



## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 138046/FH/2023

**Date registered valid:** 11 October 2023

**Proposal:** Erection of a part single/part two storey side extension to form additional living accommodation following demolition of existing extension

**Address:** 55 Beverly Road, Manchester, M14 6TH

**Ward(s):** Withington Ward

**Applicant:** Mr Adeel Mirza

**Agent (if any):** Mr M Hamza

**Case officer:** Joshua Lee

Tel: 0161 219 2851

Email: [joshua.lee@manchester.gov.uk](mailto:joshua.lee@manchester.gov.uk)

**Recommendation:** Refuse

**Date of recommendation:** 23/02/2024

## Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 02/11/2023

### Standard consultations:

Printed: 16 October 2023 Expired: 6 November 2023

### Neighbour notifications

Printed: 16 October 2023 Expired: 6 November 2023

### 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 proposal relates to a semi-detached property on Beverly Road. The property features an existing side and rear ground floor extension including a vehicle garage. The property features hardstanding to the front (for off-street vehicle parking), and landscaping to the rear.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

Description of area

The property is located in the Withington ward of Manchester.



## **Description of development**

The applicant is proposing the erection of a part single/part two storey side extension to form additional living accommodation following demolition of existing extension.

### *Ground floor side extension*

The proposed ground floor side extension projects 2830mm from the existing main side elevation to meet the boundary. The proposed ground floor side extension would run the full 9869mm span of the existing dwelling and proposed rear extension.

### *First floor side extension*

The proposed first floor side extension projects the same 2830mm as the ground extension but only spans the 7850mm to meet the existing elevation of the rear of the property. The side extension has a marginal set back to the front. The roof line is hipped into the main roof with the ridge height slightly lower than the main roof. The side extension adds glazing to the front elevation.

### *Rear extension*

The rear extension projects 2000mm from the main rear elevation of the property and spans the full width of the main dwelling and proposed side extension leaving a small gap to the shared boundary with No 57. The extension features a sloping roof with 2 no rooflights and new glazing and access to the rear.

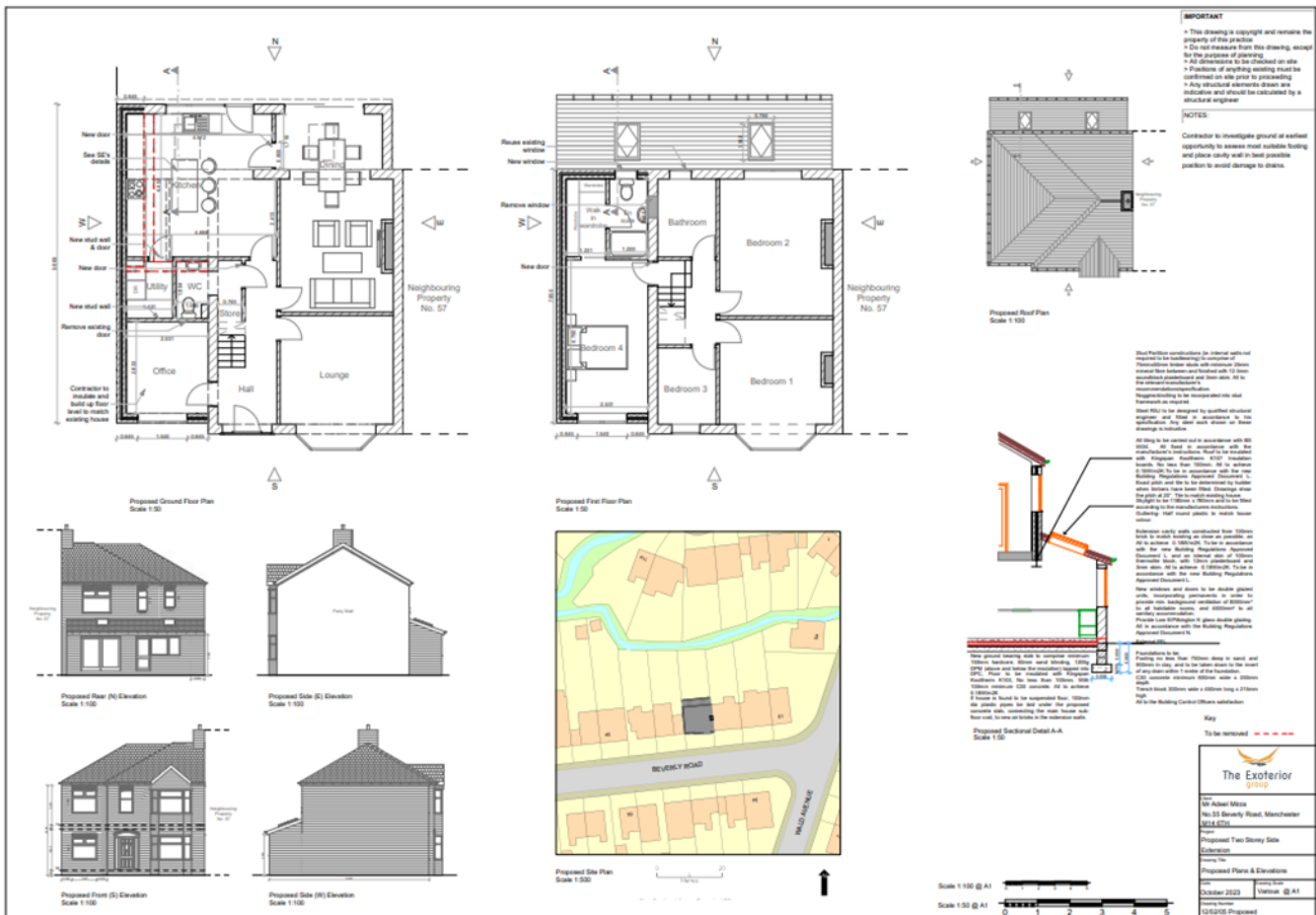


Figure 1. Proposed plans and elevations

## Planning History

There is no planning history at the address.

## Consultations & Notification Responses

### Consultations

#### Manchester City Council Flood Risk Management

Manchester City Council Flood Risk Management were consulted on this application as the property site sits within a Zone 2 Flood risk area.

Flood Risk requested the AOD levels which was provided by the applicant. Manchester Flood Risk team and have no objection the proposal.

## **Notifications**

### *Local Residents*

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

1 no. neighbour commented objecting to the proposal with concerns on

- Design
- Loss pf privacy
- Loss of lights
- Health issues
- Damage to property

It is of note that a concern has been raised on boundary issues which are not considered as part of the planning process and is a civil matter covered by the party wall act.

## **Negotiations**

Issues have arisen in the consultation phase.

At the first floor a setback of 2m to the front elevation is required to negate a terracing effect to the property when viewed from the street scene.

Officers and the applicant tried to negotiate a scheme which would be acceptable to both parties, allowing multiple extensions of time, however the applicant was unable to provide the setback as required.

The application has proceeded on the original plans.

## **Policies & Principle**

### **Summary of relevant policy**

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets the out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:
  - DM 1 - Development Management
  - SP 1 - Spatial Principles
  - EN 1 - Design Principles and Strategic Character Areas
  - EN 14 – Flood Risk
  - EN 19 - Waste
- [Places for Everyone Plan -](#) 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.
- [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 are still considered relevant to this proposal.
  - DC1 - Residential Extensions
  - DC26 - Development and Noise
- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 with the latest version published 05 September 2023. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
  - Section 4 – Decision-making
  - Section 12 – Achieving well-designed places
  - Section 14 - Meeting the challenge of climate change, flooding and coastal change

## **Principle of development**

In general, the principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable if 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, as it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to oppose relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF as assessed in the following sections of this report.

## **The Manchester Core Strategy Development Plan (2012-2027)**

The proposal has been assessed against the following policies of the Core Strategy:

### **DM 1 – Development Management**

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

#### *Appropriate siting, layout, scale, form, massing, materials, and detail*

The applicant is proposing the erection of a part single/part two storey side extension to form additional living accommodation following demolition of existing extension.

The proposed extension matches the architectural style and features of the existing building including window design.

The proposal uses brick and tile to match the materials of the existing property (as stated in the application form). New materials introduced are complementary to the existing colour and texture palette.

The two-storey side extension is not set back by the required 2m at first floor level. As the side extension would sit at the boundary this would create a terracing effect to the street scene.

Furthermore, the two-storey side in line with the existing elevation does not denote any subservience to the original dwelling house.

Overall, it is considered that the proposed development has inappropriate siting, layout, scale, form, massing, materials, and detail and is therefore in opposition with the development management principle.

*Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.*

The effect of terracing and lack of subservience would have a negative effect on the local street scene and overall character of the area (notably semidetached residential properties)

Visual impacts in connection with the proposed development considered to have significant impacts to the character of the area, and therefore the appearance is unacceptable.

Overall, it is considered that the proposed development has a negative impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in opposition with the development management principle.

*Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.*

The proposal adds 2no. window to the front elevation however the effect on privacy is negligible as there are existing windows to the elevation.

The proposal adds glazing on the rear elevation facing into the gardens of properties on Hove Drive however, given the existing boundary treatment together with the gap to the shared boundary, the effect on privacy is minimal.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. It is recognised that demolition and/or construction works are often noisy and obtrusive to the local residential amenity. Contractors are expected to follow best practice to minimise the temporary effect on residents referring to construction guidance on controlling emissions.

The proposal has no effect on road safety and traffic generation and is therefore in accordance with this development management principle.

On balance the proposal has minimal effect on privacy, local light, noise, vibration, air quality, odours, litter, vermin, and birds and is therefore in accordance this development management principle.

*Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.*

The proposal does not alter the existing access to the premises or create an unnecessary barrier to access and egress.

The proposal is therefore in accordance with this development management principle.

*Adequacy of internal accommodation and external amenity space.*

The proposal adds internal accommodation to the property whilst having a minimal impact on the amenity of external space and is therefore in accordance with this development management principle.

*Refuse storage and collection.*

The proposal in of itself has a negligible effect on waste from the site, using existing refuse storage and collection on site. It is recognised that demolition and/or construction works often generate commercial waste. Contractors are expected to follow best practice of waste management.

The proposal is in accordance with this development management principle.

#### *Vehicular access and car parking*

It is noted that the proposal removes a vehicle parking garage however hardstanding to the front of the property maintains off street parking for the property.

The proposal is in accordance with this development management principle.

#### *Effects relating to biodiversity, landscape, archaeological or built heritage*

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

#### *Green Infrastructure including open space, both public and private*

The dwelling benefits from a garden beyond the siting of the proposed development. As such proposal would have a negligible impact on green infrastructure, with an acceptable balance between the proposed development and retention of the existing green space achieved.

The proposal is therefore in accordance with this development management principle.

#### *Flood risk and drainage.*

The proposal sits in Flood Zone 2. Manchester Flood Risk team and have no objection the proposal.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

### **SP 1 - Spatial Principles**

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This proposal is considered to oppose with the principles of this policy.

### **EN 1 – Design Principles and Strategic Character Areas**

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the 'Southern Character Area'.

This proposal is considered to oppose with the principles of this policy.

### **EN 14 – Flood Risk**

This policy outlines the key principles around Flood Risk Management in the city.

Manchester City Council Flood Risk Management were consulted on this application as the property site sits within a Zone 2 Flood risk area.

Flood Risk requested the AOD levels which was provided by the applicant. An informative has been attached.

This proposal is considered to accord with the principles of this policy.

## **EN 19 – Waste**

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

Existing waste management arrangements would be retained.

The proposal is considered to accord with the principles of this policy.

## **Extant Unitary Development Plan (UDP)**

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

## **DC1 - Residential Extensions**

This policy outlines the key issues when considering proposed residential extensions.

In this case, policy DC1.4 is notably relevant.

### **DC1.4**

In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

This proposal is considered to oppose with the principles of this policy.

## Places for Everyone 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'.

You can view the Inspectors' Report on the GMCA's website at [Places For Everyone - Greater Manchester Combined Authority \(greatermanchester-ca.gov.uk\)](https://greatermanchester-ca.gov.uk/places-for-everyone). 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 National Planning Policy Framework (NPPF)**

The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied.

The NPPF has been adhered to and considered at all stages of the application.

### **Section 4 - Decision-making**

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

### **Section 12 - Achieving well-designed places**

Section 12 of the NPPF outlines the need to achieve well-designed places.

### **Section 14 - Meeting the challenge of climate change, flooding and coastal change**

Section 12 outlines how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

This proposal is considered to accord with the principles of these policies.

## **Other Material Considerations**

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)
- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)
- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)
- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manual for Streets \(2007\)](#)
- [National design guide](#) & [National Model Design Code](#) (2021)
- [Outdoor advertisements and signs: a guide for advertisers \(2007\)](#)

Relevant policy and guidance have been considered within policies of the Core Strategy and Extant UDP.

## 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.

## **Conclusion**

The two-storey side extension closely aligned to the existing front elevation will cause an effect of terracing and a lack of subservience. This proposal will cause problems for the people nearby and change the look of the street. The proposal will have a harmful impact. It goes against the Core Strategy, UDP, NPPF policies, and other considerations.

## **Recommendation: Refuse**

### **Article 35 Declaration**

The officers worked with the applicant to find solutions for problems with the planning application. There were problems with the application, so the officer talked to the applicant and others. But they couldn't agree on a solution.

## Reasons for Refusal

### 1. Terracing effect

The two-storey side extension, closely aligned with the existing front elevation and projecting to the shared boundary, has the potential to cause a terracing effect to the street scene and is out of character to the predominantly semi-detached character of the street scene. This effect would create harm to the visual amenity of the area. The proposal is therefore contrary to Policies DM 1, SP 1, and EN 1 of the Core Strategy, Policy DC1 of the Extant UDP and guidance within the National Planning Policy Framework.

### 2. Lack of subservience

The two-storey side extension, closely aligned with the existing front elevation and projecting to the shared boundary, does not show a subservience to the original dwelling creating a property that is out of character to the predominantly semi-detached character of the street scene. This effect would create harm to the visual amenity of the area. The proposal is therefore contrary to Policies DM 1, SP 1, and EN 1 of the Core Strategy, Policy DC1 of the Extant UDP and guidance within the National Planning Policy Framework.

## Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

92 Beverly Road, Manchester, M14 6TH

9 Hove Drive, Manchester, M14 6TF

57 Beverly Road, Manchester, M14 6TH

11 Hove Drive, Manchester, M14 6TF

90 Beverly Road, Manchester, M14 6TH

88 Beverly Road, Manchester, M14 6TH

53 Beverly Road, Manchester, M14 6TH

## 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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA