

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140421/FH/2024

Date registered valid: 15 July 2024

Proposal: Erection of part-single and part two storey side and rear including a front gable extension and elevational alterations and outbuilding in the rear of the garden, boundary wall to the front with pedestrian access gate and sliding electric vehicle gate, together with alterations to landscaping and the inclusion of hardstanding area.

Address: 341A Wilbraham Road, Manchester, M16 8GL

Ward(s): Whalley Range Ward

Applicant: Dilawar Hayat

Agent (if any): Mr Saghir Hussain Create It Studio Architects

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 9 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 05.09.2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 26 July 2024 Expired: 16 August 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

The property that is the subject of this householder application is a 2 storey brick built semi-detached property on the northern side of Wilbraham Road. It has an attached garage on the side of the property that extends up to the common boundary with number 343 Wilbraham Road. There are gardens front and rear with capacity for off road parking in addition to the garage to the front of the property. It is located within the Whalley Range ward of the City.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature, with a mix of house types and ages, with villa properties and infill developments. It is on a sustainable public transport network and can be reached by alternative modes of transport to the car. It is within easy distance of local services and schools.

Description of development

The proposal is for the erection of a part single part two storey side and rear extension, a two storey glazed front gable extension following demolition of existing porch, together with the erection of a free standing granny annex in the bottom of the rear garden and new front boundary wall and electronic gates.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Issues

Policy and Issues

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. Policy DC1 for Residential Extensions is still considered of relevance.

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

Policy DM 1 - Development Management

Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF)

Policy DC1.1 sets out the criteria for assessing residential extensions including the general character of the property, impact on the amenity of neighbouring occupiers and the appearance in the street scene.

Policy DC1.2 states that extensions to residential properties will not be allowed if they are excessively large or bulky and result in structures which are not subservient to the original house, or which create undue loss of sunlight, daylight or privacy.

Policy DC1.3 states that the Council will not normally approve rearward extensions greater 3.65m in length, or two-storey extensions with a flat roof, particularly if they would be visible from the public highway.

Policy DC1.4 states that the Council will seek to ensure that 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 and the actual or potential result of building the extension will not be the creation of a terracing effect.

Places for Everyone GM Spatial Plan

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Planning History- 116500/FH/2017 Erection of part-single, part two-storey side and rear extension, following demolition of existing garage and erection of front porch. REFUSED- 26.07.2017

118198/FH/2017- Erection of part single-storey, part two-storey side and rear extensions, and erection of front porch, to form additional living accommodation, following demotion of existing garage. APPROVED 20.12.2017

Issues

Principle - This is a single family dwellinghouse in an established residential area and the principle of extending a residential property is generally considered acceptable however further consideration must be given to the above policies.

Residential Amenity - The part single part two storey side extension is set back at first floor from the property frontage, but considerably brought forward of the building line at ground floor. It runs along the full length of the host property continuing beyond the rear building line, and then wraps around the rear, partly at two storey partly dropping down to single storey. Both the single and two storey side extensions reach up to the common boundary with number 343 Wilbraham Road, and the single storey stretches the full width across the rear to the common boundary with number 341 Wilbraham Road. The side and rear extensions would provide additional accommodation in the form of large open plan kitchen dining room and lounge, WC and cloakroom and study to the ground floor with two additional bedrooms en-suite, dressing room and family bathroom. There is further accommodation proposed in the annex.

The proposal also includes a deep 2 storey front glazed porch, and a free- standing granny annex to the bottom of the rear garden which runs widthways across the garden. The annex is set in slightly from the three common boundaries and would provide accommodation in the form of a bedroom, lounge and bathroom. There are two windows proposed in the side of the first-floor elevation, that whilst obscurely glazed could potentially blight the potential for sharing any development gap with number 343 Wilbraham Road being right on the boundary, number 343 already has two original windows to the first floor in that side elevation. It would therefore have a detrimental impact upon the residential amenity that could be reasonably expected to be enjoyed by the neighbouring properties.

Scale and Massing- The amount of additional footprint together with the bulk and massing particularly along the common boundaries results in development that would not be subservient to the host property and would be bulky and over dominant in appearance.

Overall, given the application sites relationship to the neighbouring properties it is considered that the proposal would provide an overbearing structure which would be out of character with the area and lead to loss of privacy, overshadowing and the loss of residential amenity currently being enjoyed by the occupiers of the adjacent properties. The proposal is therefore considered would conflict with policies as set out in the Core Strategy for the City of Manchester Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Potential terracing - As the property at 343 is detached, of a different style and sits at a slight angle at the junction, the proposal is unlikely to lead to terracing but the extension would have an uncomfortable relationship with 343 and limit the potential to share the potential development gap and to extend that property at the side.

Visual Amenity- The proposal is one half of a pair of semi- detached dwellings, both of which are similar in appearance and have simple small porches to the front of the property. Number 341 has been extended historically, however has a very deep setback at first floor and the two storey element only projects off the rear boundary with the return element being single storey. It

retains a visual gap between itself and the neighbouring property at 339 Wilbraham Road. The proposal at 341A would see a large two storey glazed atrium extension to the front of the property. The side of the property would project well forward of the front building line and is visually out of character with the property itself and the properties within the immediate area. The two- storey side extension leaves no gap to the boundary. Whilst there is a slight set back at the first floor on the property frontage, this does little to retain subservience, as the side extension is pulled forward of the building line, thereby projecting beyond the front elevation and minimising the first- floor setback.

Granny Annex- Given the size of the rear garden, and the relationship of the proposed structure to the properties on Alexandra Road South, this element of the proposal would be considered acceptable in principle as long as this was used in association with the occupants of the main dwellinghouse and subject to the attachment of appropriate conditions.

Materials- would match those of the existing property and are considered appropriate.

Parking- The proposal whilst losing the integral garage, would still have the capacity within the site for off road parking. There are electric gates proposed on the frontage which would be considered acceptable in that they would not open outwards over the pavement.

Boundary Treatment- The boundary treatment proposed along the front elevation would be of brick construction with brick pillars and railings. The brickwork would be to a height of 1 metre with permeably visible railings above.

Waste Management. Currently the bins would be able to be brought through the garage to the kerbside on collection day. Given that the garage would be replaced by habitable accommodation to the ground floor, this would no longer be the case. Therefore, a bin store would be required to house the bins to ensure there is no detrimental impact to the setting of the property when viewed within the street scene.

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: Refuse

Article 35 Declaration

It is considered that the concerns about the scheme are significant and fundamental and cannot be overcome with simple amendments. The application has been dealt with in a timely manner and has been determined to be in conflict with the Development Plan.

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

1) Due to its scale and massing, design and siting and overlarge footprint, the proposal would not be subservient to the main house and would result in an overly dominant and visually obtrusive feature within the street scene, to the detriment of the general character of the property and the visual amenity of the area within which it is situated. The proposal is therefore contrary to Policies SP1 and DM1 of the Core Strategy and Saved Policies DC1.1 to DC1.4 of the Unitary Development Plan and guidance within the National Planning Policy Framework.

2) Due to its size and position, the proposal is considered to relate poorly to property at number 343 Wilbraham Road and would have an overbearing impact to the detriment of the residential amenity of the occupiers of that property. Therefore the proposed development is contrary to Policies SP1 and DM1 of the Core Strategy and saved Policies DC1.1 - DC1.4 of the Unitary Development Plan for the City of Manchester, and guidance in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Flat 5, 3 Athol Road, Manchester, M16 8QW
Flat 3, 7 Athol Road, Manchester, M16 8QW
Flat 4, 2 - 4 Athol Road, Manchester, M16 8QN
Flat 8, 2 - 4 Athol Road, Manchester, M16 8QN
89 Alexandra Road South, Manchester, M16 8NX
114 Alexandra Road South, Manchester, M16 8WU
10 Athol Road, Manchester, M16 8QN
Flat 2, 1 Athol Road, Manchester, M16 8QW
92A Alexandra Road South, Manchester, M16 8QJ
337 Wilbraham Road, Manchester, M16 8GL
104 Alexandra Road South, Manchester, M16 8WU
106 Alexandra Road South, Manchester, M16 8WU
83 Alexandra Road South, Manchester, M16 8NX
Flat 6, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Russley Lodge, 276 Wilbraham Road, Manchester, M16 8WP
Flat 1, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 1, 3 Athol Road, Manchester, M16 8QW
Flat 4, 3 Athol Road, Manchester, M16 8QW
Flat 6, 2 - 4 Athol Road, Manchester, M16 8QN
Flat 3, 2 - 4 Athol Road, Manchester, M16 8QN
Flat 3, 8 Athol Road, Manchester, M16 8QN
268 Wilbraham Road, Manchester, M16 8QL
343 Wilbraham Road, Manchester, M16 8GL

92 Alexandra Road South, Manchester, M16 8QJ
Flat 1, 5 Athol Road, Manchester, M16 8QW
Flat 7, 2 - 4 Athol Road, Manchester, M16 8QN
112 Alexandra Road South, Manchester, M16 8WU
Flat 1, 8 Athol Road, Manchester, M16 8QN
1D Athol Road, Manchester, M16 8QW
335C Wilbraham Road, Manchester, M16 8GL
Flat 9, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 3, 1 Athol Road, Manchester, M16 8QW
Flat 2, 2 - 4 Athol Road, Manchester, M16 8QN
6 Athol Road, Manchester, M16 8QN
1B Athol Road, Manchester, M16 8QW
270 Wilbraham Road, Manchester, M16 8QL
272 Wilbraham Road, Manchester, M16 8QL
Flat 4, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 3, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 2, 3 Athol Road, Manchester, M16 8QW
87 Alexandra Road South, Manchester, M16 8NX
335 Wilbraham Road, Manchester, M16 8GL
1A Athol Road, Manchester, M16 8QW
274 Wilbraham Road, Manchester, M16 8QL
102 Alexandra Road South, Manchester, M16 8WU
2A Athol Road, Manchester, M16 8QN
2B Athol Road, Manchester, M16 8QN
Flat 2, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 5, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 1, 7 Athol Road, Manchester, M16 8QW
Flat 2, 7 Athol Road, Manchester, M16 8QW
Flat 5, 7 Athol Road, Manchester, M16 8QW
108 Alexandra Road South, Manchester, M16 8WU
110 Alexandra Road South, Manchester, M16 8WU
Flat 2, 8 Athol Road, Manchester, M16 8QN
333C Wilbraham Road, Manchester, M16 8GL
335B Wilbraham Road, Manchester, M16 8GL
Brigids Bungalow, 339 Wilbraham Road, Manchester, M16 8GL
Flat 7, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 5, 5 Athol Road, Manchester, M16 8QW
Flat 3, 5 Athol Road, Manchester, M16 8QW
Flat 4, 7 Athol Road, Manchester, M16 8QW
Flat 5, 2 - 4 Athol Road, Manchester, M16 8QN
85 Alexandra Road South, Manchester, M16 8NX
266 Wilbraham Road, Manchester, M16 8QL
335A Wilbraham Road, Manchester, M16 8GL
339 Wilbraham Road, Manchester, M16 8GL
Flat 8, 347 - 349 Wilbraham Road, Manchester, M16 8NP
Flat 3, 3 Athol Road, Manchester, M16 8QW
Flat 4, 5 Athol Road, Manchester, M16 8QW
Flat 2, 5 Athol Road, Manchester, M16 8QW
Flat 1, 2 - 4 Athol Road, Manchester, M16 8QN
Flat 1, 1 Athol Road, Manchester, M16 8QW
1C Athol Road, Manchester, M16 8QW
Simply Cherish Day Nursery, Gordon Barritt House, 77 Alexandra Road South, Manchester,
M16 8GJ
341 Wilbraham Road, Manchester, M16 8GL

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) -

Area Team Boundary - Name: SOUTH AREA