

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140734/JO/2024

Date registered valid: 8 August 2024

Proposal: Variation of Condition 2 (specified plans) attached to planning permission 130993/FH/2021 to allow in-fill around the first floor side extension to close the gap between the existing building and the first floor side extension

Address: 222 Wythenshawe Road, Manchester, M23 0PH

Ward(s): Brooklands Ward

Applicant: Dr Ahmed Dawood

Agent (if any): Dr Kanadi Jagafa, Mason and Marlowe Ltd

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 2nd October 2024

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: Case office visit as part of consideration of 130993/FH/2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 August 2024 Expired: 17 September 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: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application property is a two-storey detached dwellinghouse with detached single storey garage to its western boundary with number 224 Wythenshawe Road. The existing property has a sloping front roof and two storey flat roof rear extension, there are extensive well established private garden areas to the front and rear with the main property set back from Wythenshawe Road by approximately 12 metres. The property has a front boundary wall and railings. The detached garage extends along the boundary with number 224 for approximately 11 metres and is constructed with similar colour brick to the main dwellinghouse. An extension to the garage was approved in 2000.

Wythenshawe Road is a busy east west link with Wythenshawe Park to the south and established residential areas to the north. The properties in the vicinity of the site have a strong front building line set back from the main road frontage but there is a variety of house types and finishes behind the tree lined road.

Description of development

Planning permission reference 130993/FH/2021 was granted in February 2022 for the erection of a part single, part two storey side and part single, part two storey rear extensions, erection of a two-storey front extension following demolition of existing garage to provide additional living accommodation. The current proposals seek to amend the previous approval by

extending the first-floor extension by infilling an area that was to provide a break between the extension and existing dwellinghouse.

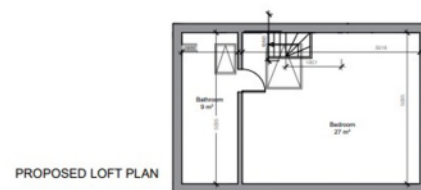
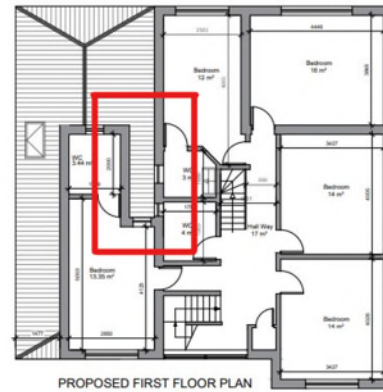
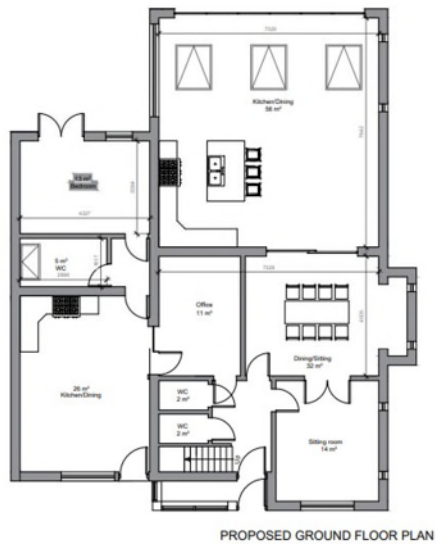
The agent has provided a corrected elevation drawing to accurately reflect the proposed roof over the amendment to the rear extent and has clarified a discrepancy on the approved floor plan first floor front extension which whilst correct on the approved elevations was incorrectly shown on the floor plans.



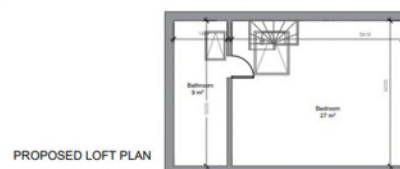
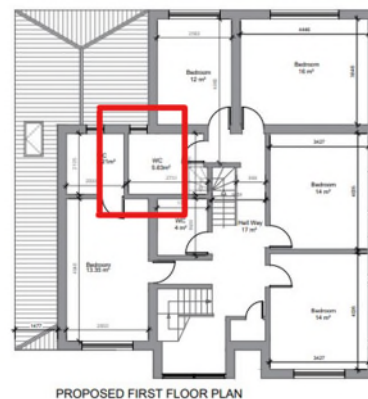
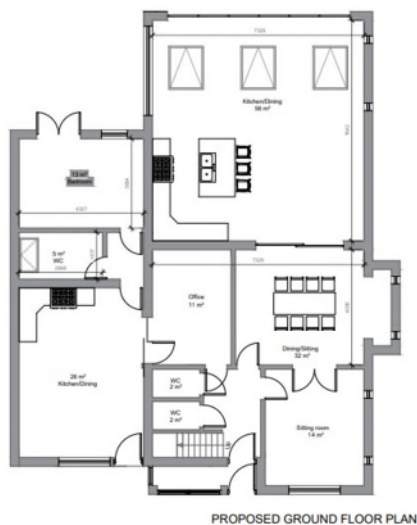
Previously approved elevations



Proposed elevations



Previously approved floor plans



Proposed floor plans

Consultations & Notification Responses

Neighbouring properties were notified of the original proposals and one objection was received from a neighbour. The comments made are summarised below:

The plan will make our home and family suffer in terms of light, privacy, noise, etc Our main objections remain the same as before, concerning the garage area, which had an extension to

the rear a few years ago with the previous owner. The revised plans application includes an extra floor above part of the garage area and the rear garage extension. This will lead to:

- Loss of daylight/sun to one of our bedrooms, the landing window & garage
- The gap between the two properties, i.e. their new wall of the garage and the boundary between us will need to be clearly marked/defined.
- We need to maintain our garage space without feeling claustrophobic. In addition, if the development does gain this extra floor, we will have to adjust our garage gate and the garage roof covering at present at considerable cost.
- The actual work involved especially the garage area will cause environmental disruption, noise, and loss of privacy with the workers moving in and out.
- The garage gate & side door to our property as an everyday entry point into our home. Nearly doubling the number of bedrooms and bathrooms will undoubtedly increase noise level, car parking, etc.
- In our view, the above application trying to maximise the profit and personal gain, over the aesthetic and reasonable use of the plot.

Policy

Relevant policy to this application is contained in the NPPF (2023) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Core Strategy policy DM1 indicates all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods

of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

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 and relevant to the application proposals these are: Policies DC1.1, DC1.2, DC1.3, DC1.4.

Issues

The principle of householders extending their properties to provide additional living accommodation is generally acceptable subject to further consideration of the impacts of proposals on residential amenity and the character of the area. The majority of the proposals have previously been considered acceptable through the granting of the original planning permission. Consideration of impacts of the proposals on residential and visual amenity of the amendments proposed are set out below.

Residential Amenity - The proposals are located to the side of the existing property in an area that currently incorporates a detached garage sited along the boundary with number 224 Wythenshawe Road.

Number 224 is a two-storey semi-detached property with attached single storey side garage and car port attached extending to the boundary, it appeared at the time of consideration of the original planning approval that part of the car port at number 224 encroached over the boundary of the application property as the boundary fence is set off the side wall of the garage of number 222. There are two side facing windows to the main gable wall of number 224 facing towards the application property and are approximately 3 metres away from the boundary with the application property. Given the absence of a front facing window on the outermost corner of the property this window is presumed to serve the bedroom referenced by the objector with the other larger more central window serving a landing.



Aerial view of the rear of 222 Wythenshawe Road

The first-floor element of the proposed side extension is set away from the boundary to leave a gap of 1.4m to the outer wall of the ground floor element of the extension. This step in achieves a visual separation required to reduce the potential for future terracing and also give a subservient appearance to the side extension. The amended infill proposed as part of this application would not protrude further rearwards than the previously approved extension and infills a gap that would have been left between the first-floor element of the side extension and original gable wall of the application property (see approved and proposed drawings above with amendment highlighted). Whilst the amendment would result in an increase in the ridge height of the roof over this element, this ridge line would be lower than the main roof and would be set off the boundary with number 224 Wythenshawe Road, as such it is not considered that this amendment would give rise to further impacts on adjacent properties than the previously approved proposals.

No windows are proposed in the side elevation of the extension, as such it is not considered that the proposals would give rise to a loss of privacy or overlooking to the neighbouring property.

The addition of the two-storey front extension was not previously considered to give rise to impacts on residential amenity. The applicant's agent has clarified an error between the proposed elevations and the previously approved floor plans that did not show a first floor element of the front extension over the porch. This has been corrected on the submitted floor plan drawings and given the central location and forward facing windows at the front of the property together with the previously approved arrangements this clarified floor plan is not considered to give rise to unacceptable impacts on residential amenity.

Proposed windows and doors will face towards the front garden and Wythenshawe Road and would have not great impact than existing windows but would provide greater opportunities for natural surveillance of the front of the property and street beyond.



Aerial view of front of the property

Visual amenity - The proposals would alter the appearance of the property when viewed from Wythenshawe Road, this was previously considered to be acceptable. The addition of two storey front and part single part two storey side extension would be visible from the street. The use of matching bricks would assist in assimilating the extensions to the host dwelling and the character of the street in general. There are a variety of house types and finishes on this part of

Wythenshawe Road as such the alterations proposed are not considered to give rise to significant harm to the character of the area to warrant refusal of the proposals.

To reduce the visual harm to the street and reduce any potential terracing if the property at number 224 wished to undertake similar side extensions, the first floor side extension has been brought in off the boundary by 1.4metres and together with a set back from the existing front gable wall of the property is considered acceptable in this context. This arrangement was previously considered acceptable and the amendments as part of this application would not give rise to greater impacts than those previously considered acceptable.

Amount of development - The proposals would lead to a sizeable increase to the living accommodation available at the property, it was understood that this was to accommodate extended family members. The adopted planning policies in place are supportive of residents seeking to adapt their properties. The application plot is large in size with extensive grounds to the front and rear as such, and as described above, it is considered that the proposed extensions can be accommodated without giving rise to unacceptable impacts on residential or visual amenity of the area.

Car parking - Whilst the proposals would result in the removal of the side garage there remains adequate driveway space for off road car parking.

Bins - Access to the rear will be maintained and as such bins can continue to be stored away from the front of the property.

Other matters - Concerns have been raised with regards to disturbance caused by construction activities. It is considered that whilst the proposals seek additions to the property, they would not give rise to complex construction activities that would not normally be expected for such a project. The impacts would be short term and temporary whilst works took place, in this instance conditions for construction management details are not considered necessary, an informative will be appended to any decision to remind the applicants of the working hours that are recommended throughout the City.

Conclusion - The proposals are considered to be acceptable and not give rise to significant impacts on residential or visual amenity. As such it is considered that they are in accordance with the adopted planning policies and can be supported.

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 application has been determined in a positive and proactive manner. In this instance the proposals were considered to be acceptable, and a decision has been issued within statutory timescales.

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 planning permission reference 130993/FH/2021 that date of permission being the 9th February 2022.

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:

Proposed floor plan drawings as received by the City Council as local planning authority on the 8th August 2024 and Proposed elevations drawing dated 27th September 2024 as received by the City Council via email on the 30th September 2024.

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

3) The materials to be used on the external surfaces of the development hereby permitted shall be arranged and match those of the existing dwellinghouse in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

220 Wythenshawe Road, Manchester, M23 0PH
167 Lawton Moor Road, Manchester, M23 0PW
169 Lawton Moor Road, Manchester, M23 0PW
165 Lawton Moor Road, Manchester, M23 0PW
224 Wythenshawe Road, Manchester, M23 0PH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA