MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139490/FH/2024
Date registered valid:	25 March 2024
Proposal:	Erection of a part-single / part-two storey side and rear extension, installation of a rear dormer, and extension to an existing outbuilding.
Address:	276 Withington Road, Manchester, M21 0XZ
Ward(s):	Chorlton Park Ward
Applicant:	Mr Hammaad Khalil
Agent (if any):	Mr Mark Percival Architecture:m
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**17 May 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 November 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 28 March 2024 Expired: 20 April 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick and cream render with a grey concrete tile dual pitch roof. The property features white uPVC windows, including a two-storey bay to the front, a paved driveway and modest front garden bordered by a low-level redbrick wall, a front porch extension, a single storey side and rear extension, and a detached outbuilding situated within a spacious rear garden.

Figure 1. Principal elevation.

Figure 2. Rear elevation.

Figure 3. Rear garden and outbuilding.

Figure 4. Outbuilding.

Description of area

Withington Road is a residential street situated within the Chorlton Park ward of Manchester, close to Mauldeth Road West, Whalley Range Cricket & Lawn Tennis Club, and Whalley Range Amateur Football Club. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties.

Description of development

The applicant is seeking permission for the erection of a part-single / part-two storey side and rear extension, installation of a rear dormer, and extension to an existing outbuilding.

Planning history

109773/FH/2015/S1 - Erection of a single storey side and rear extension to form additional living accommodation following demolition of existing garage – **APPROVED** (09.10.2015).

ENF/13230/16 - Enforcement Enquiry – **CLOSED** (02.08.2016).

138259/FH/2023 - Erection of a part single/part two storey side and rear extension, together with the installation of a rear roof dormer and erection of a single storey extension to the existing outbuilding – **REFUSED** (11.12.2023).

Consultations & Notification Responses

Two letters of objection were received in response to this application. Their concerns are summarised as follows:

- Concerns over the use of the enlarged garden room.
- Loss of privacy.
- Would be imposing and overbearing.
- Loss of on-street parking as a result of the enlarged driveway space, reduced boundary treatment and additional dropped kerb.
- Would be out-of-keeping with the scale and character of the surrounding residential properties and existing extensions.
- Would cause visual harm to the area and does not represent good design.
- Would give rise to issues of overlooking.
- Would set a precedent for terraced style housing.
- Overshadowing and loss of light.
- Detrimental impact upon the mental wellbeing of neighbouring occupiers.
- Would cause structural and vibration damage to neighbouring properties.
- Concerns relating to water damage and leaks of previous works to roof.
- Concerns relating to drainage and rainwater provisions.
- Inaccurate red line boundary on submitted plans.
- Flat roofs may potentially be used as balconies.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

Places for Everyone
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'.

You can view the Inspectors' Report on the GMCA's website at Places For Everyone - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

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.

- Policy JP-P1: Sustainable Places

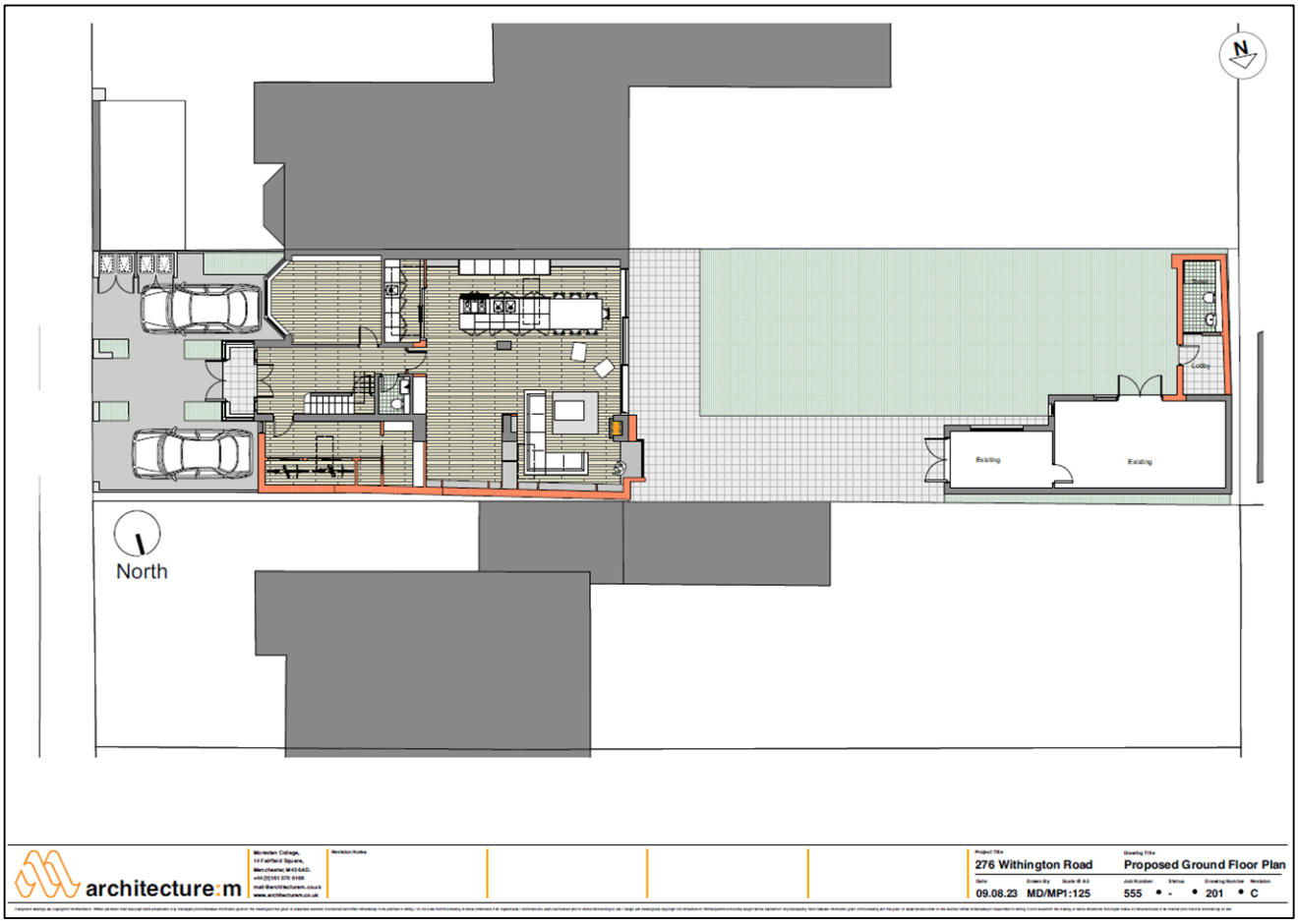

Figure 5. Submitted proposed GF plan.

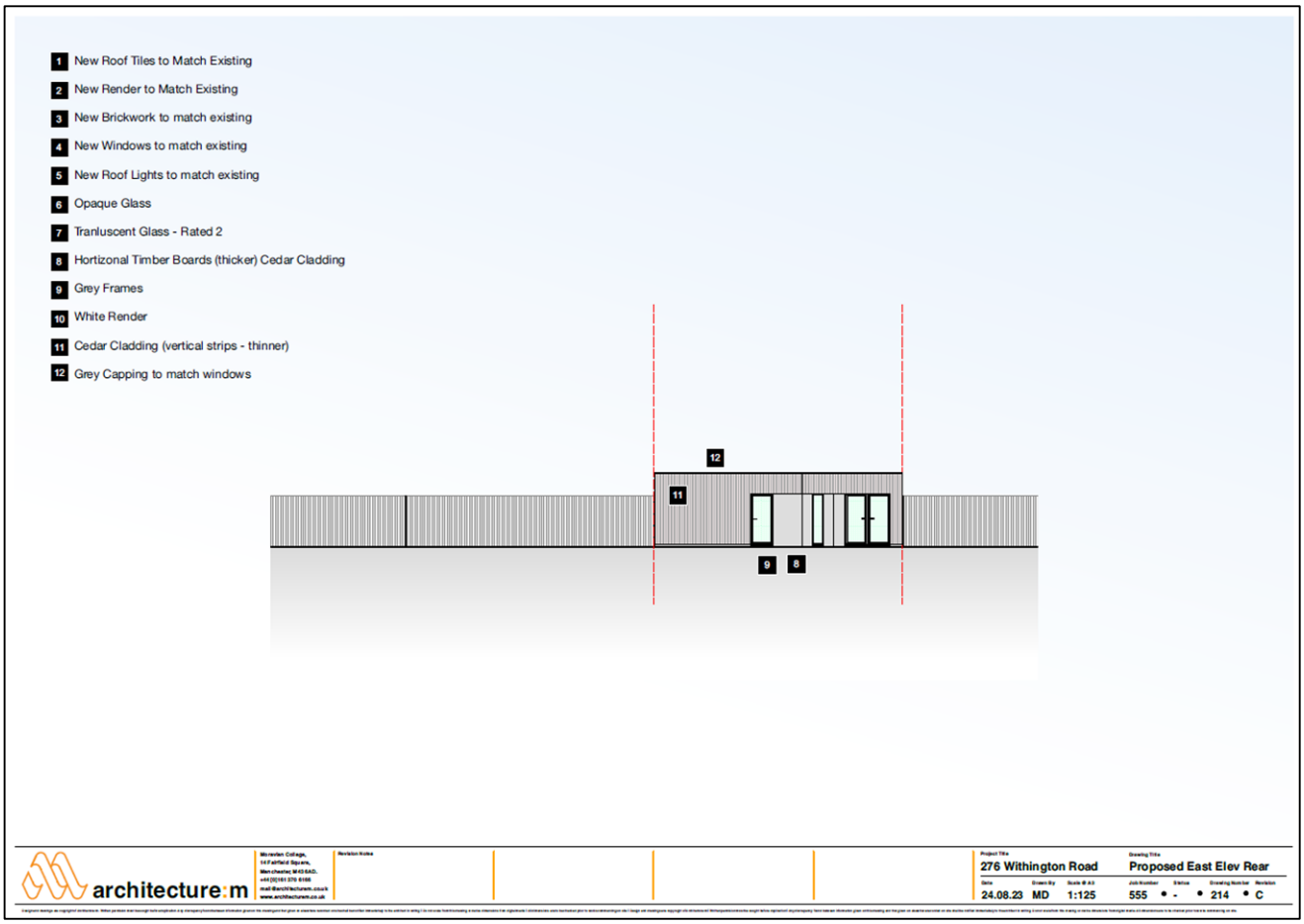

Figure 6. Submitted proposed outbuilding extension.

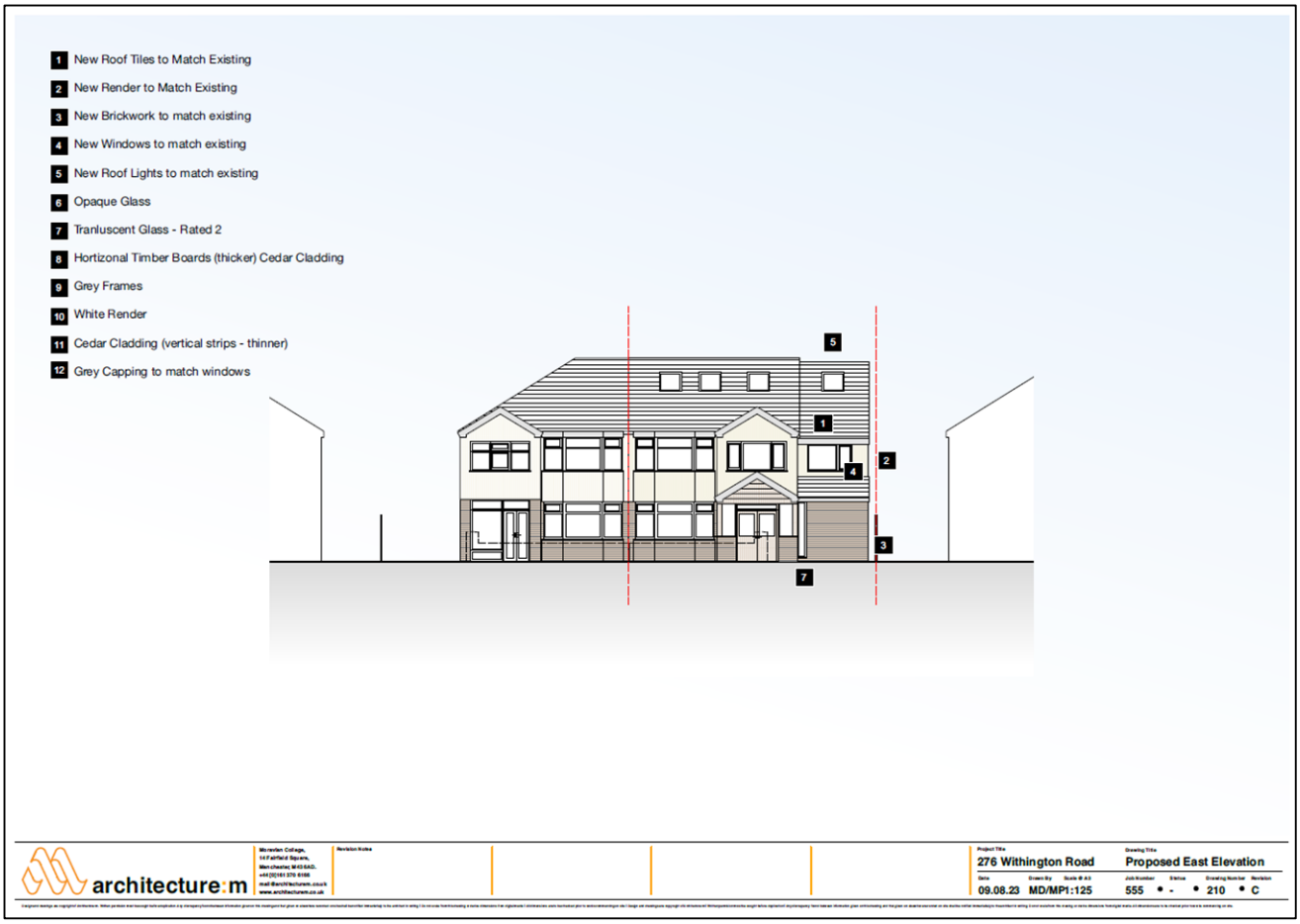

Figure 7. Submitted proposed front extension.

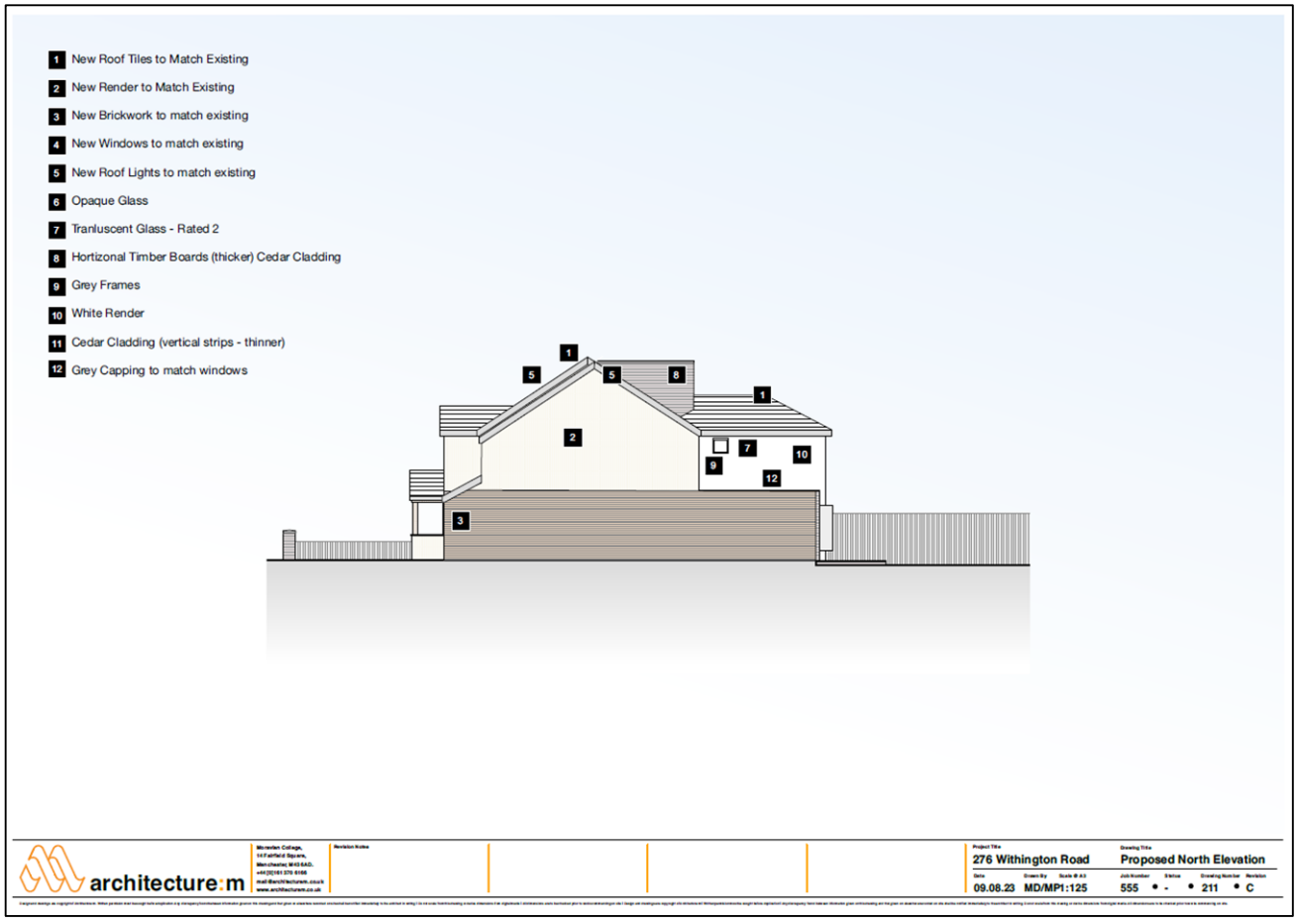

Figure 8. Submitted proposed side elevation.

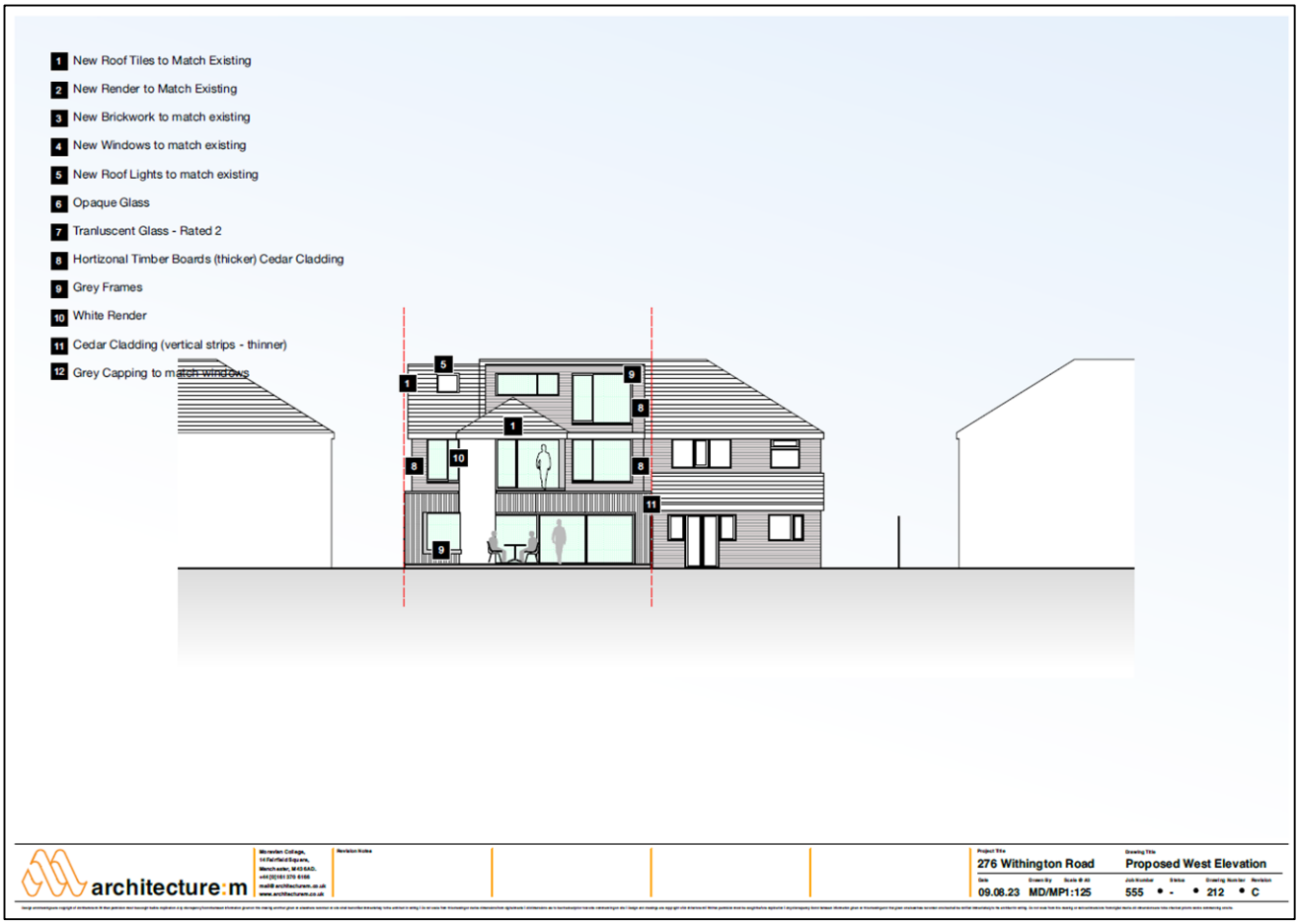

Figure 9. Submitted proposed rear elevation.

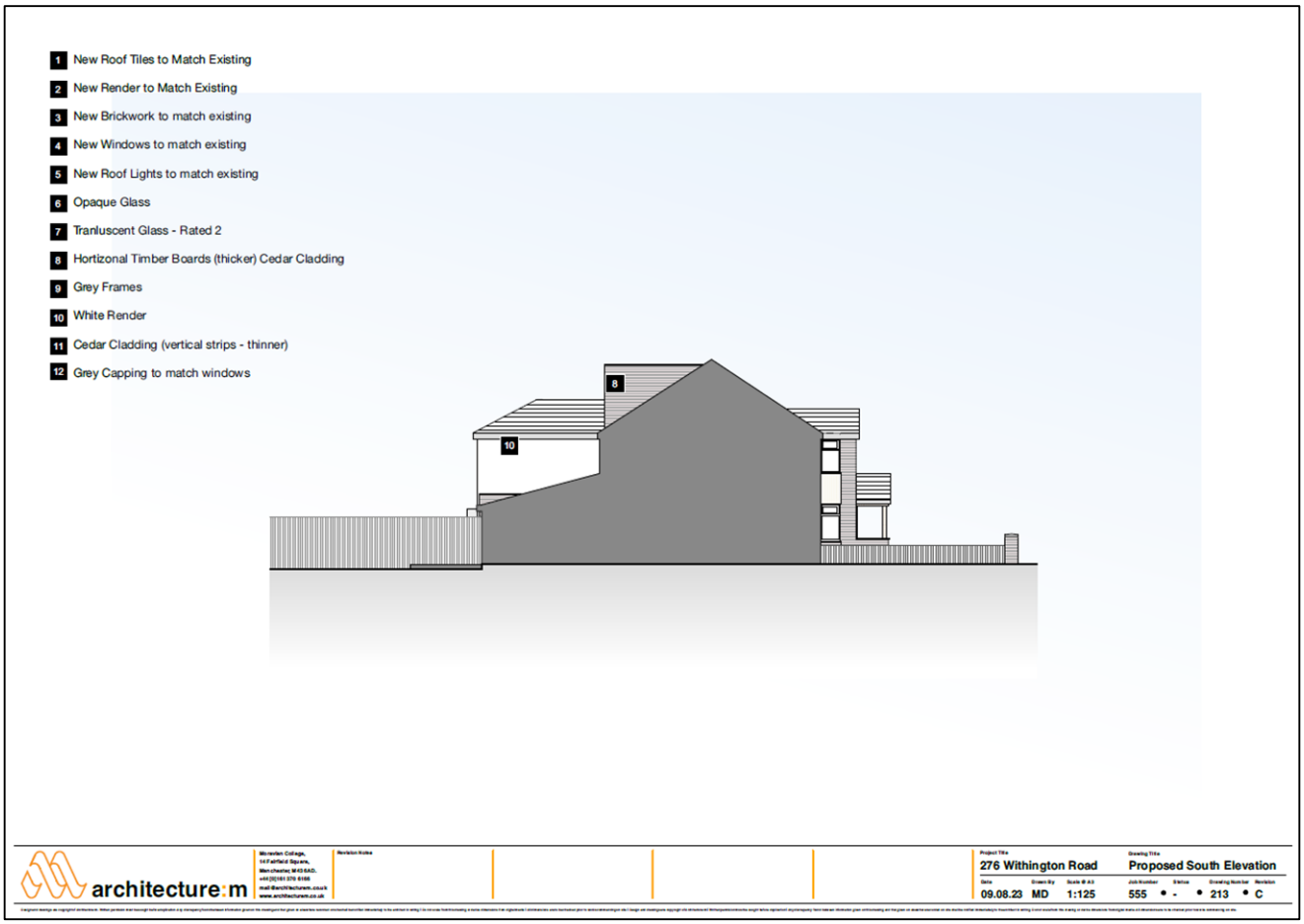

Figure 10. Submitted proposed side elevation.

Issues

Policies SP1 and DM1 of the Manchester 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 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 which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a part-single / part-two storey side and rear extension, rear dormer and extension to an existing outbuilding to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking.

Siting, scale, and massing – the part-single / part-two storey extension would be sited at the side and rear of the property, wrapping around its north and west elevations. At ground floor level, the extension would project 4.822m rearwards from the host dwellinghouse, with a length/depth of 15.125m (featuring no setback from the front of the property), sideward projection of 2.865m, width of 9.965m, mono pitch roof height of 3.485m and eaves height of 2.36m to the front and flat roof height of 3.02m to the rear. It would be sited along the boundaries shared with No.274 and No.278 Withington Road. At first-floor level, the extension would project 5.042m rearwards from the host dwellinghouse, with a length/depth of 13.223m (featuring a 2.131m setback from the front of the property), sideward projection of 2.865m, width of 6.272m, dual pitch roof height of 8.069m (set 0.344m below the existing ridge) and eaves height of 5.04m to the side, and hipped roof height of 6.714m (set 2.913m below the existing ridge) and eaves height of 5.04m to the rear. The side element of the extension would be sited along the boundary shared with No.274 Withington Road, whilst the rear element of the extension would maintain a gap of 2.387m to the boundary shared with No.274 Withington Road and a gap of 3.418m to the boundary shared with No.278 Withington Road.

The dormer would be sited at the rear of the property, facing west/northwest, set 0.38m below the existing ridge and 0.348m above the eaves. It would not occupy the full roof of the property, maintaining a gap of 0.29m to the adjoining property, No.278 Withington Road, and a gap of 0.222m to the roof edge. Its dimensions would be as follows: 3.982m in length/depth, 6.43m in width and 2.574m in height.

The outbuilding extension would be sited to the south of the existing structure, measuring to 2.191m in length/depth, 5.649m in width, and 3.032m in height with a flat roof. A gap of 0.209m would be maintained to the boundary shared with No.278 Withington Road and a gap of 0.493m would be maintained to the boundary shared with No.2 Kildare Road.

It is acknowledged that residents raised concerns in relation to the proposal's potential to introduce an overbearing and imposing structure, which would be out-of-keeping with the scale and character of the surrounding residential properties. However, in comparison to the previously refused scheme, the proposal has been reduced in terms of its scale, with the extension(s) now reading as subservient additions to the property, in terms of their dimensions, avoiding resulting in 'excessively large or bulky' additions to the dwellinghouse. Moreover, a number of other residential properties along Withington Road exhibit extensions of a similar

scale and massing, therefore it is considered that a precedent exists for this type of development in this area.

The proposal is therefore considered to accord with policy DC1 of the UDP, and policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the submitted plans indicate that, on its front elevation, the side and rear extension would feature brickwork to match the existing at ground floor level, render to match the existing at first floor level, with roof tiles, windows, and rooflights to match the existing. Its northern side elevation, facing No.274 Withington Road, would feature brickwork to match the existing at ground floor level, render to match the existing at first floor level (along its side element), new white render to its first-floor rear element, with roof tiles to match the existing and grey-framed windows. The rear elevation of the extension would feature vertical strips of cedar cladding and white render at ground floor level, horizontal timber board cedar cladding and white render at first floor level, with roof tiles to match the existing and grey-framed windows. Its southern side elevation, facing no.278 Withington Road, would feature white render at first floor level with roof tiles to match the existing.

The rear dormer would feature horizontal timber board cedar cladding to each of its elevations, with a flat roof and grey-framed windows.

The outbuilding extension would consist of vertical strips of cedar cladding with a flat roof and grey-framed windows to match the existing.

In terms of its elevational features, at ground floor level, the side and rear extension would feature one window to the front, blank side elevations, and a projecting box window and a set of sliding doors/glazing to the rear. Its front-facing roof slope would be blank, whilst its flat roof to the rear would feature two flat skylights. At first-floor level, it would feature one window to the front, one window to its side elevation facing No.274 Withington Road (conditioned to be obscurely glazed), two windows to the rear, and a blank side elevation, facing No.278 Withington Road. Its front and rear-facing roof slopes on its side element would each feature one flat skylight.

The rear dormer would feature blank side elevations and two windows to its rear elevation.

The outbuilding extension would feature blank southern and western elevations and one inward-opening door to its eastern elevation.

It is acknowledged that residents raised concerns in relation to the proposal's potential to cause visual harm to the area, failing to represent 'good design', whilst setting a precedent for terraced style housing. However, the proposal is relatively standard in terms of its scale and design and would be in-keeping with the existing precedent of residential extensions in this area. Moreover, its 2.131m setback at first-floor level is considered to mitigate concerns relating to potential terracing effects, as this would ensure that the extension does not sit flush with the property's existing front elevation. Moreover, the proposal would feature matching and sympathetic materials along its front and northern side elevations, ensuring a blended appearance with the host dwellinghouse and surrounding street scene, with these elevations being its only publicly visible sides. More modern, contemporary materials would be featured to its rear and southern side elevations, however given that these would not be highly visible within the street scene or public realm, it is considered that this should not cause substantial visual harm to the visual amenity of the area. The overall character of the property and its surrounding area would therefore not be significantly harmed by these works.

Residential amenity – it is acknowledged that residents raised concerns relating to the proposal's potential to result in overshadowing, a loss of light, overlooking, and a loss of privacy with the extensions' flat roofs potentially being used as balconies at a later date.

However, given the subservient dimensions of the side and rear extension, combined with its siting to the north and west of the host dwellinghouse, with considerable gaps maintained to the plot's shared boundaries at first-floor level with regard to the rear element of the extension, and with the first-floor side element of the extension sited within the host dwellinghouse's existing shadow, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its side-facing windows have been conditioned to be obscurely glazed so as to protect the residential amenity of neighbouring occupiers. The extension's flat roofs have also been conditioned to restrict their potential use as balconies.

Similarly, given the rear dormer's reduced scale and massing in addition to its siting and positioning on the roof of the host dwellinghouse, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. The dormer should also not compromise the privacy of neighbouring occupiers as its only windows are to be rear-facing and set back from the eaves by 0.348m. As such, they would provide no further degree of overlooking than any existing rear windows at first floor level.

With regard to the outbuilding extension, this is also not considered to cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area due to its single storey nature, maximum flat roof height of 3.302m and siting at the end of the rear amenity space, away from neighbouring residential properties, adjacent to a plot which also features an outbuilding of a similar scale.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the proposal would result in external access to the rear of the property being lost, with bins being stored to the front instead. Details of a secure, screened and ventilated bin store have therefore been provided in order to screen the bins from view, safeguarding the visual amenity of the area and appearance of the street scene. This has been conditioned accordingly.

Parking – the current driveway space would be enlarged and redefined, incorporating elements of soft landscaping/planting and removing a portion of the existing boundary treatment to accommodate two vehicles, with spaces measuring to at least 2.4m by 4.8m.

It is acknowledged that concerns were raised in relation the proposal's potential to lead to a loss of on-street parking as a result of the enlarged driveway space, reduced boundary treatment, and additional dropped kerb. However, the proposed arrangements are considered acceptable given that they would allow the application site to retain its current parking provisions, thereby ensuring that the proposal does not result in an increase in on-street parking.

Moreover, it should be noted that the proposal does not include details of an additional dropped kerb at this location. If the applicant wishes to install an additional dropped kerb, then they would need to apply for planning permission for these works as Withington Road is defined as a classified C Road. Highways permission would also be required.

Use – concerns were raised in relation to the intended use of the extended outbuilding. In order to ensure the outbuilding's use remains ancillary to that of the host dwellinghouse, a condition has been attached.

Other matters – the proposal also includes the following elevational alterations:

- The existing first-floor rear window is to be replaced with a larger counterpart.

This alteration is considered acceptable given its minimal impact upon the visual and residential amenity of the area.

Residents raised concerns in relation to the proposal's potential to cause structural, vibration and water damage to neighbouring properties. It should be noted that these are civil legal matters, rather than material planning considerations and therefore would not warrant the refusal of this application.

Conclusion – given the above issues, it is considered that the proposed extension is acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, and EN19 of the Core Strategy and chapter 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 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

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

2) The development hereby approved shall be carried out in accordance with the following documents labelled:

-'Householder Application for Planning Permission for works or extension to a dwelling', numbered 'PP-12874192', stamped as received by the City Council as Local Planning Authority on the 8th March 2024.

-‘Proposed Ground Floor Plan’, numbered ‘201 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed First Floor Plan’, numbered ‘202 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed Second Floor Plan’, numbered ‘203 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed Roof Plan’, numbered ‘204 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed East Elevation’, numbered ‘210 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed North Elevation’, numbered ‘211 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed West Elevation’, numbered ‘212 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed South Elevation’, numbered ‘213 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed East Elev Rear’, numbered ‘214 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.
-‘Proposed South Elev Rear’, numbered ‘215 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024.

Reason - To ensure 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 developments hereby permitted shall match those specified on the submitted application form and approved plans.

Reason - To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the development, 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) Before first occupation the proposed windows in the side elevation facing No.274 Withington Road 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any 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 plans.

Reason- In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework. The Manchester Core Strategy policy SP1 and DM1.

6) The flat roof of the side and rear extension shall not be used for any other purpose other than as a means of escape in an emergency or for maintenance of the building.

Reason - To safeguard the amenities of the adjoining premises against overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

7) The outbuilding, as shown on approved plans ‘201 REV C’, ‘202 REV C’, ‘203 REV C’, ‘204 REV C’, ‘214 REV C’, and ‘215 REV C’, stamped as received by the City Council as Local Planning Authority on the 17th May 2024, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No.276 Withington Road, M21 0XZ.

Reason - To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

9) The proposed bin store, as shown on approved plans ‘201 REV C’, ‘202 REV C’, ‘203 REV C’, and ‘204 REV C’, shall be implemented and be in place prior to the first use/occupation of the developments(s) and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

297 Withington Road, Manchester, M21 0YA
2 Kildare Road, Manchester, M21 0YR
278 Withington Road, Manchester, M21 0XZ
295 Withington Road, Manchester, M21 0YA
299 Withington Road, Manchester, M21 0YA
274 Withington Road, Manchester, M21 0XZ
183 Kings Road, Manchester, M21 0XY

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) -
Area Team Boundary - Name: SOUTH AREA