MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140992/FH/2024
Date registered valid:	11 November 2024
Proposal:	Erection of a roof extension to side of dwellinghouse
Address:	4 Oswald Road, Manchester, M21 9LH
Ward(s):	Chorlton Ward
Applicant:	Mr James Stevenson
Agent (if any):	Mr M Ahmed, M1 Architecture Ltd
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**2 January 2025**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 November 2024

Standard consultations: Printed: 14 November 2024 Expired: 5 December 2024

Neighbour notifications: Printed: 14 November 2024 Expired: 5 December 2024

Site notice: Posted: 20 November 2024 Expired: 11 December 2024

Press advert: Published: 19 November 2024 Expired: 10 December 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order: Not applicable

The application relates to a part-two / part-three storey semi-detached C3 villa property of redbrick with a grey slate dual pitch roof. The property features white timber-framed windows with white-painted stone headers and cills, including a two-storey hexagonal bay to the front, a decorative front porch canopy/overhang, a spacious stone driveway bordered by a mid-level stone wall, a part-single / part-two storey rear extension, and a spacious rear garden with mature trees and foliage.




16
14
2A
2


2
2A
14
16




NORTHERN MARKING





Description of area

Oswald Road is a residential street situated within the Chorlton ward of Manchester, close to Chorlton district centre, Wilbraham Road (A6010), and Oswald Road Primary School. The area is predominantly residential in terms of its character, consisting of semi-detached villa properties and terraces and is situated within the Wilbraham Road/Edge Lane Conservation Area.

Description of development

The applicant is seeking permission for the erection of a roof extension to the side of the existing dwellinghouse.

Planning history

043409/FU/SOUTH2/93 - Change of use and single storey rear extension to dwellinghouse to form doctors surgery on ground and first floor with living accommodation on 2nd floor – Approved (15.07.1993).

066995/FO/SOUTH1/03 - Erection of first floor rear extension to form additional surgery training area and installation of new canopy above main entrance – Approved (24.02.2003).

114474/FO/2016 - Change of use from doctor's surgery (Class D1) to single residential dwelling (Class C3), the erection of entrance porch, associated elevational alterations, installation of raised terraced area at rear and associated landscaping – Approved (19.01.2017).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Chorlton Voice - no comments or objections received.

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 DC – Residential Extensions
- Policy DC18 – Conservation Areas

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy T1 – Sustainable Transport
- Policy EN19 – Waste
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF, 2024)
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 – Conserving and Enhancing the Historic Environment

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.

- Policy JP-P1 – Sustainable Places
- Policy JP-P2 – Heritage



Submitted proposed plans



Submitted proposed elevations

Issues

Policies SP1 and DM1 of the Manchester 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 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 which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions must be made in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework reinforces this requirement in paragraphs 2 and 48, whilst paragraph 12 indicates that the presumption in favour of sustainable development does not alter the statutory status of the development plan as a starting point for decision-making and that, where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposal is considered unacceptable and cannot be supported as it conflicts with the development plan policies and associated guidance listed in the preceding section.

It is considered that the roof extension/side dormer would have an unduly harmful impact upon the visual amenity of the area, the character of the Wilbraham Road/Edge Lane conservation

area, and appearance of the host dwellinghouse on account of its inappropriate and unsympathetic scale, massing, and design, which would be out-of-keeping and visually incongruous with the surrounding area, with no precedent for works of this type.

Roof extension/side dormer – the dormer extension would be sited on the north-facing roof slope of the host dwellinghouse, atop of its existing two-storey side outrigger. It would measure to 5.725m in length/depth, 2.6m in width, and 3.264m in height. It would be set 1.133m below the apex of the main roof, and 1.641m above the eaves of the side outrigger, with a gap of 4.067m maintained to the front elevation and 2.123m to the rear.

The submitted application form indicates that the extension would be built of materials to match the existing dwellinghouse, though is not explicit in terms of their appearance, finish, and colour. The submitted proposed drawings indicate that it would feature blank front and rear elevations, 2no. obscurely glazed high-level windows to the side, and 2no. Velux skylights to its north-facing roof slope.

Overall, the proposal is considered to be unacceptable on account of the unduly harmful impact it would have upon the street scene, visual amenity of the surrounding area, and appearance of the host dwellinghouse. With no precedent for developments of this type in this area, the roof extension/side dormer would form a visually incongruous and out-of-keeping structure within this locale, disrupting the primarily uniform appearance of the roofs of the surrounding residential properties (*see images include below*). Furthermore, the excessive mass and bulk of the proposal, combined with its inappropriate siting on the side-facing roof slope of the application property, would result in the introduction of an overly dominant and visually obtrusive structure, which would not be sympathetic or subservient to the character and appearance of the host dwellinghouse, in terms of its dimensions as well as its design elements and lack of architectural detailing.

The proposal is therefore considered to conflict with the principles set out under saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and chapter 12 of the National Planning Policy Framework.



Roof forms of the semi-detached villa properties along Oswald Road



Roof forms of the residential properties along Vincent Avenue



Roof forms of the residential properties along Vincent Avenue

Impact upon the Wilbraham Road/Edge Lane conservation area – the proposal would be sited in a visually prominent position on the side-facing roof slope of the application property, would represent an 'excessively large and bulky' addition to the property on account of its lack of visual subservience, with insufficient and unclear details of its proposed materials and finishes provided.

On this basis, the proposal is considered to conflict with the principles set out under saved policy DC18 of the Unitary Development Plan for the City of Manchester, as it would not "preserve or enhance the character of [the] designated conservation area" as well as policy EN3 of the Manchester Core Strategy which highlights that developments should complement and take advantage the of the "distinct historic and heritage features of its districts and neighbourhoods" and policy JP-P2 of Places for Everyone.

Further to this, the proposal also conflicts with paragraph 214 of the National Planning Policy Framework which indicates that "where a proposed development will lead to substantial harm to… a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss". It is acknowledged that the proposal would result in enlarged living accommodation at the property, however, in this instance, the visual harm caused to the conservation area is considered to outweigh these benefits. Hence, the proposal cannot be supported by the City Council.

Lack of a precedent – the submitted heritage statement indicates that a similar side dormer was approved at No.6 Oswald Road under 122899/FO/2019. However, from reviewing the case notes, officer report, and approved drawings of this permission, it is clear that the aforementioned side dormer was removed from the proposal during negotiations. There is therefore no precedent for works of this type within the surrounding area.

Conclusion – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale, and massing and inappropriate design choices which would have an unduly harmful impact upon the visual amenity of neighbouring occupiers as well as the overall character and appearance of the host dwellinghouse, surrounding street scene and Wilbraham Road/Edge Lane conservation area.

The agent of the application was informed of the above issues and notified of the LPA's intent to refuse the proposal.

Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the host dwellinghouse, street scene, visual amenity of the area and character of the Wilbraham Road/Edge Lane conservation area, thus acting against the principles set out in the aforementioned policies. The proposal therefore cannot be supported by the City Council.

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 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

The proposal does not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

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

1) The proposal, by reason of its inappropriate siting, scale, massing and design, would not be visually subservient to the host dwellinghouse, would introduce detrimental visual elements to the street scene, and would form a visually incongruous and obtrusive structure which would not be sympathetic to the appearance of the host dwellinghouse or its surrounding area, to the detriment of visual amenity and, as such, is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1, EN1, and DM1 of the Manchester Core Strategy, policy JP-P1 of the Places for Everyone joint development plan document and chapter 12 of the National Planning Policy Framework.

2) The proposal, by reason of its inappropriate siting, scale, massing and design, would form an overly dominant and visually incongruous feature which would detract from the designated heritage asset, causing unnecessary visual harm and detriment to the special architectural and historic interest of the Wilbraham Road/Edge Lane Conservation Area. As such, the proposal is

contrary to saved policy DC18 of the Unitary Development Plan for the City of Manchester, policy EN3 of the Manchester Core Strategy, policy JP-P2 of the Places for Everyone joint development plan document and chapter 16 of the National Planning Policy Framework

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design
Chorlton Voice

Flat 3, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 7, 1 Oswald Road, Manchester, M21 9LH
Flat 3, 1 Oswald Road, Manchester, M21 9LH
Flat 3, 15 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 2, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
6 Oswald Road, Manchester, M21 9LH
Flat 5, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 4, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 1, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 9, 1 Oswald Road, Manchester, M21 9LH
Flat 8, 1 Oswald Road, Manchester, M21 9LH
Flat 6, 1 Oswald Road, Manchester, M21 9LH
Flat 5, 1 Oswald Road, Manchester, M21 9LH
Flat 4, 1 Oswald Road, Manchester, M21 9LH
Flat 2, 1 Oswald Road, Manchester, M21 9LH
Flat 1, 1 Oswald Road, Manchester, M21 9LH
Flat 6, 13 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 2, 15 Manchester Road, Chorlton, Manchester, M21 9JQ
Flat 1, 15 Manchester Road, Chorlton, Manchester, M21 9JQ
2 Oswald Road, Manchester, M21 9LH

Appendix 2 – Planning constraints

Conservation Area - Wilbraham Road/Edge Lane Conservation Area 2005