

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140405/FH/2024

Date registered valid: 1 July 2024

Proposal: Erection of a part single part two storey side and part single, part two storey rear extension, hip to gable conversion with installation of rear dormer

Address: 44 Errwood Road, Manchester, M19 2QH

Ward(s): Burnage Ward

Applicant: Mr A Rashid

Agent (if any): Mr D King NK Architectural

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 21st August 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 July 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 July 2024 Expired: 1 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 site/building relates to a two storey semi detached property in the Burnage ward area of Manchester.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is primarily a residential area in nature

Description of development

The applicant is seeking planning permission for the erection of a part single part two storey side and part single, part two storey rear extension, hip to gable conversion with installation of rear dormer.



Consultations & Notification Responses

Local residents, as per Appendix 1 – One letter of objection has been received in respect of this application. Summary of comments as follows:

- The proposed development, is for a large home extension
- Overlooking, blockage of light and view, parking and noise.
- The extension will be built immediately adjacent to rear bay window.
- Oppressive eyesore
- Block the sunlight into garden as the garden
- The current noise levels from the neighbours is high. The purpose of the extension is to accommodate more family members which will mean disruptive level of noise.
- The family have seven cars, with three or four being parked on the public access points in front of the house, or on the grass verges. Extending the house to accommodate more people will increase the number of cars.
- This is the second application that 44 Errwood Road has put in for an extension. Your department rejected the first application in March 2021

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

Places for Everyone Plan (2022 - 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

JP-S1: Sustainable Development
JP-P1 Sustainable Places

This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider that this proposal does not accord with the principles of this policy.

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 principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered unacceptable and it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed not to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Plans considered as part of this scheme

Received on 1st July 2024 numbered A101 Rev A Existing Floor Plans

Received on 1st July 2024 numbered A116 Existing Elevations

Received on 1st July 2024 numbered A100 Rev B Proposed Floor Plans

Received on 1st July 2024 numbered A103 Proposed Elevations

History relating to 44 Errwood Road

129297/PDE/2021 - Refused extension - GPD - 17.03.2021 Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 4m and a height at eaves of 2.5m

024270 - Application Approved - 26.06.1985 Erection of a single storey building in rear garden to form a summer house/playroom

Residential Amenity

The applicant is seeking planning permission for the erection of a part single part two storey side and part single, part two storey rear extension, hip to gable conversion with installation of rear dormer. Concerns have been raised by a local resident and the City Council shared those concerns with regards to the extension being built adjacent to rear bay window and overshadowing, and in terms of the side extensions impact upon the adjacent property.

Ground Floor

The proposal would be in line with the front wall of the principal elevation extending rearwards along the side with a projection beyond the rear wall measuring 6.0m. No gap would be retained to the shared boundary with no. 46 Errwood Road. The proposal would form a wrap around of the property extending across the rear up to the shared boundary with the adjoining semi-detached property no. 42 Errwood Road. The windows would reflect that of the original property and would be located on the front and rear elevation together with bi folding doors which would lead into the rear garden. The roof to the front would be a mono pitch sloping roof with a flat roof on the rear.

First Floor

The first floor side extension would be set back from the front wall of the property measuring 500mm extending rearwards retaining a gap to the shared boundary with the adjacent property no. 46 measuring 1.0m. The proposal would form a wraparound extending across the rear wall and retaining a gap to the shared boundary with the adjoining semi detached property no. 42 Errwood Road.

Given the relationship with no. 46 Errwood Road, the City Council considers that the proposal does not lend itself to a suitable setback from the principle elevation of the property to overcome terracing. It is considered that given that there is no gap to the shared boundary and the fact that there is an insubstantial set back from the front wall of the property, this would provide a detrimental impact within the street scene and therefore it is believed that should the proposal be built; the visible appearance of the extension would result in an unbroken and unrelieved "terraced" effect especially should the neighbouring property wish to build the same.

In terms of the rearward projection, the proposal would by reason of its height, rearward projection and close proximity to the site boundary with no. 46 Errwood Road create an undue loss of visual amenity and have an overbearing impact to the detriment of the amenity of the occupiers of this property. It is believed due to the location of the side/rear element of the extension together with

the orientation of the application site, that this would provide an overly dominant structure, which would be oppressive and visually obtrusive to neighbouring occupier and result in visual harm.

The City Council therefore considers that the proposal does not accord with policies SP1 and DM1 of the Manchester Core Strategy Development Plan and saved Unitary Development Plan policy DC1 and the guidance contained within the National Planning Policy Framework. The proposed development is therefore contrary to the provisions of DC1 of the Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

Hip to Gable and rear Dormer

The applicant proposes a hip to gable roof extension together with installation of rear roof dormer. The hip to gable is considered acceptable and the City Council believes there would be no impact upon the adjacent or surrounding properties especially as the property would not project any further than the side gable wall of the property.

The applicant proposes the construction of a rear flat roof dormer window which would be set in from the side walls of the property significantly and set down from the ridge height. Two windows are proposed overlooking the rear of the garden area. It is not thought that windows in the location would provide any further overlooking than that of the existing rear view windows and therefore is considered to be acceptable.

Overall, given the developments height, projection and relationship to adjacent properties, it is considered that the proportions of the extensions to the front and rear are unacceptable. The footprint is considered would create a bulky or disproportionate scale addition to the property. In terms of residential amenity, it is considered that there will be a significant impact and the proposed development therefore does not comply with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Scale and Massing

It is considered that the proposal would read as excessively large and bulky to the adjacent neighbouring property and would have an overbearing impact upon the amenity levels of neighbouring occupiers at no. 1 Orville Drive, and would therefore be contrary to saved policies DC1 of the Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

Design

Given the proposals prominent location it is considered that the proposal has not been sited and designed appropriate to the character of the area. The design of the extension has not been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered unacceptable.

Therefore, the proposal does not accord with the principles for residential extensions set out in saved UDP policy DC1 and Core Strategy Policies DM1, SP1 and EN1.

Bins

Bin storage has not been considered as part of this scheme.

Car parking

Off road car parking space would still be retained to the site on the front driveway and therefore is unaffected by this proposal.

Conclusion

For these reasons, it is considered that the extension would have an unacceptable appearance as the resultant house would have a bulky appearance with an overbearing massing and scale to the detriment of neighbouring occupier. In light of this, the proposed extension is considered to be unacceptable in terms of their appearance and would be detrimental to visual and residential amenity within the area contrary to saved policies DC1.1, DC1.2, DC1.4 and policies DM1 and SP1 of the Core Strategy.

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

Positive and proactive working - The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) The proposed two storey side extension by virtue of its design, siting, and scale would have a detrimental impact on visual amenity and the character of the street scene. The resulting appearance would be an extension which will have an inadequate relationship with number 46 Errwood Road, resulting in a terracing effect. The proposal will be out of character with the street

scene and will have a negative impact on visual amenity which is contrary to the provisions of saved policies DC1 of the Unitary Development Plan for the City of Manchester (1995), policies SP1 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The proposed extension by reason of its height, rearward projection and close proximity to the site boundary would create an undue loss of visual amenity and have an overbearing impact to no. 46 Errwood Road, to the detriment of the amenity of the occupiers of the property. The proposed development is therefore contrary to the provisions of DC1 of the Unitary Development Plan and policies SP1 and DM1 of the Core Strategy and NPPF.

Appendix 1 – List of consultees & neighbours notified

42 Errwood Road, Manchester, M19 2QH
46 Errwood Road, Manchester, M19 2QH
40 Errwood Road, Manchester, M19 2PH
48 Errwood Road, Manchester, M19 2QH
9 Milwain Road, Manchester, M19 2PX
7 Milwain Road, Manchester, M19 2PX
5 Milwain Road, Manchester, M19 2PX
3 Milwain Road, Manchester, M19 2PX
1 Milwain Road, Manchester, M19 2PX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Area Team Boundary - Name: SOUTH AREA