application at the same address taken on the 7th January 2020.

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 June 2020 Expired: 16 July 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 application site relates to a two storey semi-detached dwellinghouse in a residential street, constructed in brick and of a traditional design with a tiled hipped roof. The property has a front garden and driveway and a garden to the rear.



Listed building: Not applicable

Conservation area: The application site is not located within a conservation area.

Tree Preservation Order: None on the application site.

Description of area

The surrounding area is characterised by similar scale and designed dwellinghouses.

Description of development

The applicant is seeking planning permission to erect a part single/part two storey rear extension together with a hip to gable extension and increase in height of existing roof to form additional living accommodation

Consultations & Notification Responses

Local residents/public opinion – Two representations were received objecting to the application, the main issue raised are as follows:

- Loss of Sunlight/daylight –
- Loss of Privacy – From both habitable rooms and gardens
- Impact on the value of their property.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The 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. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set

out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the 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.

Planning Permission was granted in January 2020 for a similar development at this property under planning application reference: 125459/FH/2019. The approval allowed a part single, part two storey rear extension. The applicant is now seeking to increase the amount of development at both ground and first floor.

Therefore, matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Siting, Scale and Massing – As with the previous application the applicant is seeking to extend the property at the rear of the property with a part single, part two storey rear extension. The single storey element of the extension would have a rearward projection of 6 metres and a width of 6.33 metres. At first floor the proposed extension would have a rearward projection of 4 metres and a width of 4.275 metres.

The single storey extension would have a flat roof with an eaves height of 2.2 metres, the ridge height of the whole property would be raised 300mm and the ridge of the proposed first floor extension would match this height.

Saved Policy DC1.3 of the UDP states that the City Council would not normally approve extensions with rearward projections greater than 3.65 metres. However the inclusion of the word “normally” does allow scope for larger extension greater than 3.65 metres where appropriate. In this application the proposal would have a rearward projection greater than 3.65 metres at both ground and first floor.

In comparison with the previous application reference: 125459/FH/2019 the applicant is seeking an increase of 2 metres (from 4 metres to 6 metres) at ground floor and 1 metre (from 3 metres to 4 metres) at first floor.

Consideration should also be given to the fallback position. The fallback is a material consideration in the decision making process, of which the PD rights given by the Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to.

However whilst a single storey extension could be built up to a rearward projection of 6 metres, it cannot be built with a first floor extension and changes to the original roof under the prior approval route for larger home extension. Furthermore the scheme could be revised to allow a first floor extension and a ground floor extension however, this would be similar to that approved under the previous planning application but would not allow changes to the roof and it would have a reduce widths at both ground and first floor and reduce rearward projections.

Consideration has also been given to the orientation and concerns raised regarding loss of sunlight, particular as the ground floor would be sited along the boundary with the adjoining semi (No.23) and sited approximately 1.5 metres from the boundary with No.19, with the first floor being sited 2.34 metres from No.23 and 1.5 metres from No.19. In terms of the concerns raised by residents.

Whilst No.23 which is sited south of the application site, and therefore should not lose light due to the siting of the proposal. It also should not significantly affect sunlight reaching the adjacent property, No.19, as the gardens face east and are already shadow by late afternoon.

Loss of light was raised as a concern however, the properties who raised the objection would not be impacted by the development in terms of loss of light.

Therefore taking the development as a whole an extension of the size proposed would not be subservient to the original dwellinghouse resulting in a large and bulky addition to the dwellinghouse and whilst the loss of sunlight may not be a factor the rearward projection particular at first floor would have an overbearing impact upon the neighbours.

The proposal is therefore is considered to be contrary to both saved policy DC1 of the UPD and policy DM1.

Design and Appearance – There are no concerns with the choice of materials as the drawing state that they will match the existing dwellinghouse. As raised above there are concerns, however regarding the scale of the proposal and it would have an over large and dominant appearance within the street scene to the detriment of the visual amenity if approved.

Residential Amenity – If approved the extension would have still allowed for a sizeable garden at the rear to be retained it also would have further increased the amount of living accommodation at the property. A loss of privacy has been raised as an issue, however the proposed first floor windows facing No.19 would have been conditioned to be obscurely glazed to prevent any overlooking and the elevation facing No.23 is blank, the distance of the windows at the rear of the dwellinghouse to the neighbouring properties would not result in overlooking, therefore a loss of privacy is not deemed an issue.

However the amount of built form together with its height along the common boundary would create an intrusive feature that would have an overbearing impact on the neighbouring properties to the detriment of the amenity of the current and future occupiers.

The development in terms of residential amenity is considered to be contrary to policy DM1 of the Core Strategy and saved policy DC1 of the UDP.

Car Parking – The proposal will not impact the existing car parking arrangements at the site.

Refuse Storage – It is unclear where the refuse is stored on site, however the side gap to the shared boundary with No.19 would be retained and therefore allow the storage of refuse in the rear garden of the property.

Other Matters – An impact on the value of surrounding properties is not a material planning consideration and has therefore not been taking into consideration.

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:

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. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed development by reason of its proximity to the common boundary, together with the projection, size, scale, bulk and massing of the proposal, it is considered that the proposed rear extension would have an overbearing impact and would create an intrusive feature in the form of expanse of brickwork along this boundary, to the detriment of the residential amenity to the occupiers of the adjoining properties no.19 and 21 Pytha Fold Road. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policies DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

32 Pytha Fold Road, Manchester, M20 4UH
30 Pytha Fold Road, Manchester, M20 4UH
4 Newstead Avenue, Manchester, M20 4UQ
6 Newstead Avenue, Manchester, M20 4UQ
19 Pytha Fold Road, Manchester, M20 4UH
23 Pytha Fold Road, Manchester, M20 4UH

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

Appendix 3 – Site Photos