

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 140520/FH/2024

**Date registered valid:** 15 July 2024

**Proposal:** Retention of a two-storey side extension to form additional living space and elevational alterations including the application of render to whole house

**Address:** 13 Shawdene Road, Manchester, M22 4BY

**Ward(s):** Northenden Ward

**Applicant:** Mr Mohammad Amin

**Agent (if any):**

**Case officer:** Ellie Knowles  
Tel: 0161 219 6633  
Email: [ellie.knowles@manchester.gov.uk](mailto:ellie.knowles@manchester.gov.uk)

**Recommendation:** Refuse

**Date of recommendation:** 24 September 2024

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 15 August 2024

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 5 August 2024      Expired: 27 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 application relates to a two-storey semi-detached dwelling house with a hipped roof. The plot includes a driveway and front and rear gardens, the latter of which has been paved over.

At the time of the site visit, August 2024, it was evident that the permission for a part single storey, part two storey side extension (ref - 128111/FH/2020) had been implemented. However, the built development was not constructed in accordance with the approved plans – see description.



*Figure.1 Application property August 2024*

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

### Description of area

Shawdene Road is residential in nature and comprises of large detached and semi-detached family dwelling houses, located within the Northenden ward. The predominant material in the immediate streetscene comprises reddish/brown brickwork. The area benefits from its proximity to the district centre, Wythenshawe Park and the M56 motorway.

### Description of development

The applicant seeks permission to regularise and retain the unauthorised amendments made to the erected part single, part two storey side extension (plan ref 128111/FH/2020).

Deviation from the approved plans include:

- Application of white render to the whole house (original dwelling and extension) – see figure. 1
- Changes to fenestration pattern within side extension – see figures. 1, 2 and 4
- Enlargement of side extension footprint to the rear along the splayed shared boundary with no.15 – see figures.3 and 5

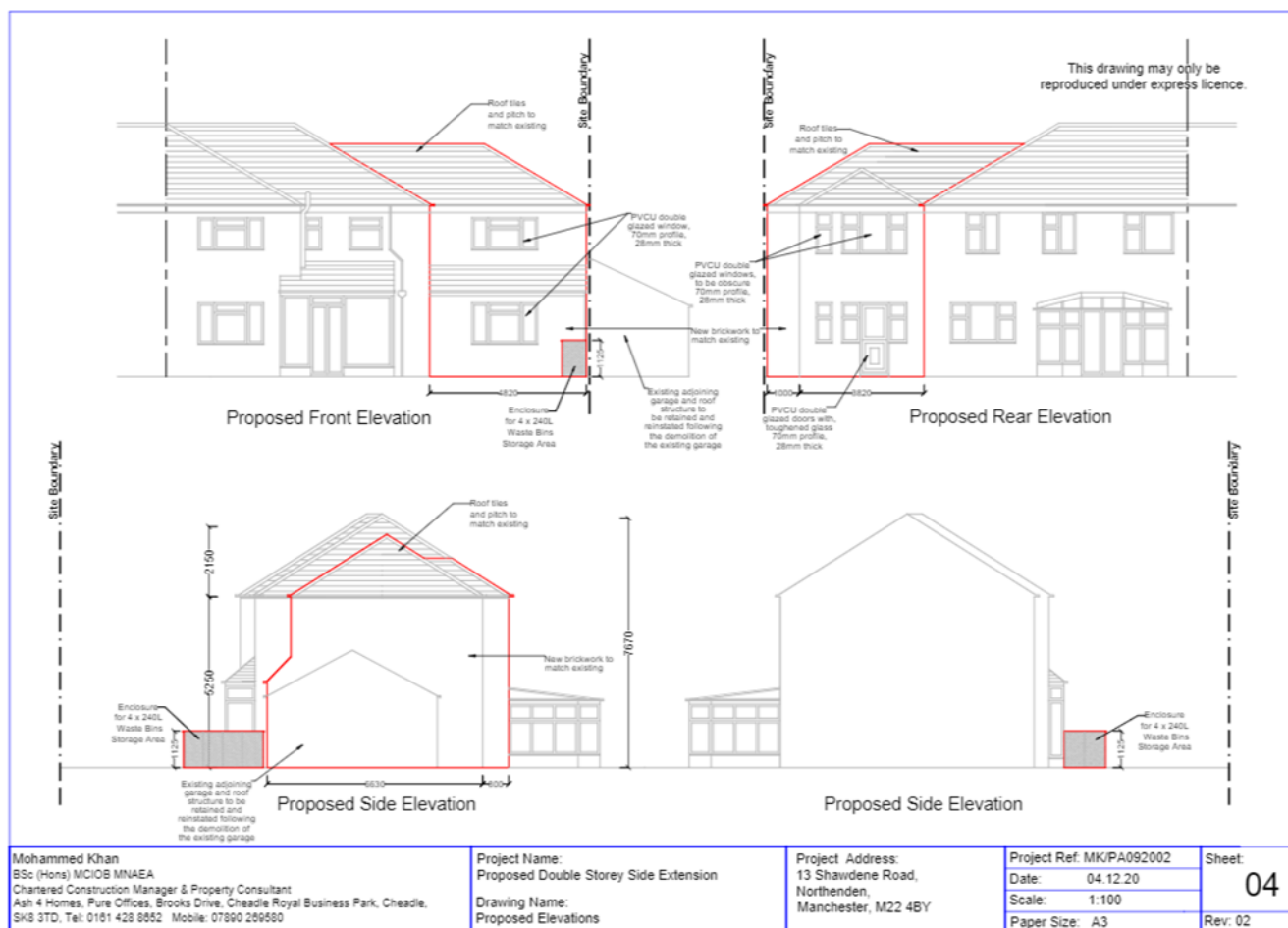


*Figure.2 Proposed elevations approved under 128111/FH/2020*

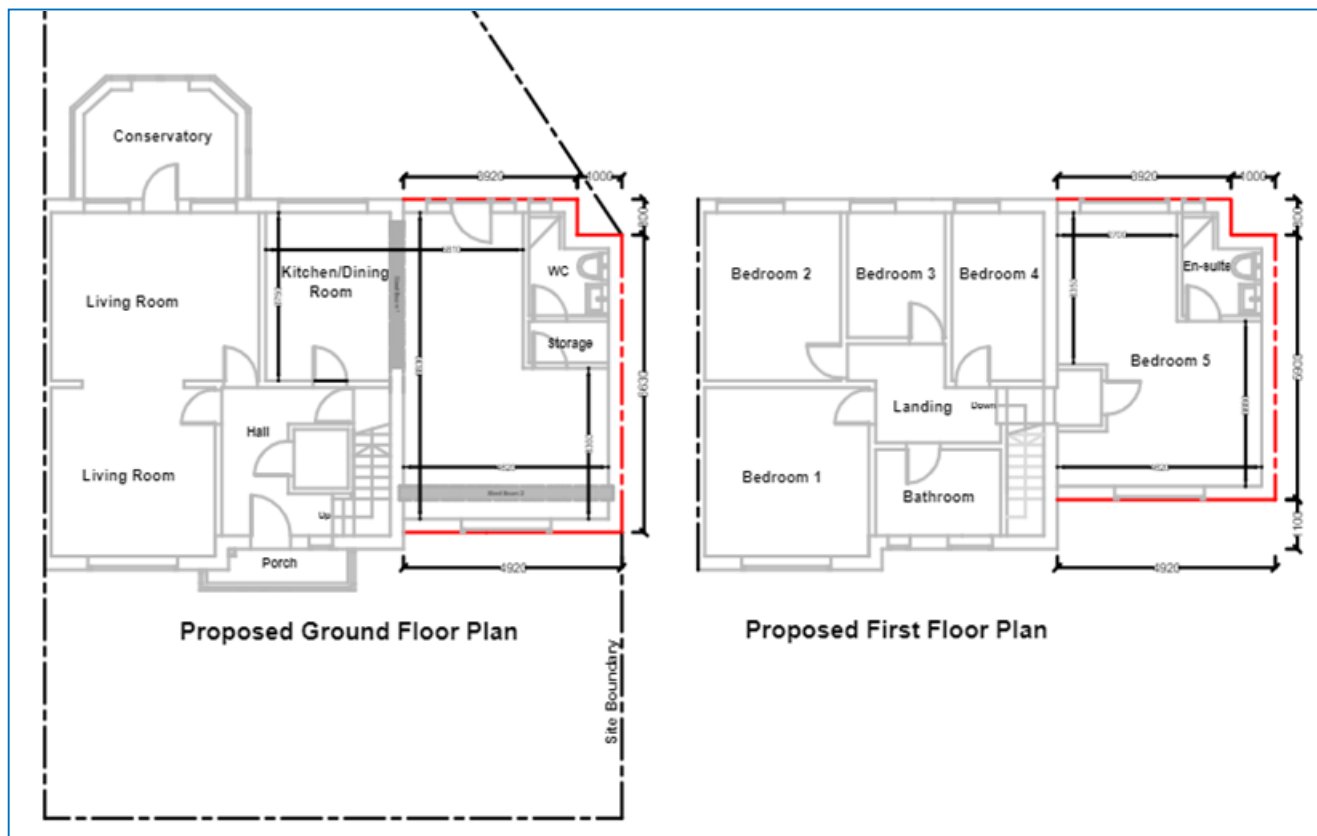


Figure.3 Proposed floor plans approved under 128111/FH/2020

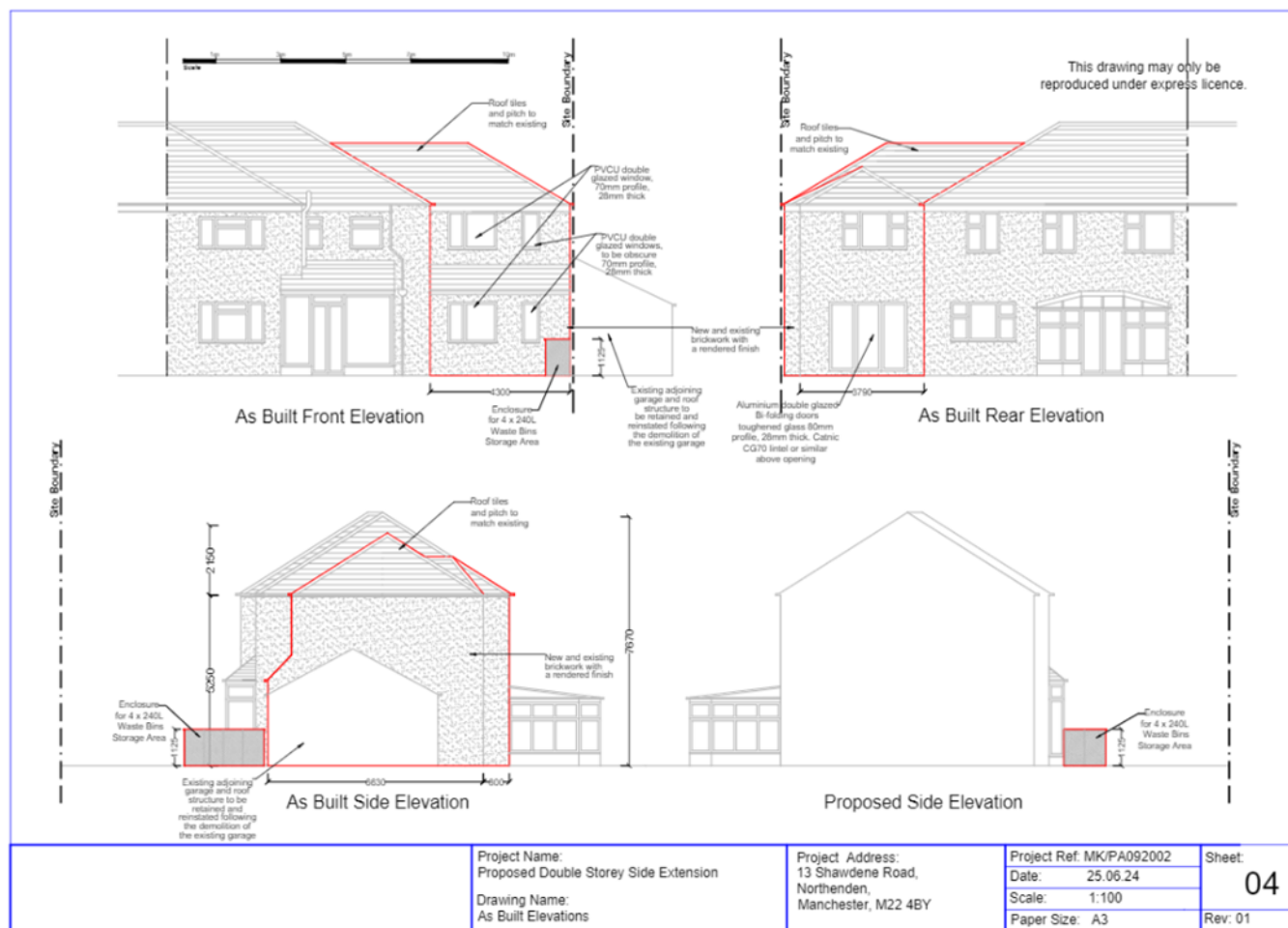


Figure.4 Extension elevations as built under consideration

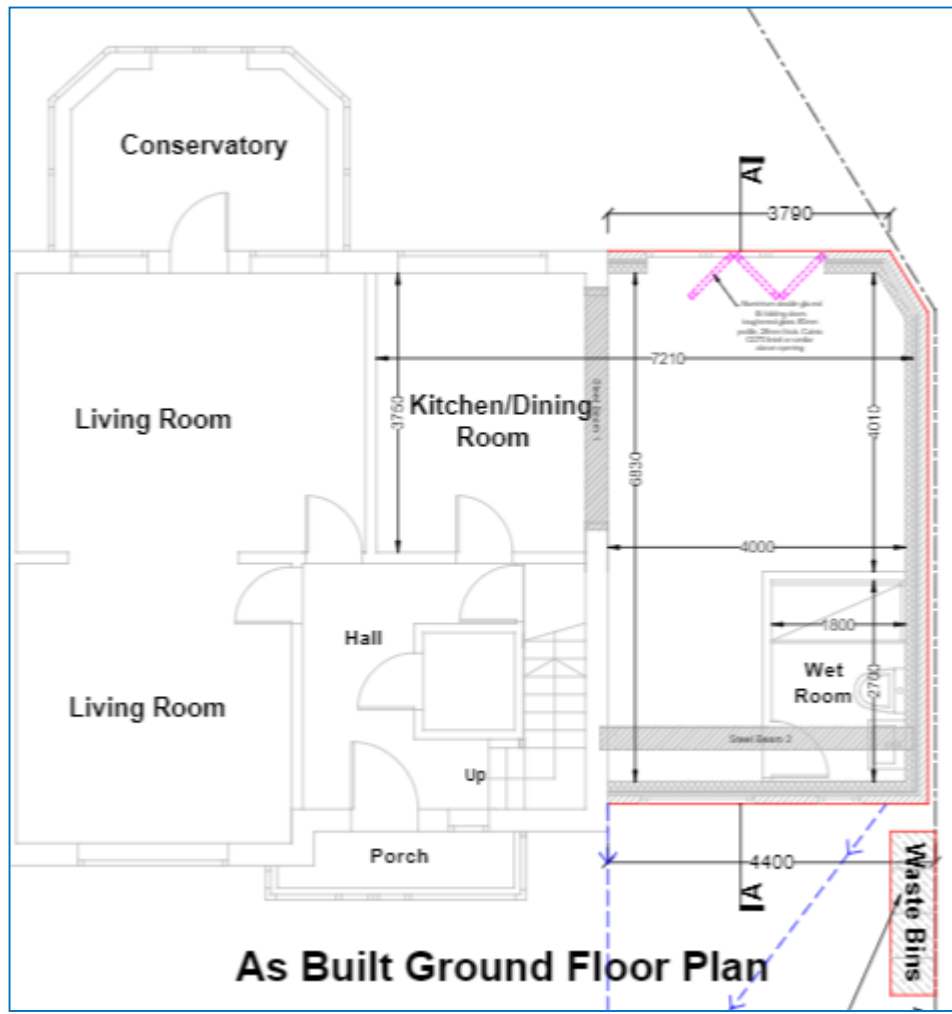


Figure.5 *Extension footprint as built under consideration*

The proposal is for the application of render in a contrasting colouration and therefore an application for planning permission and the assessment of the works is required. In this instance, there is not a permitted development fallback to consider

## Consultations & Notification Responses

### Local responses

None

## Consultee responses

None

### **Relevant Planning History**

At the application site –

**128111/FH/2020** – Erection of a two storey side extension to form additional living space following demolition of existing garage. Approved 15/12/2020. *Implemented not in accordance with approved plans.*

**ENF/15817/24** – Enforcement case ongoing.

## **History of negotiations**

No negotiations were entered into with the applicant, given that the proposal was considered unacceptable in principle, even in the event of significant revisions.

## **Local Planning Policies**

Places for Everyone (2022-2039) – 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.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone 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 **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management

SP 1 – Spatial Principles (partially superseded by PfE)

EN 1 – Design Principles and Strategic Character Areas

The relevant saved **UDP** policies for this application are:

DC1– Residential Extensions

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD

A relevant material consideration is also:

- Manchester Residential Quality Guidance March 2017 (Manchester's Emerging Space Standards)

## **National Planning Policy Framework**

The NPPF (2023) 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 Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

## **Issues**

### **Principle of development:**

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.

In this instance, the applied render gives rise to visual harm to the property and the wider area and as such, the principle of development is not considered acceptable in this instance. For this reason, the LPA cannot support the application and the reasoning will now be discussed.

### **Impact on visual amenity and the streetscene:**

The application site is a mid 20<sup>th</sup> century semi-detached property located in a residential street of other semi-detached and detached properties of a similar character, design and scale. The predominant material in the immediate streetscene comprises reddish/brown brickwork, as such when combined with the overall appearance of the street, this materiality contributes to a distinct character and appearance.

The applicant seeks to retain bright white render applied to the original application property and side extension (see figure.1).

The bright white colouration is considered to be out of keeping with many brick-built properties in this part of Shawdene Road. The use of render would also contrast the surrounding area in terms of common materials for external elevations. No instances of the insertion of new render to the elevations of residential properties in this area could be found through planning searches. The two elements read cumulatively (white colouration and render finish) would be considered to be out of keeping with the visual appearance of development in the immediate area and act as an incongruous feature. As the property is semi-detached and the adjoining property, no.11 retains original brickwork, this contrast is further exacerbated.

If the LPA were to approve development of this nature, it is considered that a negative precedence could be set, which materially harm the character of the area.

In turn, the proposal creates harm to the application site, the amenity of the application site and neighbouring properties and negatively impacts the surrounding character and streetscene, contrary to the City Council's Core Strategy Planning Policies SP1, DM1 and EN1, JP-S1 of Places for Everyone, Policy DC1 of the Unitary Development Plan and Section 8 and 12 of the NPPF.

### Impact on residential amenity:

The enlarged extension footprint, as shown in figure. 5, is not considered to give rise to amenity impacts over and above the scheme permitted under 128111/FH/2020 (see figure.3).

The amended fenestration pattern on the side extension, whilst not ideal is considered acceptable on balance.

The proposed render would not create amenity impacts in the form of overbearing, overlooking or overshadowing on neighbouring properties.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy, with regards to residential amenity.

### Highways:

The proposed development would not interfere with the existing parking provision on street, as such is considered acceptable in this regard.

### Conclusion:

In short, the Local Planning Authority does not support the application for the retention of a render finish at 13 Shawdene Road. The development is considered wholly out of character in terms of colour and materiality to the host property. In turn, the proposal produces a visually incongruous feature within the immediate streetscene and detrimentally harms the aesthetic qualities of this part of Shawdene Road. As such the proposal is contrary to the City Council's Core Strategy Planning Policies SP1, DM1 and EN1, JP-S1 of the Places for Everyone, Policy DC1 of the Unitary Development Plan and Section 8 and 12 of the NPPF.

### **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**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF. The applicant was advised of the department's intentions on the application.

### **Reasons for recommendation to refuse**

1. The retention of external render finish to 13 Shawdene Road, would produce an incongruous design feature, that would be out of keeping with the existing dwelling and alien to the visual amenity and character of the immediate street scene. As such it would be contrary to policies SP1, DM1 of the Core Strategy (2012) and saved policies DC1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone, Joint Development Plan Document (2024) and the National Planning Policy Framework (2012).

## **Appendix 1 – List of consultees & neighbours notified**

14 Shawdene Road, Manchester, M22 4BU  
10 Shawdene Road, Manchester, M22 4BU  
11 Shawdene Road, Manchester, M22 4BY  
16 Shawdene Road, Manchester, M22 4BU  
12 Shawdene Road, Manchester, M22 4BU  
8 Shawdene Road, Manchester, M22 4BU  
43 Robert Owen Gardens, Manchester, M22 4DD  
36 Robert Owen Gardens, Manchester, M22 4DD  
34 Robert Owen Gardens, Manchester, M22 4DD  
3 Woodburn Road, Manchester, M22 4BZ  
1 Woodburn Road, Manchester, M22 4BZ  
9 Shawdene Road, Manchester, M22 4BY  
15 Shawdene Road, Manchester, M22 4BY

## **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 (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Area Team Boundary - Name: SOUTH AREA