

Planning**Growth & Development****Delegated officer report for planning application**

Application no. 139277/FO/2024

Date registered valid: 15 February 2024

Proposal: Erection of three storey side extension to create two additional two bedroom flats

Address: 22 Egerton Road, Manchester, M14 6YB

Ward(s): Withington Ward

Applicant: Walker VSHF - Manchester

Agent (if any): Mr Mark Abell Mark Architecture Ltd.

Case officer: Ellie Knowles
Tel: 0161 219 6633
Email: ellie.knowles@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 11 April 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 1 March 2024

Standard consultations:

Printed: 27 February 2024 Expired: 19 March 2024

Neighbour notifications

Printed: 27 February 2024 Expired: 19 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

This application relates to a detached double fronted Victorian villa, two storeys over a raised basement. The property features double storey bay windows to the principal elevation. Vehicle access is taken from Egerton Road to the rear of the site, which comprises a tarmacked car parking area for 6 cars.



The application property has been previously subdivided into 7 self-contained apartments across four floor levels and extended to the rear under planning application ref: 064666/FO/SOUTH1/02.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The surrounding area is predominantly residential, comprising a variety of property types including purpose-built flats, detached and semi-detached dwellings. It is noted that many of the larger properties in the vicinity of the application site have been converted into flats or Houses in Multiple Occupation or sub-divided into apartments.

Description of development

Planning consent is sought to extend the main property to the side via a three storey extension with carport feature at ground floor level. The proposal would create 2 additional self-contained apartments, totalling 9 apartments on site.

The proposed side extension would measure 6.65m width x 9.3m depth and be set back from the principal elevation by 420mm. The extension would accommodate a gable roof form with pitch to match the existing dwelling, set down by approx.130mm. Four brickwork columns would support the side extension creating an undercroft/ carport at ground floor level.

Fenestration is proposed in the front, side and rear elevations of the extension, in addition to three rooflights to front. Matching materials are proposed.

Consultations & Notification Responses

Ward Members

Councillors Chris Wills & Becky Chambers have written in objection to the proposal.

Local residents

3 Letters of representation have been received which raise the following objections:

- Overintensification – poor existing building maintenance and waste management
- Large existing number of HMOs and flats in area negatively impact community balance
- Tree reduction in favour of car parking
- Existing parking issues on site
- Associated studentification impacts in local area (poor refuse management, rubbish and noise)
- Loss of outdoor amenity space for occupants

These are material planning considerations that will be addressed in the report.

- Unreasonable noise interference with the construction phase
- Foundations may impact local flooding

See other matters.

Consultation responses

Highway services – Concern raised over parking provision less than number of proposed units, as well as absence of cycle parking provision and waste management details.

Environmental Health – No objection subject to conditions relating to construction hours and waste management.

Neighbourhood Team Leader (Arboriculture) – Submitted plans do not demonstrate trees on site. Revised plans requested.

Withington Civic Society – The society strongly opposes this application.

The proposed extension is a huge addition to a large house which already contains 7 two bedroomed flats. Whilst we understand that the building is not being used as a HMO, it is worth noting that the area is the subject of an Article 4 Direction, and contains a large number of HMOs as well as flats with all the problems associated with such accommodation.

According to the Official Census Map 2021, the relevant property falls within area E00026898 of the map where it is stated that the number of full-time students is 56.1%. A small percentage may be school students still living at home, but the vast majority are students living in the community. This creates a serious imbalance and is seriously damaging to the well-being of the permanent (but diminishing) community.

The Core Strategy Development Plan Document at paragraph 9.46 is highly relevant and states:

“The Student Strategy found that the problems caused by shared houses appear to be more noticeable (and raise more concerns) to residents where they occur in previously relatively stable neighbourhoods and identifies these areas as those with between 20-40% student households. The strategy examines whether a ‘tipping point’ can be identified for the point where the proportion of shared houses (in this case student households) becomes damaging to a street or neighbourhood and concludes that once a 20% threshold is reached problems become harder to manage, but considers that a tipping point would be difficult to set universally across Manchester due to varying capacities of neighbourhoods to accommodate this type of housing, based on house type and demography. During the preparation of the Core Strategy, and particularly through consultation with local stakeholders, the Council concluded that a 10% threshold would be more appropriate.....”

Unfortunately, one only has to walk down this road to see what an awful state it's in. It is noteworthy that the applicant makes no proposals for waste disposal. Yet the whole area suffers from a serious and appalling litter and waste problem.

Likewise, there would be no additional parking provision despite the already existing parking issues in the road.

In the event that the application is granted, we would request that - in order to protect the amenity and living conditions of the adjacent and surrounding residential properties from increased activity not connected with that of a single residential family home in accordance with policies SP1 and DM1 of the Core Strategy - it is accompanied by conditions that the house is to be used as a Class C3a single residential dwellinghouse only and not a house in multiple occupation.

Accordingly, Withington Civic Society strongly opposes the application.

Cadent Gas - No objections, subject to informative provided.

Relevant Planning History

At the application site –

064666/FO/SOUTH1/02 – Change of use from house in multiple occupation into 7 self-contained flats, and erection of one 3 storey and one two storey rear extension with car park in rear gardens. Approved 22.05.2002. – *Implemented*.

062318/00/SOUTH1/01 – Erection of a 3-storey block of 12 self-contained flats with associated landscaping and car parking following demolition of existing building. Refused 18.09.2001.

034745 – Conversion of a dwellinghouse to form three self-contained apartments and erection of glazed vestibule. Approved 19.04.1990.

At 3 Egerton Road –

111714/JO/2016/S1 – Variation of condition 2 attached to planning permission 110904/FO/2015/S1 to address discrepancies between floor plans and elevations in respect of the position of windows. Approved 04.05.2016.

110904/FO/2015/S1 – Conversion of existing building to form 8 no. two-bedroom flats (Class C3), including erection of four-storey rear extension and rear roof dormers with Juliet balconies, and addition of pitched roof extension with dormers to existing coach house to facilitate its re-use as a single dwelling house (Class C3) together with parking, landscaping and boundary treatments. Approved at Plans Committee 03.03.2016. *Implemented*.

109299/FO/2015/S1 – Change of use of dwelling to form 9 apartments including the erection of four storey side and three storey rear extensions and full width dormer to rear extension and alterations to the elevations, provision of light wells. Conversion of coach house to form single dwelling house with second floor extension, roof terrace, balconies, external stairs and elevational alterations with associated landscaping and car parking. Refused 30.09.2015.

107953/FO/2015/S1 – Change of use of dwelling to form 11 self-contained flats including the erection of part three, part four storey side and rear extensions, two dormer windows to front elevation with associated car parking and landscaping. Refused 30.04.2015.

At 14 Egerton Road –

067035/FO/SOUTH1/03 – Conversion and extension of house previously in multiple occupation to 4 self-contained flats involving 4 storey side and rear extension and additional car parking. Approved 12.03.2003.

At 16 Egerton Road –

087187/FO/2008/S1 – Erection of 3 storey rear extension to form additional living accommodation, construction of a new roof together with car parking and a landscaping scheme. Approved 32.20.2008.

History of negotiations

The planning officer requested via email (19/03/24) that all trees within the site are shown on revised plans, for completeness. No response was received from the agent, nevertheless, the agent was notified on 04/04/24 via phone call and email that the scheme could not be supported even in the event of significant revisions (withdrawal of the scheme was offered). This is due to significant concerns relating to visual amenity, overdevelopment and overintensification of the host property.

The Development Plan

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.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,
- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

Policy H1 - seeks to ensure that new residential development contributes to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Policy H11 - states that proposals for conversion of properties to flats would be permitted only where the accommodation is of a high standard and where it will not materially harm the character of the area, having particular regards to Policy DM1.

Policy DM1 (Development Management) - This policy seeks to protect the amenity of an area from the adverse impacts of development; in particular the impact of the proposed development on amenity, vehicle access and car parking.

The relevant saved **UDP** policies for this application are:

Saved UDP Policies DC1.1 to DC1.6 – these set out the guidance on residential extensions, including domestic houses, flats, HMOs, nursing homes and hotels. The policies set out the criteria for assessing such extensions including the general character of the property, impact on the amenity of neighbouring occupiers and the appearance in the street scene. In particular Policy DC1.2 states that extensions to residential properties will not be allowed if they are excessively large or bulky and result in structures which are not subservient to the original house, or which create undue loss of sunlight, daylight or privacy.

Saved UDP Policies DC5.1 to DC5.4 – These set out the criteria to be considered in determining applications for flat conversions, including the standard of accommodation, effects on adjoining properties, the adequacy of car parking, effects on the character of the neighbourhood, the provision of adequate outdoor amenity space, and the provision of adequate refuse storage and collection facilities.

The relevant supplementary planning guidance documents for this application are:
The Guide to Development in Manchester SPD 2007
Manchester Residential Quality Guidance March 2017

National Planning Policy Framework

The NPPF (Dec 2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal:

- Section 4 – Decision-making
- Section 12 – Achieving well-designed places

Issues

Principle of development:

The proposal seeks to extend the main property to the side via a three storey extension with carport feature at ground floor level, to create 2 additional self-contained apartments, totalling 9 apartments on site. Whilst the principle of improving accommodation is generally acceptable, the application proposal raises significant issues of intensification and visual amenity impacts.

This part of Withington contains many larger properties which have been converted into shared houses and flats, putting additional pressures on the infrastructure and the amenity of existing residents. It is recognised that this area is attractive to a transient population, given its proximity and sustainable location with respect to the Universities. This in turn challenges the Council initiative of trying to achieve balanced communities. On this basis, the proposal is considered to conflict with saved policies DC1 and DC5 of the UDP, policies SP1, H11 and DM1 of the Core Strategy and the National Planning Policy Framework (NPPF). There are no material considerations to indicate otherwise.

Others matters which also require consideration is whether the amount of development proposed is acceptable along with the standard of accommodation. In addition, matters of car parking, external amenity space and impact on surrounding residential amenity and those that will occupy the development. Finally, the siting, scale and appearance of the proposed extension will be considered along with any associated impacts.

The principal issues are outlined further below.

Impact on visual amenity and the streetscene:

The proposed three storey extension would project 6.65m to the side and run 9.3m in length, being setback marginally from the principle elevation and down from the original ridge. The extension would be sited over the existing side vehicular access and grassed verge, featuring a carport at ground floor level to maintain connectivity from the highway (Egerton Road) to the existing rear resident's carpark.

Given the proposed scale and siting, the proposed extension would erode the existing space to the side of the dwelling, which is considered to the detriment of the character of the area. Furthermore, the overall size of the extension is considered to pose an overdominant addition, which fails to sympathise and significantly detracts from the attractive double fronted form of the original period property. Fenestration proposed in the front elevation is not aligned with the host property, further exacerbating design concerns. As such, the proposed addition is considered out of keeping with the character and appearance of the host property and would have an adverse impact upon the street scene, wholly contrary to saved UDP policy DC1 and Core Strategy policies DM1 and H11.

The submitted DAS makes reference to nos. 14 and 16 Egerton Road (see aforementioned planning history section). An assessment of the planning history shows that these developments were approved against now obsolete planning policy which has now been replaced, as such, the LPA does not consider these to carry weight. Furthermore, it is noted that no.16 comprises development localised entirely to the rear, which is considered materially different to the proposal and therefore not comparable. Whilst it is acknowledged that no.14 features an extension similar to that proposed, a large side extension with carport, this singular example is not considered to have changed the prevailing character of the area. In addition, this historic example is considered to demonstrate development of poor architectural merit, featuring an over dominant and unsympathetic addition, which highlights the adverse impacts of this nature of development upon the character of the original property and immediate streetscene.

Saved UPD Policy 5.1(d) states flat conversions should “avoid the loss of front gardens and the retention of existing trees and shrubs”. Whilst it is acknowledged that the flat conversion has previously taken place, this application proposes the expansion and intensification of this converted property, as such this policy is still considered applicable. As noted on site, trees are located to the site frontage and within the grassed verge area to the rear of the property. The submitted plans fail to show the presence of existing trees, revised plans were requested showing these, although no response was received from the agent. In the absence of these details, a full assessment against this policy could not be ascertained.

On this basis, the proposed side extension is considered to have a detrimental impact upon the character of the host property and street scene, contrary to the aforementioned policy and guidance.

Impact on residential amenity:

Policies DM1 and SP1 of the Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the well-being of residents. Saved policy DC5 of the UDP which specially relates to flat conversions, requires consideration be given the effect on neighbouring occupiers, as well as the adequacy of amenity space, parking, access and waste management arrangements.

The application property is currently subdivided into 7 self-contained apartments, granted under planning ref: 064666/FO/SOUTH1/02. The majority of the former rear garden has already been lost to development, not built in accordance with the 2002 permission, leaving only small token areas of outdoor space around the premises and 6 car parking spaces. The proposed development would introduce two additional (2-bed) flats, totalling 9 units on site, adding to the number of persons that could occupy the site by potentially 8. It is therefore considered that this additional activity associated with the intensification of the use, would have a negative impact on the amenity levels currently enjoyed by the residents of the development and wider area. The additional comings and goings associated with the creation of 2 additional units on this

constrained site would have the potential to cause disturbance to nearby occupiers. The LPA also have concerns regarding the limited existing provision of external amenity space and parking afforded to current residents, given that the application site cannot accommodate any increased levels of parking and outdoor amenity space needed to meet the requirements of two additional units, as such the proposal is considered to constitute overdevelopment of the site. Therefore, it is of the view of the LPA that this application property has been previously developed to its full capacity.

Notwithstanding this, public representations have raised concern in terms of existing problems present at the application property and highlighted the potential that they may be exacerbated as a result of the proposed intensification of the site. These include poor waste management, insufficient parking provision, rubbish accumulation and noise disturbances. Whilst the City Council has no control over who can occupy a property, it can help prevent properties from being over intensively used, by restricting the creation of certain types of accommodation. Flat accommodation of the type proposed is also usually limited to adults and as the application site is situated within an area where student accommodation, flat conversions and HMOs are prevalent, this would in turn increase the likelihood of activity of individuals extending later into the evenings. In this instance, it is acknowledged that the creation of two additional units would create increased activity and exhaust pressures upon the existing facilities on site.

No waste management details have been submitted for this proposal, though they could be secured by condition.

On this basis, the proposed extension is considered to have a harmful impact to the living conditions of current and future occupiers, as well as neighbouring residents, contrary to the aforementioned policy and guidance.

Highway safety:

MCC highways were consulted on this application and raise concerns regarding the provision of 6 off-street parking spaces, in relation to 9 self-contained units proposed. The engineer notes that the current provision does not meet the general requirement of one space per unit (which should be 7). Therefore, any increase in development, may contribute to the level of vehicles parked on-street.

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. No information has been provided on the current cycle parking at the property, although this can be secured via planning condition.

No information has been provided on the location of refuse bins at the site, although details and management schemes can be secured via planning condition.

Other matters:

Concern has been raised in local responses regarding disruptions caused during the construction phase. The LPA duly note these concerns. This application would constitute a minor development which would not require a Construction Management Plan (CMP), notwithstanding this, construction working hours are controlled by separate Environmental Health legislation.

Concern has been raised in local responses regarding potential impacts upon flooding in the local area. In this instance the application site does not fall within a Flood Zone, therefore a drainage strategy is not required, nor is a Flood Risk Management consultation triggered.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The application has been determined in accordance with the guidance contained within policy SP1, H11 and DM1 of the Manchester Core Strategy (July 2012), saved policies DC1.1-DC1.6 and DC5.1-5.4 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework and all other material considerations; however, in this instance, a solution that was satisfactory to both the Local Planning Authority and the agent could not be reached as the nature of the proposal was considered to be unacceptable in principle.

Reasons for recommendation to refuse

- 1) The creation of 2 additional self-contained flats, resulting in nine flats in total, at 22 Egerton Road, constitutes an over intensive use of the property by reason of the additional activity associated with increased "comings and goings", due to the increased

level of domestic activity taking place at the property, increased refuse requirements along with increased pressure on amenity space and car parking (particularly on site). These issues will cause unnecessary harm to the residential amenity of the current and future occupants of the building and the adjacent neighbouring residents. This is contrary to the provisions of policy SP1, H11 and DM1 of the Manchester Core Strategy (July 2012), saved policies DC1.1-DC1.6 and DC5.1-5.4 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

- 2) The proposed three storey side extension by reason of its siting, scale, massing and design would form an over-dominant and incongruous feature that would unbalance and be out of character with the existing building, to the detriment of the visual amenity of the area, contrary to Policies SP1, DM1 of the Core Strategy and saved policies DC1.1-DC1.6 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Withington Civic Society

Flat 4, 17 Brook Road, Manchester, M14 6UE
Flat 3, 17 Brook Road, Manchester, M14 6UE
Flat 1, 17 Brook Road, Manchester, M14 6UE
Flat 3, 15 Brook Road, Manchester, M14 6UE
Flat 6, 22 Egerton Road, Manchester, M14 6YB
Flat 4, 22 Egerton Road, Manchester, M14 6YB
Flat 2, 15 Brook Road, Manchester, M14 6UE
Flat 4, 18 Egerton Road, Manchester, M14 6YB
Flat 1, 18 Egerton Road, Manchester, M14 6YB
19 Egerton Road, Manchester, M14 6YD
Flat 5, Mowat Court, 19 Brook Road, Manchester, M14 6UE
Flat 2, Mowat Court, 19 Brook Road, Manchester, M14 6UE
Flat 1, 22 Egerton Road, Manchester, M14 6YB
Flat 7, 22 Egerton Road, Manchester, M14 6YB
Flat 5, 22 Egerton Road, Manchester, M14 6YB
Flat 3, 22 Egerton Road, Manchester, M14 6YB
Flat 2, 22 Egerton Road, Manchester, M14 6YB
7 Raveley Avenue, Manchester, M14 6WA
Flat 3, 18 Egerton Road, Manchester, M14 6YB
Flat 2, 18 Egerton Road, Manchester, M14 6YB
Flat 2, 17 Brook Road, Manchester, M14 6UE
Flat 1, 15 Brook Road, Manchester, M14 6UE
8 Raveley Avenue, Manchester, M14 6WA
27 Egerton Road, Manchester, M14 6YQ
25 Egerton Road, Manchester, M14 6YQ
Flat 6, Mowat Court, 19 Brook Road, Manchester, M14 6UE
Flat 4, Mowat Court, 19 Brook Road, Manchester, M14 6UE
Flat 3, Mowat Court, 19 Brook Road, Manchester, M14 6UE
Flat 1, Mowat Court, 19 Brook Road, Manchester, M14 6UE
21 Egerton Road, Manchester, M14 6YD
20 Egerton Road, Manchester, M14 6YB
17 Egerton Road, Manchester, M14 6YD
23 Egerton Road, Manchester, M14 6YD

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Wilmslow Road/Egerton Road)
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA