MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139049/FH/2024
Date registered valid:	24 January 2024
Proposal:	Erection of a single storey side and rear extension and front porch, and raised rear patio and steps off proposed rear extension.
Address:	544 Wilbraham Road, Manchester, M21 9LB
Ward(s):	Chorlton Ward
Applicant:	Mr Rizvi
Agent (if any):	Miss Aysha Utsho Aysha
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**19 March 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 February 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 22 February 2024 Expired: 29 February 2024

Site notice
Printed: 1 February 2024 Expired: 22 February 2024

Press advert
Published: 6 February 2024 Expired: 20 February 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane Conservation Area 2005

Tree Preservation Order: No

Description of area

The application site relates to 544 Wilbraham Road within the south Manchester ward of Chorlton. The application site relates to a semi-detached, two storey, red brick Edwardian dwellinghouse characterised by timber patterned gable, bay windows and enclosed front porch and small dormers to the side and rear of the host roof. Amenity space for the property is expansive; amenity space to the front consists of a large, paved driveway bounded by low brick walls and sliding iron gates along Wilbraham Road. Further amenity space is sited along the side and rear of the applicant property in the form of hardstanding and areas of grassed garden. The rear amenity space benefits from an off street garage and a rear extension with differing roof forms.

The property sits within the Wilbraham Road/Edge Lane Conservation Area.

Description of development

The submitted application seeks planning permission for the erection of a single storey side and rear extension and front porch, and raised rear patio and steps off proposed rear extension.

The single storey side extension would extend the length of the existing property with approximate dimensions of Height: 3.3 x Length: 14.6 x Width: 2 metres. The single storey rear extension would wrap into the proposed side extension with approximate dimensions of Height: 4.2 x Length: 3 x Width: 5.6 metres. The front porch would extend forwards of the primary building line with approximate dimensions of Height: 3 x Length: 1.5 x Width: 2.2 metres, measuring 5m2. The raised rear patio would extend from the proposed rear extension with a height of 0.7 metres.

The proposal would involve the insertion of a door and window within the primary elevation, two windows within the side elevations of the front porch, window and door within the rear elevation and a number of skylights within the proposed roof plane.

Materials to be used would match those within the host property.

Amended Plans

Plans have been amended from those originally received. Some of the drawings were inaccurate or missing and have been provided. Several windows were proposed within the side elevation of the proposed side extension and were subsequently removed from the proposal due to concerns with overlooking to the non-adjoining neighbour. The raised patio and steps were not originally included within the description of development despite needing consent and were subsequently added into the proposal. Neighbours were re-notified accordingly.

Planning History

118857/FO/2018- 542-544 Wilbraham Road- Erection of a single storey rear extension to form additional living accommodation.
Approved 9 March 2018.

112297/FH/2016/S1- 544 Wilbraham Road- Erection of single-storey rear conservatory.
Withdrawn 7 July 2016.

080470/FH/2006/S1- 544 Wilbraham Road- Erection of side and rear dormers to facilitate loft conversion.
Approved 1 November 2006.

079553/FH/2006/S1- 544 Wilbraham Road- Erection of dormer windows to side and rear elevations to form additional living accommodation.
Refused 3 July 2006.

113302/PDE/2016- 544 Wilbraham Road- Application Returned.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one objection was received. The following concerns were raised:
-The proposed porch and side extension is not in keeping with the rest of the street or properties and does not retain the original character of the house.
-The extension will not add monetary value to the property.

-Concern a first floor wrap round extension will be applied for at a later date, as a result of the proposal being approved at ground floor level.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective
b) a social objective
c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities
ii. Chapter 12. Achieving well-designed and beautiful places
iii. Chapter 16. Conserving and enhancing the historic environment

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:
Policy DM1 (Development Management)
Policy SP1 (Spatial Principles)
Policy EN1 (Design Principles and Strategic Character Areas)
Policy EN3 (Heritage)

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;

e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.
a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
i) the relationship of new structures to neighbouring buildings and spaces;
ii) the effect of major changes to the appearance of existing buildings;
iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
iv) the effect of signs and advertisements;
v) any further guidance on specific areas which has been approved by the Council.
b. The Council will not normally grant outline planning permission for development within Conservation Areas.

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development 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 will now consider the Inspectors’ Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

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.
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey side and rear extension and front porch and raised rear patio off proposed rear extension. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and Wilbraham road/Edge Lane Conservation Area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Single storey side and rear extension:
As existing, the property benefits from a rear extension with two differing roof types (see planning reference: 118857/FO/2018). As a result of the proposal, the rear projection of the extension closest to the boundary with no.546 Wilbraham Road would extend and include a wrap round extension. As a result of the proposal, no.546 Wilbraham Road would feel additional built form running the entirety of the property and then 3 metres beyond the neighbour’s rear outrigger. Given a 0.8 metre gap would be retained between the side elevation of the proposal and shared boundary and the proposal is single storey, any overbearing from the proposal is not considered significant given the plots at this part of Wilbraham Road are extensive. Although the proposal would result in built form closer to the neighbour’s property than is currently the case, any loss of light to the neighbour’s window would be considered minimal given the existing close relationship with the side elevation of the properties. Windows along the side elevation facing no.546 Wilbraham Road were removed during the course of the application and the scheme is therefore not considered to give rise to adverse privacy implications as a result of the proposal. The window proposed within the front elevation of the W/C within the side extension is marked on the plans as being obscure glazed. This would be conditioned appropriate to protect the privacy of the applicant and a condition to this effect would be attached to any approval granted. A condition would be placed on any approval

granted restricting the further insertion of windows and doors beyond those approved by this consent.

No.542 Wilbraham Road would feel the additional 3 metre extension sited 4.8 metres from the common boundary. Given the distance between the common boundary and rear extension, and given the proposal will be single storey, any harm to the adjoining neighbour is not considered to be severe in terms of creating an overbearing feature. No windows would be inserted looking onto the adjoining neighbour, thus not giving rise to any overlooking. Any levels of overshadowing/ loss of light are not considered to be severe given the proposal is single storey.

Although the proposed rear extension will be sited at an elevated position due to the change of levels at the site, given the 14 metre distance between the proposed rear extension and rear boundary line of the site, any opportunities into the neighbour's rear gardens along Sibson Road would be limited and therefore acceptable.

Front porch:
Due to the spacious nature of the applicant's and immediate neighbouring plots, the front porch is not considered overbearing or would give rise to loss of light/ overshadowing. Although windows would be inserted in the side elevations of the front porch, due to the nature of the front porch it would be unlikely any adverse implications in terms of overlooking would occur.

Raised rear patio and steps:
The raised rear patio would come off of the proposed rear extension with an approximate height of 0.7 metres. This could allow the applicant's an opportunity to look onto the neighbour's rear amenity space, primarily no.546 Wilbraham Road. However, given the raised patio would have a length of 1.5 metres and be for the purpose of allowing access into the rear amenity space due to the change of levels, it is not considered to create opportunities for overlooking and is noted similar views into the neighbouring properties can be obtained from the rear windows at first floor level.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Single storey side and rear extension:
The form of the proposed side and rear extension is considered acceptable given the side extension would read as a subservient feature given it is single storey. Whilst the rear extension with a projection of 3 metres would comply with Policy DC1.3 of the UDP, the proposed rear extension in addition to the existing rear extension would exceed this amount. Whilst it is acknowledged this would result in a large projection, the difference in harm between the existing circumstances and proposed is not considered to cause much additional harm. Further, the harm is reduced by pulling the proposal away from the shared boundary with the adjoining neighbour.

Front porch:
Whilst it is acknowledged front porches can be obtained through the route of Permitted Development, as the proposed front porch measures 5m3, the area would be too large to constitute permitted development. Given the extensive amenity space to the front of the property, the porch is considered to create a small addition to the front of the property and is therefore considered acceptable in form and size, pursuant with Policy DC1 of the UDP.

Raised rear patio and steps:

Permitted Development rights allow the creation of a raised patio up to 0.3 metres in height and the proposal would have a height more than double this. This is due to the change in levels experienced in the rear garden and is therefore necessary to have this height to allow the rear extension to lead into the rear garden. As such, this element of the proposal is considered acceptable in design and form and would mirror similar steps into the garden that are at the site as existing.

The materials to be used throughout the proposal would match the host property and therefore be considered sympathetic to the host property. This is considered necessary given the property sits within a Conservation Area and using materials to match would ensure the proposal maintains the character of the area through the use of materials. A materials condition to this effect would be attached to any approval granted.

Wilbraham Road/Edge Lane Conservation Area

The property sits within the Wilbraham Road/Edge Lane Conservation Area. The application site relates to a semi-detached, two storey, red brick Edwardian dwellinghouse characterised by timber patterned gable, bay windows and enclosed front porch and small dormers to the side and rear of the host roof.

Wilbraham Road provides the most public experience of the conservation area, with views into the area on both sides. The same road also provides the location for one of the area's most important landmark buildings, Lloyds and Platt Hotel. Views into the designated area along the length of Wilbraham Road are significant, but views both into and out of the area at its junction with Edge Lane are particularly important.

Collectively, gardens, both front and rear, provide important spatial characteristics relevant to the conservation area. Most of the buildings in the area are constructed in Manchester red/orange brick, sometimes in conjunction with buff coloured sandstone dressings.

Policy EN3 of Manchester’s Core Strategy requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

It is acknowledged that the extensions proposed to the front and side of the properties would be most visible from the tree lined streets of Wilbraham Road and hold the most significance to the Conservation Area. Local residents were consulted and one objection was received raising concerns that the proposal- the front porch and side extension is not in keeping with the rest of the street or properties and does not retain the original character of the house. However, it is important to consider the fall-back position of Permitted Development rights whereby small front porches can be built at the front of properties within Conservation Areas. However, Permitted Development does not allow the erection of side extensions within Conservation Areas. Given the proposed side extension would be single storey, it is not considered to impact the rhythm of built form between properties and would still retain the spacious nature between the properties, an important characteristic of the Conservation Area. Further, there is a precedence of single storey side extensions within the surrounding area. This includes approval to works to the applicant site’s adjoining neighbour, no.542 Wilbraham Road, who has benefited from consent in the form of a single storey side extension (see planning reference: 123341/FH/2019). Further, the approval of 123341/FH/2019 sits at a more prominent position of the Conservation Area than the applicant site, as it sits within a corner plot.

Whilst it is acknowledged the rear extension with associated patio and steps will create a larger addition in connection with the existing extensions at the site, it is acknowledged that the rear extension would not be visible from the strategically important road for the Conservation Area of Wilbraham Road.

Further, all the works to the property would be conditioned to be built in materials to match the host property and the roof forms chosen are considered to be the most in keeping with the original circumstances at the site. A materials condition to this effect would be attached to any approval granted. The Conservation Area benefits from multiple more recent additions to the designated areas and therefore the LPA accepts the importance of increasing living accommodation in the designated area.

Therefore, it is not considered that the development would undermine the residential character of the Wilbraham Road/Edge Lane Conservation Area due to the changes to complement the conservation area. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

In line with paragraph 202 of the NPPF, where less than substantial harm occurs, public benefits are required to mitigate against that harm. The character of this part of the conservation area contains recent and more modern additions and interventions. On reflection, the current proposal being assessed is considered acceptable in size given the spacious nature of the plot and would not drastically alter the character of the Conservation Area.

Bin Storage

Bin storage would be unaffected by the proposal.

Car Parking

Off street car parking would be unaffected by the proposal.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity. The design, size, position, and appearance are in keeping with the character of the property and local area. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN3 and Saved Policy DC1 and DC18 of the Unitary Development Plan.

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: Approve

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. In this instance officers have worked with the applicant in a positive and proactive manner. Appropriate conditions have been attached to the approval granted.

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 this permission.

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:
-Drawing- Existing & Proposed- Side Elevation, numbered 2028- EX 06-A, stamped as received by the City Council as Local Planning Authority on 19 February 2024.
-Drawing- Existing & Proposed- Back Elevation, numbered 2028-EX-04 B, stamped as received by the City Council as Local Planning Authority on 19 February 2024.
-Drawing- Existing & Proposed- GF Plan, numbered 2028-EX-01 C, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
-Drawing- Existing & Proposed- 1F Plan, numbered 2028-EX-02 C, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
-Drawing- Existing & Proposed- Front Elevation, numbered 2028-EX-03 C, stamped as received by the City Council as Local Planning Authority on 20 February 2024.
-Drawing- Existing & Proposed- Side Elevation, numbered 2028-EX-05 C, stamped as received by the City Council as Local Planning Authority on 20 February 2024.

-Drawing- Site Plan- Proposed, numbered 2028-BB 02 C, stamped as received by the City Council as Local Planning Authority on 20 February 2024.

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

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the W/C window as shown on the approved 'Drawing- Existing & Proposed- Front Elevation, numbered 2028-EX-03 C', stamped as received by the City Council as Local Planning Authority on 20 February 2024, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 5, 629 Wilbraham Road, Manchester, M21 9JT
Flat 5, 627 Wilbraham Road, Manchester, M21 9JT
Flat 4, 627 Wilbraham Road, Manchester, M21 9JT
Flat 2, 627 Wilbraham Road, Manchester, M21 9JT
Flat 7, 627 Wilbraham Road, Manchester, M21 9JT
1 Sibson Road, Manchester, M21 9RH
Flat 6, 627 Wilbraham Road, Manchester, M21 9JT
625 Wilbraham Road, Manchester, M21 9JT
542 Wilbraham Road, Manchester, M21 9LB
Flat 7, 625 Wilbraham Road, Manchester, M21 9JT
Flat 6, 625 Wilbraham Road, Manchester, M21 9JT
Flat 5, 625 Wilbraham Road, Manchester, M21 9JT
Flat 4, 625 Wilbraham Road, Manchester, M21 9JT
Flat 3, 625 Wilbraham Road, Manchester, M21 9JT
Flat 2, 625 Wilbraham Road, Manchester, M21 9JT
Flat 1, 625 Wilbraham Road, Manchester, M21 9JT
Flat 3, 629 Wilbraham Road, Manchester, M21 9JT
Flat 2, 629 Wilbraham Road, Manchester, M21 9JT
Flat 1, 629 Wilbraham Road, Manchester, M21 9JT
Flat 4, 629 Wilbraham Road, Manchester, M21 9JT
Flat 3, 627 Wilbraham Road, Manchester, M21 9JT
Flat 1, 627 Wilbraham Road, Manchester, M21 9JT
546 Wilbraham Road, Manchester, M21 9LB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Wilbraham Road/Edge Lane Conservation Area 2005
Area Team Boundary - Name: SOUTH AREA