

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140892/FO/2024

Date registered valid: 1 October 2024

Proposal: Erection of a single storey rear extension to provide additional living accommodation.

Address: 2 Wellington Road, Manchester, M14 6EQ

Ward(s): Fallowfield Ward

Applicant: James Henry Studentshack Limited

Agent (if any): Stephen Lamb Steve Lamb

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 November 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 October 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 October 2024 Expired: 30 October 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

Application site relates to a semi-detached dwellinghouse with a single storey rear outrigger. The property appears to have been recently extended in the roof space with the introduction of a gable end roof and rear dormer. The property is brick built with two front bay windows and a smaller gable end roof.

There is a front garden and a rear garden with space for at least one vehicle to be parked off road access via Waller Avenue.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The surrounding area is predominantly residential in nature comprising of similar sized and designed properties. Wellington Road is a residential street that forms a junction with Wilbraham Road (A6010) and is close to Wellington Road Allotments and Platt Fields Park

Description of development

The applicant is seeking planning permission to erect a single storey rear extension to provide additional living accommodation.

Consultations & Notification Responses

Publicity – Notification letters were sent to nearby residential properties (see appendix 1 for the list of properties).

Local residents/public opinion – None Received

Fallowfield Community Guardians – Neither objecting to nor supporting the application, applicant has caused harm to the neighbourhood through repeated breaches of planning. The group hope that the extension is in line with permitted development rights. Concerned that one of the properties (not stated which) was a family house that may become a HMO.

Planning History

There has been two previous planning application at this address:

Appeal Reference: APP/B4215/C/23/3331153

Appeal Decision: Subject to variation, appeal dismissed 13.09.2024

Enforcement Case Reference: ENF/15582/23

Proposal: Deemed application following ground (a) appeal against Enforcement Notice served under reference ENF/15582/23 for the erection of a single storey rear extension (appeal ref APP/B4215/C/23/3331153)

Status/Decision: Refused 21.08.2024

Application Reference:

Proposal:

Status/Decision:

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development 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 Core Strategy policies for this application are as follows:

Policy SP1 - Spatial Principles

DM1 – Development Management 1

The relevant UDP policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

Places for Everyone Joint Development Plan – 2022 to 2039

On the 21st March 2024, nine of the ten Greater Manchester Councils voted to adopt the Places for Everyone Joint Development Plan – 2022 to 2039 (PfEJDP); Manchester City Council is one of the Council's that has voted to adopt the plan. The PfEJDP has superseded parts of some of the policies contained within the Council's Core Strategy.

The relevant PfEJDP policy is as follows:

Policy JP-Strat1: Core Growth Area

National Policy

National Planning Policy Framework (NPPF) - The NPPF 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 Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) 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 (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The applicant is applying for a single storey rear extension; however, a review of the site's planning history reveals that similar proposals have been refused - the first application due to inaccuracies found on the submitted drawing (ref: 138721/FH/2023) and the last application (ref: 139050/FH/2024) due to the proposals unacceptable impact on residential amenity.

When assessing an application for a single storey rear extension that has previously been refused, it is essential to consider several factors that may influence the recommendation and ultimately the decision for this application.

Siting, Scale and Massing

The applicant aims to extend the dwellinghouse by incorporating the existing single storey outrigger into the new extension. The proposed design of features a flat roof with a maximum height of 3.666 metres position closed to the shared boundary with No.2 Wellington Road and extends 3 metres into the rear garden.

Whilst the extension faces west and includes French-style sliding door that face towards the shared boundary with No.1 Waller Avenue, it is considered that the siting, scale and massing of the proposal would not adversely affect the dwelling or garden of both the side and rear of the site. In regard to the impacts on No.6 Wellington Road, the proposal maintains a gap of just under 3 metres to the shared boundary. Although the height and projection of the rear outrigger are increased, this change is not deemed substantial enough to justify the refusal of the application.

The changes made to the rear extension accords with policies with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP, as the rearward projection is less than 3.65 metres , and the overall siting, scale and massing maintain a level of subservience to the main dwellinghouse.

Residential and Visual Amenity

The extension would provide in the forms of an enlarged kitchen and dining room for the current and future occupiers. If approved the extension would still allow for a modest sized private amenity space in the form of the rear garden, but it is necessary to further control permitted development to ensure the retention of the garden space and this can be achieved by way of an appropriately worded condition.

Located at the rear of the property there are limited views of the extension from both Wellington Road and Waller Avenue, that said the applicant seeks to used re-claimed bricks, a condition is recommended to state that these bricks should be similar in appearance to that of the original dwelling house. Provided that the bricks used are appropriate there are no concerns with the design and appearance of the proposed extension.

Therefore, the proposal in terms of residential and visual amenity accords with policies with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Car Parking and Refuse Storage – Car Parking and refuse storage would be unaffected by the proposal.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Other Matters – Works had commenced on site as observed when the case officer visited the property, an email was received from a third party shortly after the visit to say that works had ceased until a decision has been made.

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 complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

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

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

GA1 REV A
ES1 REV A
ES2 REV A

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.

2) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing no. ES1 Rev A

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no extensions (Class A) and no outbuildings (Class E), shall be erected.

Reason - To ensure that the provision of adequate private amenity space for future occupants of the dwellinghouse and in the interests of the visual amenity of the area within which the site is located pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Union Chapel, Wellington Road, Whalley Range, Manchester, M14 6EQ

1 Waller Avenue, Manchester, M14 6EB

4 Wellington Road, Old Moat, Manchester, M14 6EQ

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) -

Area Team Boundary - Name: SOUTH AREA