

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138975/FH/2024
Date registered valid: 8 February 2024
Proposal: Erection of a two storey side extension and part two storey/single storey rear extension
Address: 245 Manley Road, Manchester, M21 0RE
Ward(s): Chorlton Ward

Applicant: Mr John Heenan, Morville Properties Limited
Agent (if any): Mr Nigel Baxter
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: REFUSE
Date of recommendation: 3rd April 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 March 2024

Standard consultations:

Printed: 13 February 2024 Expired: 5 March 2024

Neighbour notifications

Printed: 13 February 2024 Expired: 5 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 site/building relates to a two storey end semi detached property located at the junction of Manley Road and Abbotsford Road in the Chorlton ward area of Manchester. The site features a single storey rear outrigger with gardens to the front, side and rear with small outbuilding in the rear garden.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature.

Description of development

The applicant is seeking planning permission for the erection of a two storey side and part two, part single storey rear extension



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments or representations have been received in respect of this application.

Flood Risk Management – Should the application be approved, attached informative as follows

As per the FRA, the proposed site is within Flood Zone 2, floor levels should be set no lower than existing floor levels of the existing property.

The site is within Flood Zone 2. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

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 EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

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 accords with the principles of this policy document.

The City 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.

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

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

Plans considered as part of this scheme

Received on 9th January 2024 numbered NMB/MR/001 Existing and Proposed Plans and Elevations

History

There are no previous planning applications relating to this site.

Residential Amenity

The property is a semi detached dwellinghouse located on the north side of Manley Road. This particular property features a single storey rear outrigger.

The applicant is seeking planning permission for the erection of a two storey side and part two, part single storey rear extension. There were raised concerns by the City Council in relation to the proposal's impact within the street scene; these concerns were raised with the agent, however, no response has been received.

Side/rear Ground floor

The extension would be in line with the front wall of the property extending towards the side boundary measuring 3.30m retaining a small gap of approximately 1.0m to the site boundary. The proposal would extend along the side measuring 10.354m with a projection beyond the rear wall of 2.295m wrapping around the property and up to the shared boundary with the adjoining semi detached no. 247 Manley Road.

A window is proposed on the front elevation with two sets of bi folding doors proposed along the rear elevation. The roof on the rear would be a mono pitch sloping roof with the insertion of two roof lights. No windows are proposed along the side elevation.

Side/rear first floor

The first floor element of the proposal would be in line with the existing front wall of the property extending towards the side boundary measuring 3.30m retaining a gap of approximately 1.0m approximately to the site boundary with back of footpath. The proposal would extend rear wards with a projection beyond the rear wall measuring 2.295m with a width of 3.6m. The roof would be in line with the existing ridge height at the front with a lower ridge to the rear element of the proposal and would be hipped to reflect the current roof style of the property. Windows are proposed on the front and rear elevation; no windows are proposed along the side elevation.

The proposed two storey side extension would largely cover the bulk of the side open area of the site extending along the Abbotsford Road elevation with a part single part storey projection along the rear. The proposal would be within close proximity to back of pavement and given the height together with the projection along the side is considered would provide an overbearing and unacceptable development within this location.

The City Council is of the view that the end properties on all four corners of Manley Road/Abbotsford Road, provide some degree of uniformity on the approach to Abbotsford road or Manley road which does not interrupt the balance between the end properties at either sides. It is therefore considered that the extension is unacceptable within the surrounding environmental context and is believed to provide an unacceptable visual appearance within the street scene which would impact upon the residential amenities of surrounding properties.

Overall, it is considered that the proposal would result in an undesirable and dominant feature within the street scene which would lead to visual harm and would be out of character with the existing property and other properties in the area leading to a loss of residential amenity contrary to saved policy DC1 of the Unitary Development Plan (1995) and the Core Strategy Policies DM1 and SP1

Scale and Massing

It is considered that the proposal would read as excessively large and bulky to the surrounding properties in the area and would therefore be contrary to saved policies DC1 of the Unitary Development Plan and policies SP1 and DM1 of the Core Strategy.

Design

Given the proposals prominent location it is considered that the proposal has not been sited and designed appropriate to the character of the area. The design of the extension has not 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 unacceptable.

Therefore, the proposal does not accord with the principles for residential extensions set out in saved UDP policy DC1 and Core Strategy Policies DM1, SP1 and EN1.

Waste management

Bin storage is not affected by this proposal as there is adequate space along the side for the movement of refuse bins. Therefore, bin storage complies with policy DM1 of the Manchester Core Strategy.

Parking

Off street car parking would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Conclusion

For these reasons, it is considered that the extension would have an unacceptable appearance as the resultant house would have a bulky appearance with an overbearing massing and scale to the detriment of neighbouring occupier. In light of this, the proposed extension is considered to be unacceptable in terms of their appearance and would be detrimental to visual and residential amenity within the area contrary to saved policies DC1.1, DC1.2, DC1.4 and policies DM1 and SP1 of the 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

Positive and proactive working. 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 proposed two storey side extension, by reason of its siting and footprint, would be positioned in a prominent location which would result in an overbearing unacceptable development located within close proximity to back of footpath, particularly on entering and leaving Manley Road. It is considered that this would as a consequence cause a harmful loss of residential amenity to occupiers of surrounding properties and harmful to the character of the area. The proposal is therefore contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policy DM1 of the Core Strategy for Manchester and National Planning Policy Framework.

2) The proposed two storey side extension would, by reason of its position on the side garden of the application site close to back of footpath would create a visually incongruent development that would be detrimental to the layout of the street and the character of the area contrary to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Core Strategy for Manchester and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

266 Manley Road, Manchester, M21 0RF
243 Manley Road, Manchester, M21 0RB
11 Abbotsford Road, Manchester, M21 0RJ
264 Manley Road, Manchester, M21 0RD
268 Manley Road, Manchester, M21 0RF
247 Manley Road, Manchester, M21 0RE
8 Abbotsford Road, Manchester, M21 0RJ

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