MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139469/FH/2024
Date registered valid:	7 March 2024
Proposal:	Erection of part two/single storey rear extension, two storey side extension, dormer extension to side and rear roof elevation and installation of roof lights to front and installation of gate to driveway
Address:	421 Wilbraham Road, Manchester, M21 0UT
Ward(s):	Chorlton Park Ward
Applicant:	Mr Kashef Ahmad
Agent (if any):	Mr V Alyas, Architek
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	2 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26 June 2023

Standard consultations:
Printed: 13 March 2024 Expired: 5 April 2024

Neighbour notifications
Printed: 13 March 2024 Expired: 5 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: No

Tree Preservation Order: No

Description of site/building

The site comprises of a two storey semi-detached dwelling house in the Chorlton Park Ward of Manchester. The property sits on a triangular shaped plot with the majority of the garden area to the front comprising of a hardstanding for vehicles and a grassed area.

Description of area

This is primarily a residential area in nature. Wilbraham Road is a major aerial route and comprises of a mixture of architectural styles. Many detached and semi-detached properties along Wilbraham Road have been significantly extended. Some larger properties are of a bespoke design with considerable architectural merit. Due to the modifications of the properties along this part of Wilbraham Road there is no characterised architectural format.

Description of development

The applicant seeks permission for the erection of part two/single storey rear extension, two storey side extension, dormer extension to side and rear roof elevation and installation of roof lights to front and installation of gate to driveway.

Negotiations

The original submission has been significantly amended to reduce the overall height, scale and appearance. The modifications included the reduction in the width of the first-floor rear extension, the removal of the balcony and the removal of roof dormers. The current proposal incorporates an angled and pulled away return from the boundary of neighbouring properties creating a subservient appearance.

Site History

136726/FH/2023 Erection of a part single/part two storey extension to front of property; erection of a hip to gable roof extension with associated rear dormer; erection of a part single/part two storey/part three storey rear extension; erection of a 2-storey side extension; installation of rooflights to front and installation of gate to driveway. Withdrawn.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and 8 objections were received (some not from neighbouring property outside of the Manchester region). The issues raised are outlined below.

- The development is overlarge and would result in overshadowing, obstruction of views and impact on daylight levels.
- The design is out of character for a semi-detached property.
- Detrimental to the sense of space for the surrounding properties.
- No details of materials to be used have been provided.
- May have a negative impact on the local bat population.
- Concerns regarding the integrity of the structure of the extension.
- Will cause disamenity during the build process in terms of noise, dust and vibration.
- No plans showing water run-off and drainage have been provided.
- Negative Impact on shared services such as water and foal waste.
- Trees may be removed as a result of the extension.
- Will the structural work be overlooked by a building inspector.
- No duration of the build process has been provided.
- No pre application consultation took place prior to submitting a planning application.

Response to Objection

The majority of the issues raised will be discussed within the body of this report. However, a number of non-planning matters have been raised and will be address below.

The planning system has restrictive controls for this type of house extension application, including disamenity caused by the building process such as construction noise, dust, vibration,

and the duration of the build process. Furthermore, the applicant has no duty to inform the occupiers of the surrounding properties their intension to build.

The other matters raise include concerns regarding the risk of damage or interruption to services due to the connection to water and foul waste, water runoff, and the structural integrity of the extension are controlled by building regulation legislation.

The other matters such as impact on bats and trees will be discussed in the body of the report.

Issues

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 EN19 Waste
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

Principle

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 acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential amenity

The applicant proposes to erect a part two/single storey rear extension, two storey side extension, dormer extension to side and rear roof elevation and installation of roof lights to front and installation of gate to driveway.

The property is located on Wilbraham Road, which comprises of variety of different architectural designed types of properties, some of which are detached or semi- detached.

Ground Floor

The ground floor element of the proposal comprises of a structural canopy with a projection of 1.2m. A concern was raised relating to the projection of the canopy would potentially block light. However, due to the orientation of the building and the relationship with the surrounding properties the canopy would not be detrimental to residential amenity for the occupiers of the surrounding properties. The single storey rear extension over projects the original dwelling house by 5m. Concern were raised that the single storey rear extension would measure 8m. The ground floor extension has no windows on the side elevation and is considered to be typical in terms of height, scale and massing. Consideration has been given to the larger homes extension for the single storey element of the proposal, which allows a single storey 6 metres projection under prior approval legislation. The orientation of the building is south facing and therefore, due to the height, scale and massing of the ground floor extension therefore there would be no undue harm caused in terms of overshadowing. Therefore, due to its position and distance from the neighbouring properties on Wilbraham Road along with the 2-metre fencing situated on the common boundaries this element of the proposal would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

First Floor

The first-floor front element of the proposal would be flush with the front wall of the property. The roof would knit into the existing roof creating the appearance of a double fronted property. No Windows would be located on the side. The two-storey extension brings build form closer to the property to the side of the application site, however, due to the no overlooking or loss of privacy on the adjacent neighbouring properties.

The proposal includes a Juliette balcony. This intervention facing the rear garden provides no more overlooking than a conventional window by the very nature of the design of the balcony.

Given the retained gap to the shared boundary of the adjacent semi-detached property and the distance between the properties, rear of the application site together with the orientation of the property, it is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use brick, tiles and render as specified in the application form. An objector raised the issues the materials details were not provided. Therefore, a materials condition has been added to the consent. Furthermore, to add visual interest to the front elevation, render would be introduced to create a modern design to sit alongside the varying architectural types of the many of the properties along Wilbraham Road. Overall, the design of the extension has 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 acceptable and detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Dormer

The size and footprint of the proposed dormer is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed dormer is satisfactory and is considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy. A glazed panel would be inserted into the side of the roof extension. However, due to the heigh and position there would be no overlook to the detriment of the residential amenity for the surrounding properties.

The design of the dormer would provide a modern addition to the property. In terms of the materials, the dormer is clad in grey cladding and the windows replicate the modern designed windows on the first floor. They are considered to be an acceptable choice given the design of the dormer. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

The introduction of a replacement boundary wall is considered to be acceptable. The proposed boundary is 300mm higher than the existing it replaces. The materials to be used are accepted as they do not detract from within the street scene and allow visible permeability into the site. It is therefore, considered that the design and appearance of the proposed wall accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Other Matters

Concerns were raised by a local resident that trees and hedges would be affected by the proposal. A site visit was conducted, and it was concluded the size and positioning of the extension would not have an impact on the trees within the curtilage of the garden. Furthermore, the site plan provided shows soft landscaping behind the front wall. Therefore, the implementation of the extension would not be to the detriment to the soft landscaping that is currently in situ within the curtilage of the site. The issue that the proposal may impact on the local bat population. was raised by a local resident. There is no evidence to suggest that bats are impacted by the development and there is no statutory requirement for a scheme of this scale to provide further information in this regard.

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. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/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 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:

A104 P1, A105 P1, A108 P1, A112 P1, A010 P1, A106 P1, A107 P1, stamped as received on the 7 March 2024.

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) Notwithstanding the material details provided on the application form and drawing numbers A104 P1, A105 P1, A108 P1, A112 P1, A010 P1, A106 P1, A107 P1, stamped as received on the 7 March 2024, no above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the 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 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

Appendix 1 – List of consultees & neighbours notified

Highway Services

9 Wyverne Road, Manchester, M21 0XF
5 Wyverne Road, Manchester, M21 0XF
3 Wyverne Road, Manchester, M21 0XF
326 Wilbraham Road, Manchester, M21 0UX
8 White Moss Avenue, Manchester, M21 0XU
6 White Moss Avenue, Manchester, M21 0XU
330 Wilbraham Road, Manchester, M21 0UX
328 Wilbraham Road, Manchester, M21 0UX
425 Wilbraham Road, Manchester, M21 0UT
423 Wilbraham Road, Manchester, M21 0UT
419 Wilbraham Road, Manchester, M21 0UT
7 Wyverne Road, Manchester, M21 0XF

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