

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139840/FH/2024

Date registered valid: 22 April 2024

Proposal: Erection of a two storey side and rear extension to provide additional living accommodation following demolition of existing rear single storey extension

Address: 4 Finchley Grove, Manchester, M40 9PU

Ward(s): Moston Ward

Applicant: Mr & Mrs S. Wilding

Agent (if any): Mr P Watson

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
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Recommendation: Refuse

Date of recommendation: 17 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 June 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 April 2024 Expired: 21 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The property sits in an elevated position and the surrounding context is predominantly residential in character.

Description of development

Planning permission is sought for the erection of a two-storey side and rear extension to provide additional living accommodation following demolition of existing rear single storey extension.

Planning History

118130/FH/2017 Erection of a single storey outbuilding within rear garden following demolition of existing building. Approved

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

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 and
- 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.

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) and Policy EN1

(Design Principles and Strategic Character Areas).

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.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;

- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. 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;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 CABI 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.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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

The following policies are relevant:

- i.JP- S1- Sustainable development

ISSUES

Principle of Development

This application seeks planning consent for the erection of a two-storey side and rear extension to provide additional living accommodation following demolition of the existing rear single storey extension. Extending a residential property, via extensions including a two-storey side and rear extension, in order to provide additional living accommodation is usually acceptable in principle. However, in these circumstances, the extension would be situated too close to the boundary

and the principle of development cannot be supported due to adverse implications in terms of residential and visual amenity.

Visual Amenity

The siting, scale and appearance of the two-storey rear extension creates an overly large and incongruous feature at the rear of the property. Although the two-storey side extension is pulled away from the common boundary by 1 metre, the rearward projection and its proximity to the shared common boundary with no 6 Finchley Grove, creates a large overly dominant feature and is not subservient to the existing property. Consequently, the extensions do not make a positive contribution to the existing property or the surrounding area.

The extension to the property fails to respond positively to the built environment. The extension is not readily visible from the public domain nevertheless, the design of the rear elevation in terms of fenestration and architectural features, such as brick details makes the extension a striking feature to the rear of the property which is not subservient. As a result, the design does not help it to blend into the host building and as a result the extension appears to be at odds with the existing building.

The development therefore causes would harm the character and appearance of the application property and conflicts with policies SP1, EN1 and DM1 of the Manchester Core Strategy 2012 and saved Policy DC1 of the Unitary Development Plan for the City of Manchester Adopted July 1995. These require, among other things, that developments are well designed having regard to scale, form and massing; that it is not excessively large or bulky; and that it protects and enhances the built environment.

Residential Amenity

By virtue of the height, width and rearward projection of the second-floor extension, the development has created significant bulk and built development close to the neighbouring boundary. The 2.8 metre projection would create a substantial amount of built form towards the boundary with number 6 Finchley Grove.

The close proximity of the extension would create a unsatisfactory relationship with the neighbouring property and would resulted in a significant overbearing impac,t which are unduly harmful to residential amenity.

The orientation of the building coupled with the close proximity to the side neighbouring property would cause extensive potential overshadowing and overbearing impacts.

Therefore, the development would harm the living conditions of neighbouring occupiers, with particular regard to overbearing. The development therefore conflicts with polices SP1 and DM1 of the Manchester Core Strategy and saved policy DC1 of the UDP. These require, among other things, that development makes a positive contribution to the health and wellbeing of residents, having regard to the effects on the amenity of neighbouring occupiers.

Conclusion

It is also considered that the proposed rear extension would lead to the formation of disproportionately large addition to a building within a tightly constrained site, which would be poorly related to neighbouring housing which and does not relate well with the host building.

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 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 extension by reason of the resultant overall mass of built form rearward projection and in such close proximity to the common shared boundaries with nos. 6 Finchley Grove would create an overbearing and visually oppressive feature in terms of outlook from the neighbouring property and gardens. The siting, scale and appearance of the development would also result in an overly dominant and incongruous feature at the rear of the level property which is out of character and detrimental to the visual amenity contrary to saved policies DC1.1, DC1.2, DC1.3 and Policy DC1.4 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document, policy JP-S1 within Places for Everyone and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

7 Finchley Grove, Manchester, M40 9PU
6 Finchley Grove, Manchester, M40 9PU
5 Finchley Grove, Manchester, M40 9PU
9 Finchley Grove, Manchester, M40 9PU
2 Finchley Grove, Manchester, M40 9PU
13 Finchley Grove, Manchester, M40 9PU
3 Finchley Grove, Manchester, M40 9PU
11 Finchley Grove, Manchester, M40 9PU

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA