

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138514/FH/2023
Date registered valid: 11 January 2024
Proposal: Erection of a single storey rear extension to form additional living accommodation.
Address: 242 Platt Lane, Manchester, M14 7BS
Ward(s): Fallowfield Ward

Applicant: Mrs Saleem
Agent (if any): Mr Mudasir Nawaz NM Architectural Services Ltd
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 6th March 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27.02.2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 12 January 2024 Expired: 2 February 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 relates to a two storey end terraced property in the Fallowfield ward area of Manchester. The house has a front gable projecting roof with bay windows at the ground and first floor levels within the principal elevation with front porch. Boundary treatment consists of low brick wall with coping stone and brick pillars to the front with concrete panel and brick wall to the side and rear. The site features amenity space to the front and rear.



Listed building: Not applicable

Conservation area: Not applicable

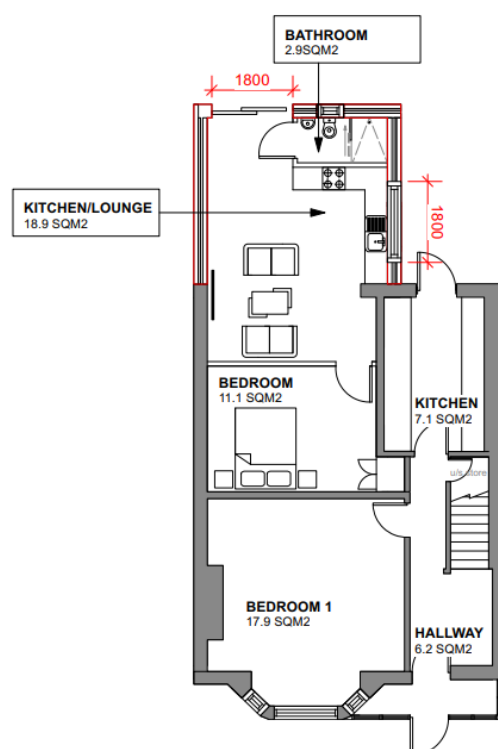
Tree Preservation Order: Not applicable

Description of area

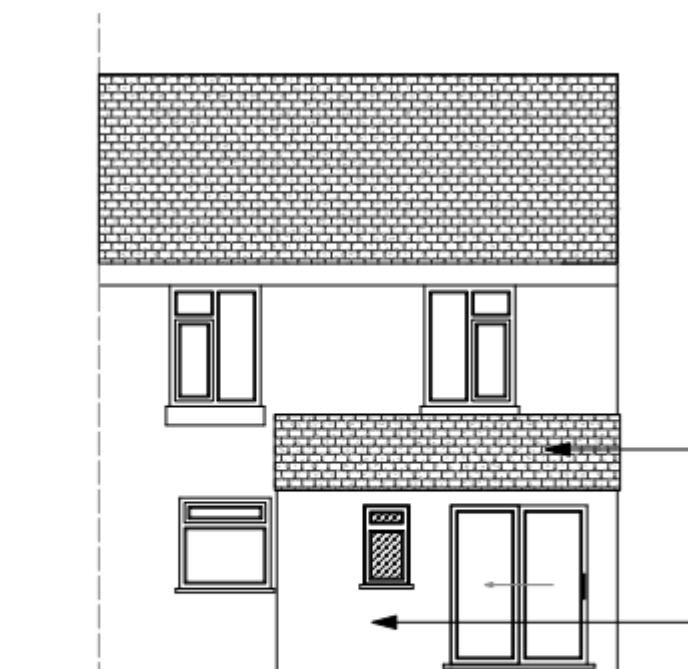
This area is predominantly residential in character

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension to form additional living accommodation.



PROPOSED GROUND FLOOR
SCALE:1:100



PROPOSED REAR ELEVATION
SCALE:1:100

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal: No comments were received as a result of this proposal.

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 H11 – Houses in Multiple Occupation
- o Policy EN1 - Design Principles
- o The National Planning Policy Framework (NPPF)

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

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development 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 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.

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

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. 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. 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 any factors of sufficient weight in amenity terms that would warrant refusal of the application.

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

History

No previous planning applications relating to this site.

Plans considered

Received 30th November 2023 Existing Elevations

Received on 8th November 2023 Existing and Proposed Plans

Received on 11th January 2024 Proposed Elevations

Residential amenity

Permission is sought for the erection of a single storey rear extension to form additional living accommodation. The applicant has confirmed via email received on 4th March 2024 that the property is an existing HMO.

Following demolition of the existing single storey rear extension, the proposed extension would project from the original rear wall measuring 4.0m extending across the rear to a width of 4.5m approximately retaining a gap to the shared boundary with no. 240 Platt Lane. French doors and a window are proposed on the rear elevation with a small window proposed on the side elevation facing no. 240.

The submitted drawings show the room created would comprise a kitchen/lounge area with an additional bedroom occupying the existing lounge/seating area. The proposed extension would result in a significant increase in the floor plate of the property changing from a four bedroom property to a five bedroom property.

Intensification

In terms of the property being in use as a house in multiple occupation, the Councils policies seek prevent the over intensification of HMOs within this area and this includes the enlargement of existing HMOs. It is considered that the increase of bedspace to the ground floor shown on the proposal could facilitate one additional person living in the property leading to associated increase in noise. This would lead to a loss of residential amenity to the occupiers of surrounding properties particularly the adjoining and adjacent occupiers.

The properties within this particular area are made up largely of single family occupancy properties and as a whole, the area is characterised as being a district of Manchester predominantly made up of family dwellings and one which as a result has created a sustainable and stable community.

The City Council considers that an extension of this size if approved would be an increase in the comings and goings at the property which would not only be a disturbance created by residents and visitors within the communal areas of the property but also additional disturbance from noise and activity on the outside the property from the extra movements in and around of the property.

This has greater potential to disturb the amenity of the occupiers of the adjoining properties on Platt Lane.

In general, the City Council considers that an increase in space may give rise to the increase in activity at the property. It is the view of the City Council that the proposal would amount to an intensification of the use of the property, likely to add to noise and disturbance associated with this rise in activity at the site which would have a detrimental impact upon the levels of residential amenity currently being enjoyed by the occupants of surrounding properties, particularly 240 and 246 Platt Lane. Accordingly, the proposal would conflict overall with policies SP1, and DM1 of the Core Strategy and NPPF and would therefore fail to comply with the development plan as a whole.

In terms of residential amenity, it is considered that the proposed development would provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered does not accord with Core Strategy Policy DM1, H11 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is believed to provide a detrimental impact upon the residential amenities of the adjoining property and is therefore considered that the proposal would be out of character with the existing and surrounding properties in the area. The proposal not satisfactory and is considered not to accord with the principles policy DC1 and DM1 of the Core Strategy.

Design

Notwithstanding the visual appearance of the property, whilst the design would be acceptable for a single residential dwelling house, given the existing use, the proposal would go against design principles as set out in policy EN1 having an impact on the specific character of the area and therefore the design of the proposal is considered to be unacceptable..

Disabled access

Not applicable

Refuse Bins

Refuse bin storage details have not been provided by the agent/applicant with regards to this proposal. It was noted during the site visit, that the refuse bins are kept at the front of the property.

Parking

Car parking would be unaffected by the proposal.

Conclusion

It is considered that the proposal would provide a detrimental impact to the occupiers of the surrounding area and if approved would lead to a loss of residential amenity currently enjoyed by neighbours impacting on the character of the area and therefore does not comply with Council saved policies DM1, SP1 and EN1 of the Manchester 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

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 extension to an existing house in multiple occupation would facilitate the increase in occupancy due to the creation of an additional bedroom which would have a detrimental impact on the sustainability and character of an area in which there is a high concentration of houses in multiple occupation and would therefore be contrary to the provisions of policies SP1, H11 and DM1 of the Core Strategy of the Local Development Framework and NPPF.

Appendix 1 – List of consultees & neighbours notified

19 Brockley Avenue, Manchester, M14 7BP
246 Platt Lane, Manchester, M14 7BS
244 Platt Lane, Manchester, M14 7BS
240 Platt Lane, Manchester, M14 7BS
17 Brockley Avenue, Manchester, M14 7BP

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
Area Team Boundary - Name: SOUTH AREA