

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139869/FH/2024
Date registered valid: 24 April 2024
Proposal: Reroofing of property to create mansard roof, installation of rear dormer extension and single storey side and rear extension
Address: 71 Wilbraham Road, Manchester, M14 7DN
Ward(s): Fallowfield Ward

Applicant: Mr M Shafiq
Agent (if any): Mr V Alyas Architek
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19th June 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 April 2024 Expired: 22 May 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 planning application is a brick built two storey detached dwellinghouse on the southern side of Wilbraham Road. It currently has a hipped roof and a single storey extension with a mono pitch roof to the rear. There is a single storey mono-pitch extension that runs alongside the property along the common boundary with number 73 Wilbraham Road. The property frontage is enclosed by a low wall and railing boundary treatment, and the front garden has historically been block paved to provide off road parking for several vehicles. The rear garden comprises of patio area with the remainder laid to lawn. The property is located within the Fallowfield 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 and is close to many local services. It is also well served by alternative modes of transport to the car and has good connections to other areas. The properties along this stretch of Wilbraham Road originally comprised of properties of a very similar style and footprint, however many of these have been altered and extended over the years to occupy much larger footprints.

Description of development

The proposal is for the erection of a single storey wrap around extension which would encompass the existing single storey extension and replace the lean to extension along the side. Together with a redesign of the roof, a reroof, and the installation of a rear dormer in the rear roof slope. The additional accommodation created would be an open plan lounge / diner

and store to the ground floor and an additional 2 bedrooms and a bathroom in the loft space/dormer.

Consultations & Notification Responses

Local residents were informed- one representation has been received, the main points of concern are:

The raising of the roof will result in our property being overlooked. We have planted low level trees along our boundary to afford additional privacy to our garden, if the raising of the roof and the dormer extension takes place we would have to plant larger conifer trees. We have no objections to the dormer or the single storey extensions.

Issues

Policies

National Planning Policy Framework

The National Planning Policy Framework was introduced in March 2012 (amended December 2023) and replaced previous guidance in PPGs and PPSs. It sets out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life.

Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. Issues relevant to this scheme are: siting, layout, scale, form, massing, materials and details; impact on surrounding area in terms of design, scale and appearance and effects on amenity.

Saved UDP Policies DC1.1 to DC1.4 set out the guidance on household extensions

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.

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.

Issues

Principle - This is a residential property in an established residential area and the principle of extending a dwelling house to create additional living accommodation is generally considered acceptable in principle subject to further consideration of the impacts upon resident and visual amenity and the character of the area and in accordance with national and local policies.

Impact on the property and the appearance in the street scene - Many of the properties on this part of Wilbraham Road have been altered in the past, in a variety of ways, but generally in keeping with the scale of the area, maintaining the building line and the general height of properties. There are two elements to this proposal, the first comprises of a single storey extension to both the side and rear which takes in the existing single storey rear extension and would replace the timber and Perspex lean to structure on the side elevation along the common boundary with number 73 Wilbraham Road, and the second is a redesign of the roof including a small increase in the height and creation of a flat roof element that replaces the traditional ridge of the roof. Within the rear roof slope there is a dormer extension proposed. The materials proposed would match those of the existing property, and the shape of the roof would then be altered to give a mansard roof. As can be seen from the aerial photograph the property at number 73 Wilbraham and numbers 65 and 67 Wilbraham Road have carried out similar roof alterations, together with other properties within the area.

The single storey extensions to the side and rear wrap around the property having a mono pitch to the rear connecting to a dual pitched roof along the side.

It is considered that the single storey extensions would be subservient to the main house, with a minimal impact on the property and it would not be highly visible from within the street scene given that there is already a single storey element to the side, which is set back from the

frontage. The new extension would fill in the front to bring it in line with the property frontage, and then extend beyond to meet up with the extension proposed on the rear. The proposed dormer extension is of a style and design already constructed on other properties within the immediate area. Many of the roof shapes have incorporated a flat roof element forming a type of Mansard finish, as this enables greater advantage to be taken of the space within the loft. Both the extensions would retain subservience to the host property and is therefore considered acceptable. Given the varied roof formations the proposed redesign of the roof which includes a minor height increase is not considered to appear as incongruous within the street scene. The roof was originally to be raised to a greater height, however, following negotiations this was lowered to the same height as the dormer roof is proposed. It is therefore considered that the proposal would not have a detrimental impact upon the character of the property itself or the area within which it is located.

Residential Amenity

The single storey side and rear extensions have been considered in their design, so as to ensure that there is no detrimental impact on the residential amenity currently enjoyed by the neighbouring properties. The windows are proposed in the rear elevation overlooking the applicants own garden with no windows in the side elevations of any of the extensions.

The dormer if constructed within the original roof slope would as a fallback position be permitted development, however permission is required as it is to be constructed within the slope of the new roof. The proposed dormer is typical of these types of features within the area and is of a design and scale that is sympathetic to the host property. Again there are no windows in the side elevations of the extension, and the materials would match those of the existing property and an appropriate condition to that effect would be attached to any consent granted.

Impact on neighbouring properties - The proposals have now proposed a reduction in the height of the Mansard roof, and whilst it steepens the angle of the roof on the sides, this would not take the property any closer to the neighbouring properties either side than the current property. Comments were received from a local resident that considered that the proposal would have impacts with regards to loss of privacy and overlooking, however the fallback position of a permitted development dormer would be in the same position and would afford the same views, and there is a distance of 15.5 metres from the rear proposal property to the rear gardens of the properties on Whitebrook Road and 27.4 m between the physical properties. It is therefore considered that the proposed development would not have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties.

Parking - The proposal does not impact on the parking available within the site.

Waste Management -is not impacted, as the bins are kept down the other side of the property along the common boundary with number 69 Wilbraham Road, and this would remain the same post development.

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

Officers have worked with the Applicant / Agent in a positive and proactive manner in order to guide the Application through all stages of the Planning process, and have resolved issues that have arisen whilst dealing with the Planning Application. The application has been determined in accordance with both national and local policies, and in a timely manner.

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:

A101 Rev P2- Location Plan and Proposed Elevations received by email 19th June 2024

A102 Rev P1- Proposed Floor Plans

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.

3) The materials to be used on the external surfaces of the extension hereby permitted including patching in and mortar shall match those of the existing building in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings.

5) 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 part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

First Floor And Second Floor, 28 - 30 Wilbraham Road, Manchester, M14 7DW
32 Wilbraham Road, Manchester, M14 7DW
Ground Floor And First Floor, 28 - 30 Wilbraham Road, Manchester, M14 7DW
73 Wilbraham Road, Manchester, M14 7DN
22 Whitebrook Road, Manchester, M14 6FD
28 - 30 Wilbraham Road, Manchester, M14 7DW
69 Wilbraham Road, Manchester, M14 7DN
24 Whitebrook Road, Manchester, M14 6FD
20 Whitebrook Road, Manchester, M14 6FD
18 Whitebrook Road, Manchester, M14 6FD

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