

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139253/FH/2024
Date registered valid: 14 February 2024
Proposal: Erection of single storey rear extension from an existing lean-to creating additional living space
Address: 36 Wincombe Street, Manchester, M14 7PJ
Ward(s): Moss Side Ward

Applicant: Mr Foyez Ahmed
Agent (if any): Mr Mamoon Khan
Case officer: Jake Walther
Email: jake.walther@manchester.gov.uk

Recommendation: **Refuse**
Date of recommendation: 10/04/2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 01/03/2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 February 2024 Expired: 15 March 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 application relates to a two-storey mid terrace property located on Wincombe Street. The property is an early 20th-century red brick and features a small yard to the rear.



Figure 2. Front view of the property



Figure 1. Proposed extension (In place before Planning application)

Listed building: Not applicable

Conservation area: Not applicable

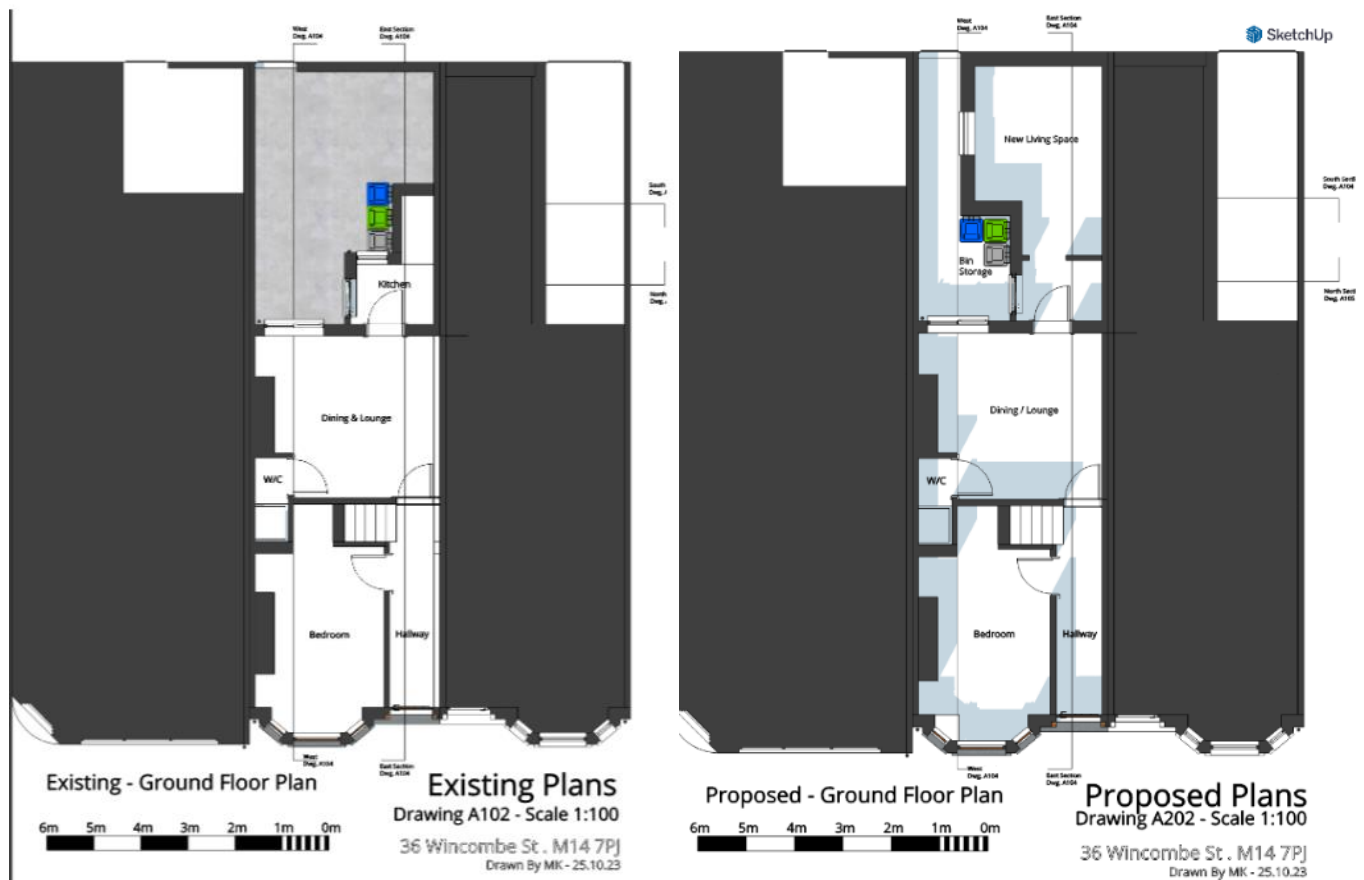
Tree Preservation Order: Not applicable

Description of area

Wincombe Street is a residential street located in the Moss Side Ward of Manchester. The area is predominantly made up of terrace houses with on-street parking. The property is close to Platt Fields Park, and a number of schools including Divine Mercy, Claremont and Heald Place Primary Schools. The site also benefits being in close proximity to the shops and services on Wilmslow Road.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear lean-to style extension to create additional living accommodation. The proposed extension will have a projection of roughly 5.5m from the rear elevation extending to the rear boundary of the property. The new addition will have a sloped roof with 1no. window on the side elevation. The applicant states that the extension is to be finished red painted cement render on the walls, grey concrete roof tiles and white uPVC windows and doors



Consultations & Notification Responses

As per appendix 1 – Neighbouring residents were notified and asked for comments on the proposed application – No comments or objections were made.

Relevant Planning History

ENF/15635/23 – **Enforcement enquiry** – Unauthorised single storey rear extension – 18/09/23

Policy

The following policies are considered relevant in the considerations of this application:

The Manchester Core Strategy Development Plan Document 2012-2027

The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP)

The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

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.

The following policies are relevant:

- S1- Sustainable development
- S2 – Carbon and energy
- S5 – Flood risk and the water environment
- H1 – Scale, distribution and phasing of new housing.

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):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

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 submitted development application is for the erection of a single storey rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

In this instance however, the proposal is considered unacceptable as there are discrepancies in the application form and drawings regarding the materials to be used, and what is currently in place. In addition to this, the proposed painted render is deemed to be an unacceptable finish due to the poor weathering and longevity of the material. It is therefore believed that there are factors of sufficient weight in terms of material finishes that would warrant the refusal of this application.

The proposal is deemed to conflict with saved policy DM1 of the Core Strategy as the materials used are not considered appropriate.

Sitting, scale and massing

The proposed extension would be at the rear of the property replacing the existing outbuilding of a smaller size. The extension would project roughly 5.5 meters and would extend to the rear boundary of the property, the width would extend a maximum of 3.1 meters still allowing for access and bin storage to the side of the addition. The proposal is for a lean-to style roof decreasing on elevation as it extends out from the property.

It is considered that scale and mass of the proposal is satisfactory as it would not result in 'excessively large or bulky' additions to the property. The proposal therefore is considered to accord with the principles for residential extensions set out in the carried forward policies DC1 and DM1 of the UDP and EN1 of the Core Strategy.

Residential Amenity

Given that the proposed extension is for a single storey extension with a lean-to roofline, that will have a maximum height of 3.6 meters and a minimum height of 2.9m, it is considered that the proposal should not cause an undue loss of light for any neighbouring residents nor introduce an overbearing presence into the area.

However, the extension would be visible from the public highway on Parkfield Street and therefore features within the street scene, as such, the poor-quality materials used will have a negative impact on visual amenity and characteristics of the area.

The proposal therefore does not comply with Core Strategy policies DM1 and saved policies DC1 of the Unitary Development Plan.

Design

The proposal for a flat lean-to single storey extension with render painted in clay colour to match the brickwork of the existing structure is considered to be unacceptable in this instance. This is due to the poor longevity performance of this material as it weathers, which is evident in figure 2. With coloured render, through-coloured render should be used instead of painted render to ensure the paint does not fade overtime exposing the poor-quality render beneath.

On balance, it is considered that the design and appearance of the proposed development is deemed to be in conflict with Core Strategy Policies DM1 and SP1, and the design in terms of materials used is considered to be unacceptable.

Waste

Access at the rear of the property has been retained with space for a bin storage area, therefore this proposal is considered acceptable in this regard.

Parking

No change to parking arrangements would occur as a result of the proposal.

Conclusion

For reasons explored above, it is considered that the proposal is unacceptable in terms of design and impact on visual amenity as the poor-quality use of materials are contradictory to policy DM1 of the core strategy which states all developments should have appropriate material finishes. In addition, as the proposal can be seen from the public highway, the poor-quality materials used will have a negative impact on the characteristics and visual amenity of the area, hence the proposal can not be supported by the City Council.

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

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. Significant issues have arisen on this occasion a satisfactory solution was not possible due to the retrospective nature of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1. The proposal, by reason of its introduction of poor-quality material finishes would produce an incongruous design feature, out of keeping with the existing dwellings and alien to the visual amenity and character of the street scene. As such the proposal is contrary to the City Council's Planning Policies SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

33 Wincombe Street, Manchester, M14 7PJ
31 Wincombe Street, Manchester, M14 7PJ
35 Wincombe Street, Manchester, M14 7PJ
33 Camborne Street, Manchester, M14 7PH
38 Wincombe Street, Manchester, M14 7PJ
37 Wincombe Street, Manchester, M14 7PJ
34 Wincombe Street, Manchester, M14 7PJ
37 Camborne Street, Manchester, M14 7PH
35 Camborne Street, Manchester, M14 7PH

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