MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141416/FO/2024
Date registered valid:	22 November 2024
Proposal:	Erection of two second floor rear dormers and two storey rear extension to form ground floor office extension and 1no. duplex flat above
Address:	117A Withington Road, Manchester, M16 8EE
Ward(s):	Whalley Range Ward
Applicant:	Mirza Irfan Baig, Range Solicitors
Agent (if any):	M Farooq, Building Design Services
Case officer:	Ellie Knowles Tel: 0161 219 6633 Email: ellie.knowles@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**17 January 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Office

Date of site visit: 19 December 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 2 December 2024 Expired: 23 December 2024

Site notice
Posted: 19 December 2024 Expired: 12 January 2025

Press advert
Published: 10 December 2024 Expired: 31 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey semi-detached brick-built property at the junction of Withington Road and Yarburgh Street. The property has a second floor within the roof and there are two dormers on the front elevation. At the rear is an original two storey gable outrigger, shared with the adjoining property, No 117B. The application property has a shop front fascia projecting in front of the main face of the property to Withington Road. There is a 13m yard at the rear bound by fencing. The premises are currently used as a solicitors office and car hire office (Class E) at ground floor level with self-contained living accommodation at first and second floors (3 bedroom flat). The application property is located with the Whalley Range conservation area.



Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

Description of area

The property is located at the northern end of the Withington Road local centre within the Whalley Range Conservation Area. The adjoining semi, 117B, is currently used as a chemist shop with living accommodation over. This neighbouring property affords a single storey rear extension which wraps around the outrigger and projects 10 metres from the rear face of the outrigger, retaining a small enclosed rear yard.

There are commercial properties with residential above, facing opposite the site across Withington Road (west) and across Yarburgh Street (south). A car wash business is sited directly north of the application site and an area of incidental open space directly east.

Description of development

Consent is sought to erection of two rear dormers within the roof space of the original rear outrigger and two storey rear extension.

The two proposed dormer windows would be designed with a pitched roof, measuring approx. 1.43m (w) x 1.98m (h) x 2.92m (d) and set within the existing outrigger roofscape. Proposed materials have not been shown on plan. This element would increase living accommodation within the existing self-contained flat, to create a four bedroom, 2 bathroom residential unit.

The proposed two storey rear extension would project 10.8m from the rear face of the original outrigger. The rear extension would be of brick construction with a shallow gable roof. The proposed ridge height would be approx.2.2m lower than that of the outrigger and the eaves height would be lower than that of the outrigger and main building. There would be three windows in the eastern facing rear elevation and one window in the western facing front elevation. A GF access door is proposed in both the front and rear elevations. The rear extension would create an office extension at ground floor and additional self-contained apartment at first floor.

The application form references the creation of a "one flat on first floor". Therefore the submitted floor plan (ref: A 2081/3) is assumed to be annotated incorrectly, as it shows kitchen and lounge, as opposed to bedroom and kitchen/lounge.

This proposal is similar in design and scale to the previously refused application ref 139317/FO/2024 at the application site, albeit with omission of a second floor extension upon the existing outrigger and reduction to a two storey rear extension.

Consultations & Notification Responses

Local responses
None

Consultee responses
None

Relevant Planning History

At the application site –

139317/FO/2024 – Erection of a second floor rear extension to existing outrigger and three storey rear extension to form ground floor office extension and 1no. duplex flat above. Refused 31.05.2024. *On grounds of impact upon the character of the host property and Conservation Area.*

At 117B Withington Road –

132794/FO/2022 – Erection of first floor rear extension above existing single storey to form additional storage area for existing pharmacy and elevational alterations to the ground floor of the Yarborough Street frontage. Refused 01.04.2022, on the grounds of impact upon the conservation area and residential amenity.

129729/FO/2021 – Erection of first-floor rear extension on top of existing single-storey to form additional storage area for existing pharmacy. Refused 11.06.2021, on the grounds of impact upon the conservation area and residential amenity.

History of negotiations

No negotiations were entered into with the agent, given that the proposal was considered unacceptable in principle, even in the event of significant revisions.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone 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 **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-P2 – Heritage

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

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)
EN 1 – Design Principles and Strategic Character Areas
EN 3 – Heritage (partially superseded by PfE)
EN 14 – Flood Risk (partially superseded by PfE)
EN 19 – Waste

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

DC18 – Conservation Areas
DC26 – Development and Noise

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD

National Planning Policy Framework

The NPPF (December 2024) 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. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong sense of character
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Issues

Principle of development:

Whilst the Council seeks to assist local businesses this cannot be at the expense of the amenity of residents or have a harmful impact on the character of the area or the Whalley Range Conservation Area. The issues arising from this application are discussed below.

Impact on visual amenity, the Conservation Area and the streetscene:

The revised proposal seeks permission for two rear dormers within the roof space of the original rear outrigger and two storey rear extension.

117A Withington Road is sited on a prominent corner plot location within the Whalley Range conservation area, with all elevations visible from public vantage points. Therefore, the proposed extension would be highly visible from Withington Road to the west, Yarborough Street to the south and Sedgeborough Street to the east.

The original property is characterised by period brick-built construction with decorative string coursing, gable roofs and subservient original rear gable feature. The historic pattern of development found in this part of the conservation area, features a strong sense of openness to the rear of properties fronting the highway, Withington Road, which is created by substantial rear yards.

The proposed two storey extension will create a two storey structure with an 10.8 metre rear projection from the original gable. Notwithstanding the existing single storey development at no. 117B Withington Road, the erection of a considerably larger two storey rear extension would

create a sense of enclosure that is not part of the areas character and due to the openness of the surrounding area the extension would be highly visible. As such, the proposed extension would have significant impact upon the character of the original property and Conservation Area, due to its proposed scale when viewed along Withington Road (southbound) and Yarburgh Street in either direction. Irrespective of this being a Conservation Area it is considered that this large rear extension would be unacceptably intrusive upon the openness of this area.

The design of the proposed two storey extension is considered to pose little architectural merit and does not read as a sympathetic addition to the original building. Fenestration is proposed in the front and rear elevations only, creating a 10.8m solid expanse of brickwork to the side elevations which would be highly visible and be considered as a stark and incongruous form within the street scene and conservation area. In addition, this element would project beyond the original northern side elevation of the host dwelling, given the proposed splayed footprint, in turn creating an incongruous detail that would be highly visible when viewed from the front. The two storey rear extension would accommodate a gable roof with shallow pitch, which is considered at odds with the original property, significantly harmful to its character. Whilst this harm may be less than substantial in terms of the NPPF, the detrimental impact on the character of the host property and Whalley Range Conservation area is considered sufficient to justify a refusal of planning permission.

The two proposed dormer windows within the existing rear outrigger are considered to be acceptable on balance, when considered in isolation, given their subordinate scale within the original roofscape and pitched design. Notwithstanding this, sympathetic materials would be necessary to mitigate visual harm upon the host property and conservation area.

The proposed development is therefore considered contrary to the provisions of Places for Everyone policy JP-P2, Core Strategy policies DM1, SP1 and EN3 and saved Unitary Development Plan policy DC18.

Impact on residential amenity:

Given the siting and orientation of the proposed extensions in relation to neighbouring properties, the proposal is not considered to give rise to undue impacts upon the residential amenity in the form of overshadowing, overdominance and overlooking.

No 117B Withington Road the adjoining property doesn’t afford any habitable room windows adjacent to the proposed extensions, as such the proposal would not impact outlook nor privacy of neighbouring occupants.

Two dormer windows are proposed in the roofscape of the original rear outrigger of the host property, facing north. Directly north is a car wash business with single storey office along the shared boundary, beyond this, the nearest habitable room windows are sited circa 24m away at 115 Withington Road. As such, these windows would not create any impact over and above existing.

Similarly, fenestration in the rear elevation of the proposed two storey extension, would afford sole outlook over the incidental greenspace due east. Nearest residential properties are sited circa 40m away. As such, no impacts are considered.

Impact on Highway Safety:

Given that the proposed development is resultant in one additional residential dwelling and enlargement to an existing office and apartment. It is therefore accepted that the adjacent

highway network can facilitate such additional demands with no highway safety or capacity concerns.

It is further acknowledged, there is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. This is the same as the existing conditions on-site.

Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

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

Reasons for recommendation to refuse

1. Having regard to the prevailing pattern of development found in the area, the proposed two storey rear extension by reason of the scale, siting, design and prominent location would have a detrimental impact on the character of the host property and Whalley Range Conservation Area. The proposed development is therefore contrary to the provisions of Places for Everyone policy JP-P2, Core

Strategy policies DM1, SP1 and EN3 and saved Unitary Development Plan policy DC18.

Appendix 1 – List of consultees & neighbours notified

98A Withington Road, Manchester, M16 8FA
4A Yarburgh Street, Manchester, M16 7FJ
94B Withington Road, Manchester, M16 8FA
94C Withington Road, Manchester, M16 8FA
94A Withington Road, Manchester, M16 8FA
Top Flat, 117A Withington Road, Manchester, M16 8EE
Flat 4, 111 - 113 Withington Road, Manchester, M16 8EE
Flat 3, 111 - 113 Withington Road, Manchester, M16 8EE
Flat 2, 111 - 113 Withington Road, Manchester, M16 8EE
113A Withington Road, Manchester, M16 8EE
Flat 1, 111 - 113 Withington Road, Manchester, M16 8EE
111 - 113 Withington Road, Manchester, M16 8EE
Car Wash Adjacent 117, Withington Road, Manchester, M16 8EE
Sport Bar, 121 Withington Road, Manchester, M16 8ED
98 Withington Road, Manchester, M16 8FA
117B Withington Road, Manchester, M16 8EE
6 Yarburgh Street, Manchester, M16 7FJ
4 Yarburgh Street, Manchester, M16 7FJ
119 Withington Road, Manchester, M16 8EB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Whalley Range Conservation Area 1992
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA