

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141533/FH/2024

Date registered valid: 18 November 2024

Proposal: Erection of a single-storey side extension and a single-storey rear extension, following the removal of the existing side extension, and erection of a front porch following the removal of the existing front porch and canopy structure.

Address: 16 Wroxham Road, Manchester, M9 8WA

Ward(s): Higher Blackley Ward

Applicant: Mr Reza Eskandari

Agent (if any): Mr Abdul Sabawan, Freelance

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 January 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 11 December 2024

Standard consultations:

Printed: 3 January 2025 Expired: 10 January 2025

Neighbour notifications

Printed: 3 January 2025 Expired: 10 January 2025

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: No

Tree Preservation Order: No

The application site relates to 16 Wroxham Road within the north Manchester ward of Higher Blackley. The application site relates to a two storey, red brick, semi-detached dwellinghouse. The property has a cranked front elevation which cranks to reflect the junction of Wroxham Road/Bank House Road. The front of the property is characterised by an unlawful front porch/canopy structure, a side extension which is of a poor quality and brick match to the host property and high boundary treatment surrounds the site in the front of a brick pillar wall with black railings. The rear of the site is characterised by a garden, with some areas of hardstanding.

Description of area

The surrounding area is residential in nature, characterised by several school and nurseries to the north east, east and south of the site.

Description of development

The submitted application seeks planning permission for the erection of a single-storey side extension and a single-storey rear extension, following the removal of the existing side extension, and erection of a front porch following the removal of the existing front porch and canopy structure.

The single storey side extension would replace the existing storage structure at the site and create an enlarged kitchen and W/C area. The side extension would have approximate dimensions of Height: 3.4 x Length: 6.5 x Width: 2.2 metres. The proposed rear extension would wrap into the proposed side extension. The extension to the rear would not extend the width of the host property and would not build up to the shared boundary with no.61 Bank House Road nor incorporate the cranked nature of the host property. This element would have approximate dimensions of Height: 3.3 x Length: 3.3 x Width: 5.4 metres.

The existing unlawful front porch and canopy structure would be removed from the site and replaced with a front porch much smaller in size. This would result in a structure with approximate dimensions of Height: 3.1 x Length: 1.5 x Width: 2 metres.

The proposal would involve the insertion of a front door and 1no.window within the primary elevation, 1no. window within the side elevation facing no.14 Wroxham Road and 1no. set of patio doors within the rear elevation.

Revised plans state the materials to be used throughout the proposal would match those within the original property.

Negotiations during the Course of the Application

The initial proposal submitted for consideration gave rise to several concerns.

Issues were raised with the accuracy of the submitted drawings. This included discrepancies across corresponding plans and inaccuracies with stated scales which made it difficult to accurately make an assessment of the scheme. Revised plans were received which are considered to be of an accurate level to be able to assess the application.

The original submission sought consent for the erection of a two storey side extension. Given the cranked nature of the applicant site and the clear semi-circle formation of the small terrace of properties commonplace within the immediate area, infilling the gap to the boundary at double storey level would alter the clear built form of the properties and so would be unacceptable on the grounds of design. This would be contrary to policy DC1 of the UDP and Core Strategy policies DM1 and SP1. The two storey side extension was amended to a single storey side extension.

The proposed rear extension was also considered to be overly large, given it was proposed to be sited against the shared boundary with no.61 Bank House Road and would follow the cranked nature of the applicant site. The adjoining property would look out of the ground floor windows and onto a blank elevation enclosing the space and the extension would therefore have given rise to an unacceptable impact to residential amenity on the grounds of overbearing. This would be contrary to policy DC1 of the UDP and Core Strategy policies DM1 and SP1. As such, the rear extension is set away from the shared boundary and the projection of the rear extension was reduced to 3.3 metres.

Further, concern was raised with the front porch and canopy structure at the site. As it appears to have been constructed sometime after April 2022 and due to the extent of development, the works are considered unlawful. The agent responded to this and confirmed the lawful structures would be removed and a smaller front porch structure would be erected in its place.

The revised description of development was confirmed by the agent in writing and a short re-notification period was undertaken.

Planning History

No planning history exists for this site.

It is noted that the front of the property is surrounded by boundary treatment which would appear to exceed 1 metre in height. However, this height appears consistent from the height as historic as 2012 and so appears lawful.

The front porch and side extension which a brick which poorly matches the host property and a front canopy structure that appears to exceed permitted development requirements appears to have been constructed sometime after April 2022.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one objection was received during the course of the application.

Concerns were raised with previous civil matters relating to boundary disputes, and how disputes may continue and worsen as a result of any permission granted, if the extension is built on the neighbour's disputed land.

The neighbour also raised concern to potential loss of light to 3 windows to be impacted by the proposal, and how this may result in overshadowing to the detriment of the neighbour.

No comments were received during the course of the re-notification period.

Environmental Health

Environmental Health requested the following condition be attached to any approval granted: GAS01

Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Issues

POLICY

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities.
- ii. Chapter 12. Achieving well-designed places.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;

- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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

The following policies are relevant:

- i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of a single-storey side extension and a single-storey rear extension, following the removal of the existing side extension, and erection of a front porch following the removal of the existing front porch and canopy structure. The scheme is considered acceptable as many people prefer to alter or extend homes, rather than move, to meet the changing residential needs of families. Whilst the initial proposal gave rise to concerns, the revised scheme is on balance considered to overcome issues raised and no further comments have been received from neighbouring properties. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

It is acknowledged that, due to the unauthorised works of the side extension and front porch, the property creates a visual blight in the immediate area and the proposed works would be considered to improve the visual appearance of the applicant site.

The side extension would create a W/C. To protect the privacy of the applicants and neighbouring properties, a condition would be placed on any approval granted for the window to be obscure glazed and top opening only. A further condition would be placed on any approval granted restricting the number of windows and doors approved beyond any consent granted.

No.14 Wroxham Road is the non-adjoining neighbour and as existing feels the side extension and the front porch structure. During the initial consultation response, concern was raised that the two storey side extension could give rise to loss of light implications to the neighbour's side windows. However, as the side extension has been reduced to single storey during the course of the application, any impact is not considered to be more severe than the existing circumstance.

The removal of the existing front porch and canopy structure across the front of the property would be welcomed, reducing visual harm to the neighbouring property of no.14 Wroxham Road. Whilst a window would be sited within the proposed front porch structure facing the direction of no.14, this would be sited considerable distance from the boundary to not give rise to any adverse implications. Further, this window would be positioned further from the shared boundary than existing so would be welcomed.

The extension would run along the shared boundary with no.14 Wroxham Road and extend 3.3 metres beyond the rear elevation of the applicant's property. Although the neighbour would feel additional built form against the shared boundary, given the proposal would be single storey and would only extend 3.3 metres with a height of 3.4 metres, the proposal would not be considered to create an overbearing feature. Due to the orientation of properties within the streetscene, the proposal would not be considered to give rise to any loss of light implications to no.14. No windows would be inserted in the direction of the neighbouring property and so no adverse privacy implications would occur as a result of the proposal.

No.61 Bank House Road would feel the proposed 3.3 metre rear extension to be erected as a result of the proposal. Revisions were made to the proposal including setting the built form off the shared boundary and away from the cranked property to reduce harm. It is noted that due to the cranked nature of the applicant property and adjoining neighbour, the rear windows at ground floor level have, as existing, a level of direct overlooking. Concern was raised that the introduction of built form close to the boundary would result in an overbearing feature to the rear windows of no.61. By pulling away the built form and reducing the projection to 3.3 metres, it is

considered that harm to the adjoining neighbour has been mitigated. Although it is noted that the built form may create a sense of enclosure to the adjoining neighbour, the existing circumstance with the level of overlooking is not favourable to either property. Given the neighbouring property benefits from further amenity space to the rear and side, it is not considered to adversely impact the enjoyment to the neighbour's space to an extent which would warrant a refusal on the scheme. Given the proposal would be single storey, any overshadowing or loss of light is not considered so severe to warrant a refusal on the scheme. It is not considered the introduction of the patio doors within the rear elevation of the proposal would give rise to any adverse privacy implications.

Concerns were raised by a neighbour comment with previous civil matters relating to boundary disputes, and how disputes may continue and worsen as a result of any permission granted, if the extension is built on the neighbour's disputed land. As the boundary dispute is considered a civil matter, the issues cannot be investigated further within the remit of this planning application. However, it is to be noted that plans show how the side extension would be set off the shared boundary with the neighbouring property and Certificate A has been signed.

Overall, given the amended proposal and supporting description of development, the proposal would not be considered to give rise to significant visual/ residential amenity implications. Appropriate conditions would be attached to any approval granted to ensure the applicant's and neighbouring properties' amenity is retained. As such, the proposal is considered pursuant to Policy DC1 of the UDP, and Core Strategy policies SP1 and DM1.

Design and Appearance

The side extension would replace the existing extension at the property which is of a poor construction and quality and relates poorly to the host property. The proposed side extension to be made of materials to match the host property would be a positive outcome for the property. It is to be noted that the side extension could be achieved through the route of Permitted Development. Given this, the side extension proposed does not give rise to any concern in relation to design and appearance, pursuant to Policy DC1 of the UDP. As the structure is single storey, the proposal does not impact the built form of the host property and corner formation as would the originally proposed two storey side extension.

The rear extension proposed is considered to respect the constraints of the site by being sited away from the shared boundary with the adjoining neighbour and the projection has been reduced to 3.3 metres. It is noted that through the route of Permitted Development, a 3 metre extension could be achieved sited against the common boundary. It is also noted that the proposal would comply with the maximum rearward projection for rear extension of 3.65 metres as prescribed within Policy DC1.3 of the UDP. Given the fallback position and local policy, this element of the proposal is considered acceptable in terms of design and appearance, pursuant to Policy DC1 of the UDP.

The unlawful front porch and canopy structure would be removed from the applicant site and replaced with a smaller front porch. The existing structure could not be considered Permitted Development due to the size and the materials used relate poorly to the host property. To ensure the structures are removed as proposed by the applicant, a condition would be attached to any approval granted to ensure the structures are removed within an agreed timescale. This ensures that if the applicant decides to not undertake the works to the side and the rear, that the unlawful structures are removed in a timely manner. The resulting front porch would be smaller in size and scale and would be more similar to a front porch that just exceeds the realm of permitted development. The resulting proposal would be considered to create a high quality

development more in keeping with the characteristics of the host property, pursuant with Policy DC1 of the UDP and EN1 of the Core Strategy.

The materials to be used throughout the proposal have been listed as matching the host property. This is welcomed and the materials would be conditioned to this effect within any approval granted.

Car Parking

No change to car parking arrangements would occur as a result of the proposal.

Bin Storage

A bin store condition would be attached to any approval granted to ensure the bins for the property would be stored appropriately within the front amenity space, as the existing storage area to the side of the property would be lost as a result of the proposal.

Conclusion

Overall, the revised scheme with the loss of the double storey side extension and amendments to the projection and form of the rear extension is considered acceptable. The removal of the unlawful structures at the site is welcomed and a condition to ensure such removal works are undertaken would be attached to any approval granted. As such, the proposal is considered pursuant to Policy DM1, EN1 and SP1 of the Core Strategy, policy DC1 of the UDP, and policy JP- S1 of Places for Everyone.

Other Legislative Requirements **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 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, a revised scheme has been received which is considered to satisfy concerns raised and appropriate conditions have been attached to any approval granted.

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:

-Drawing- Existing & Proposed- Floor Plans, numbered 01, stamped as received by the City Council as Local Planning Authority on 28 December 2024.

-Drawing- Existing & Proposed- Elevations, numbered 02, stamped as received by the City Council as Local Planning Authority on 28 December 2024.

-Drawing- Site Plan- Site and Block Plan, numbered 05, stamped as received by the City Council as Local Planning Authority on 28 December 2024.

-Drawing- Existing & Proposed- Side Elevations, numbered 04, stamped as received by the City Council as Local Planning Authority on 3 January 2025.

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

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the ground floor WC window as shown on the approved 'Drawing- Existing & Proposed- Floor Plans, numbered 01', stamped as received by the City Council as

Local Planning Authority on 28 December 2024, shall be obscure 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.

In addition, the window shall be top opening only and shall remain so in perpetuity.

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

5) The materials used to construct the external elevations of the extensions hereby approved shall match the original dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason- The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

7) a) Within three months of the date of this permission, a scheme for the methodology of the removal of the existing side extension and existing front porch and canopy structure and re-instatement of the external walls shall be submitted to the City Council as local planning authority for prior approval in writing. The works shall be undertaken within a timescale agreed with the City Council as local planning authority.

b) Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure the removal of the existing side extension and existing front porch and canopy structure and re-instatement of the external walls has been undertaken.

Reason - In the interests of visual amenity and to protect the character of the local area, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

8) Prior to the occupation of the development hereby approved, full details of a secure and ventilated bin storage area, including location and any elevations, shall be submitted to the City Council as local planning authority for prior approval in writing. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Environmental Health

63 Bank House Road, Manchester, M9 8LY
59 Bank House Road, Manchester, M9 8LY
11 Castlemere Road, Manchester, M9 8LE
61 Bank House Road, Manchester, M9 8LY
9 Wroxham Road, Manchester, M9 8WA
13 Castlemere Road, Manchester, M9 8LE
13 Wroxham Road, Manchester, M9 8WA
11 Wroxham Road, Manchester, M9 8WA
14 Wroxham Road, Manchester, M9 8WA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA