MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141430/FH/2024
Date registered valid:	4 November 2024
Proposal:	Erection of a single storey rear extension and installation of 1.8 metre high timber fence to front and side boundaries
Address:	20 Shawhill Walk, Manchester, M40 7BZ
Ward(s):	Ancoats & Beswick Ward
Applicant:	Mrs Agnieszka Bronisz
Agent (if any):	Mr Lee Harper LH
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	22 December 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 December 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 13 November 2024 Expired: 4 December 2024

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:

Tree Preservation Order:

Description of site / building / area

The application relates to pitched roof, two storey, mid-terrace dwellinghouse along a short row of six houses within the Ancoats & Beswick ward of Manchester.

Shawhill Walk is within a residential housing estate, configured around various walkways and footpaths. There is vehicular access from Gleden Street, Millhead Avenue and Lanstead Drive. The site faces a recreational play area and the Ashton Canal.





(Officer's site visit 02.12.2024)





The properties along Shawhill Walk have a distinctive rear elevation design and are characterised by two storey, rear, lean-to roof outriggers which are broadly centrally positioned and projecting approximately 3.3 metres deep, whilst retaining a separation distance from the common shared side boundaries.

Given the nature of the application property, the existing amenity space is along the front and rear only. The existing boundary treatment along rear perimeter - comprises of timber frame panel fencing. Along the front perimeter is a combination of low metal railing fence with hedgerow planting along the borders. The rear garden is broadly north facing and measures approximately 4.1 metres deep (minimum) and 7.4 metres deep (maximum).

Site History

o No pre-application advice was sought from the local planning authority in relation to this application.

o 080520/FO/2006/N1 - Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket parks (following demolition); and the carrying out of associated highway improvements throughout the area, APPROVED 26.10.2006

o 079633/OO/2006/N1 - OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities

(Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking, APPROVED 05.09.2006.

o F00834 - Erection of 34 1 bedroom, 2 person aged persons flats in three 2 storey blocks with car parking spaces for 13 cars, APPROVED 06.11.1974.

Description of development

The submitted plan proposes a single storey rear extension and installation of 1.8 metre high timber fence to front and side boundaries.

In the case of this application, officers have communicated their concerns about the submitted plan, although these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

The proposed single-storey rear extension would be sited along the common shared north-western side boundary whilst leaving a small gap of approximately 50mm from this boundary. It would project approximately 7375mm deep along this boundary, then comes forward of the common shared north-eastern side boundary approximately 2335mm wide, then returns forward of the rear building line of the existing two storey rear outrigger approximately 3935mm deep, whilst maintaining a separation distance of approximately 4852mm from the common shared north-eastern boundary. It would comprise of a flat roof design, with the maximum proposed roof height not exceeding 3033mm and would include 1no. window and a door along the north-eastern side elevation. It is intended to use external facing matching bricks and single ply membrane for the roof.

In terms of the proposed boundary treatment along the front perimeter, it is intended to install a 1.8 metre high timber fence along the front boundary, facing a recreational play area and the Ashton Canal.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health

Environmental Health officers have advised of a gas membrane to the attached to any recommendation for planning approval.

3. Cadent Gas

Cadent Gas have placed a - Holding objection, as the planning
Application is in the vicinity of their asset/s whilst their engineering team reviews the available information.

POLICY

The following guidance, policy and legislation are considered to be relevant to the proposed development.

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

o Chapter 12: Achieving well-designed places.

3. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following polices are considered to be relevant:

JP-S1 - Sustainable development

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 (`the Core Strategy') was adopted by the Council on 11th July 2012.

It is the key document in Manchester's Local Development Framework. The Core Strategy 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. 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 following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.

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

- Chapter 2: Design

Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

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 and 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 of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the proposal is considered unacceptable by reason of the proposed extension and its relationship along the common shared south-western boundary and the resultant expanse of built form projecting approximately 7375mm along and coming forward of this boundary would create a tunnel effect; together with the proposed boundary treatment along the front elevation which would create an incongruous design feature, that would detract from the character of the existing dwelling and visual amenity, which means the application cannot be approved. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

Residential and Visual Amenity

Having assessed the submitted plan, and on balance, the structure to be retained is deemed to conflict with saved policy DC1 of the UDP, and policies DM1 and EN1 of the Core Strategy as well as the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Consideration has been given as to whether the scale, massing, design and appearance of the proposal is acceptable. In addition, consideration has been given to any impact the development may have on the residential and visual amenity of neighbouring occupiers.

(Proposed single storey rear extension) - As previously stated, the properties along Shawhill Walk have a distinctive rear elevation design and are characterised by two storey, rear, lean-to roof outriggers which are broadly centrally positioned and project approximately 3.3 metres deep, whilst retaining a separation distance from the common shared side boundaries. The proposed single storey rear extension would be sited along the existing two storey rear outrigger and the common shared south-west boundary, whilst being stepped away approximately 50mm from this boundary to leave a small gap. It would then project approximately 7375mm deep along this boundary. It is therefore considered that the proposed rearward projection and its relationship along the common shared south-west boundary and the existing 2 storey rear outrigger, coupled with and the resultant expanse of built form projecting approximately 7375mm along and coming forward of this boundary would create a tunnel effect to the detriment of the residential amenity of the neighbouring occupiers; which contrary to saved UDP policy DC1.1 a), DC1.1 b), DC1.1 d), DC1.2 a), DC1.3 a); policy SP1, DM1, EN1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

(Installation of 1.8 metre high timber fence to front and side boundaries) - As previously stated, the existing boundary treatment along the front perimeter is defined by a low metal railing fence (approximately 1 metre high) with hedgerow planting along the borders. The existing low metal railing boundary treatment is original to the property and is consistent with all the other houses along Shawhill Walk. The existing hedgerow planting along the borders appears to be a later addition. Moreover, Shawhill Walk is within a residential setting, configured around various walkways and footpaths, and the application site faces a recreational play area and the Ashton Canal. It is therefore considered that the proposed boundary treatment would be unduly highly visible along the street scene and from the neighbouring properties and gardens. It is also considered that the proposed materials would also be poorly related to the existing contextual relationship along the front elevation and the resultant degree of visual intrusion is considered to be highly significant and to the detriment of the host building, the neighbouring occupiers and to detriment of the visual amenity of the area; and as such is contrary to saved UDP policy DC1.1 a), DC1.1 b), DC1.1 d); DC1.2 c); policy DM1 of the Core Strategy; and the guidance set out in the Guide to Development in Manchester Supplementary Planning Document.

Conclusion

In this instance, it is considered that the submitted plan does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is

considered that the proposed single storey rear extension and its relationship along the common shared south-western boundary and the resultant expanse of built form projecting approximately 7375mm along and coming forward of this boundary would create a tunnel effect; together with the proposed boundary treatment along the front elevation which would create an incongruous design feature, that would detract from the character of the existing dwelling and visual amenity; which is contrary to The National Planning Policy Framework (2021) chapter 12; policies DM1, SP1, EN1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and cannot be approved due to its confliction with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended); and policy JP-S1 - Sustainable development of Places for Everyone (2022 - 2039). The proposal, therefore, cannot be supported by the Local Planning Authority.

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

Officers have communicated their concerns about this proposal 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 boundary treatment given its contextual relationship with the application site being along prominent walkways, footpaths, a recreational play area and the Ashton Canal would create a visually intrusive feature within Shawhill Walk. The proposal is therefore contrary to the National Planning Policy Framework (2021) chapter 12; saved UDP policy DC1.1 and DC1.2 (1995); policy DM1 of the Core Strategy (2012); chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

2) The proposed single storey rear extension by reason of its relationship along the common shared south-western boundary and the resultant expanse of built form projecting approximately 7375mm along and coming forward of this boundary would create a tunnel effect that would have an unsympathetic feature in terms of outlook from the neighbouring properties and gardens, and as such, is contrary to The National Planning Policy Framework (2021) chapter 12; policies DM1 and SP1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1.1 and DC1.2 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

Appendix 1 – List of consultees & neighbours notified

78 Bradford Road, Manchester, M40 7AZ
76 Bradford Road, Manchester, M40 7AZ
18 Shawhill Walk, Manchester, M40 7BZ
22 Shawhill Walk, Manchester, M40 7BZ
86 Bradford Road, Manchester, M40 7AZ
80 Bradford Road, Manchester, M40 7AZ
28 Manstead Walk, Manchester, M40 7AX
26 Manstead Walk, Manchester, M40 7AX
84 Bradford Road, Manchester, M40 7AZ
82 Bradford Road, Manchester, M40 7AZ

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Hazard - Bradford Road Gas Works
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA