MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139050/FH/2024
Date registered valid:	19 January 2024
Proposal:	Erecion of a single storey rear extension to provide additional living accommodation
Address:	4 Wellington Road, Manchester, M14 6EQ
Ward(s):	Fallowfield Ward
Applicant:	James Henry Studentshack Limited
Agent (if any):	Stephen Lamb
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**11 March 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 February 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 23 January 2024 Expired: 13 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a red concrete tile hipped roof. The property features white uPVC windows, including a two-storey bay to the front, with a gable end roof form, and a ground floor bay to the rear, a modest front garden bordered by a mid-level redbrick wall, a tarmac driveway, a single storey rear outrigger, and a modest rear garden.



Figure 1. Principal elevation.



Figure 2. Rear elevation.



Figure 3. Rear elevation.



Figure 4. Shared boundary with No.2 Wellington Road (with unauthorised rear extension visible).



Figure 5. Shared boundary with No.2 Wellington Road (with unauthorised rear extension visible).



Figure 6. Existing single storey rear outrigger and shared boundary with No.6 Wellington Road.



Figure 7. View along side of property.



Figure 8. Rear amenity space.



Figure 9. Rear amenity space.

Description of area

Wellington Road is a residential street situated within the Fallowfield ward of Manchester, close to Wilbraham Road (A6010), Wellington Road Allotments, and Platt Fields Park. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

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

Relevant planning history

No.2 Wellington Road (adjoining property)

F02362 - Kitchen extension rear of house – **PERMITTED DEVELOPMENT** (06.03.1975).

ENF/15582/23 - Deemed application following ground (a) appeal against Enforcement Notice served under reference ENF/15582/23 for the erection of a single storey rear extension (appeal ref APP/B4215/C/23/3331153) – **PCO**

No.4 Wellington Road (application property)

138721/FH/2023 - Erection of single storey rear extension to provide additional living accommodation – **REFUSED** (18.01.2024).

Consultations & Notification Responses

Three letters of objection were received from three local residents in response to this application. Their concerns are summarised as follows:

- The proposal, by virtue of its excessive scale, would represent an unduly dominant addition to the application property.
- The proposal would fail to respect the scale and character of the surrounding residential properties and would therefore be out-of-keeping.
- The proposal would cause undue harm to the residential amenity of neighbouring occupiers, in terms of loss of outlook.
- The proposal should not be approved on the basis of similar objections to the extension erected at No.2 Wellington Road, which is of similar size and is subject to an enforcement notice.
- The proposal may potentially be used as a House in Multiple Occupation (HMO). This would reduce the availability of family dwellinghouses in this area as well as contributing to anti-social behaviour issues and on-street parking pressures and traffic congestion.

One letter of objection was received from Fallowfield Community Guardians in response to this application. Their concerns are summarised as follows:

- The design, scale, and siting would have a detrimental impact upon the living conditions and outlook from neighbouring properties.
- The extension would be incongruous and overly dominant.
- The introduction of such a large, highly visible, flat roof extension would have a detrimental effect upon the street scene and would be out-of-keeping with the character and appearance of the surrounding area.
- The extension would be contrary to policies SP1 and DM1 of the Core Strategy, saved policy DC1 of the UDP, and the NPPF.

Policies

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

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

Guide to Development in Manchester – Supplementary Planning Document and Planning Guidance, adopted April 2007:
- Chapter 7 – Housing Density and Mix

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.



Figure 10. Submitted location plan and site plan.

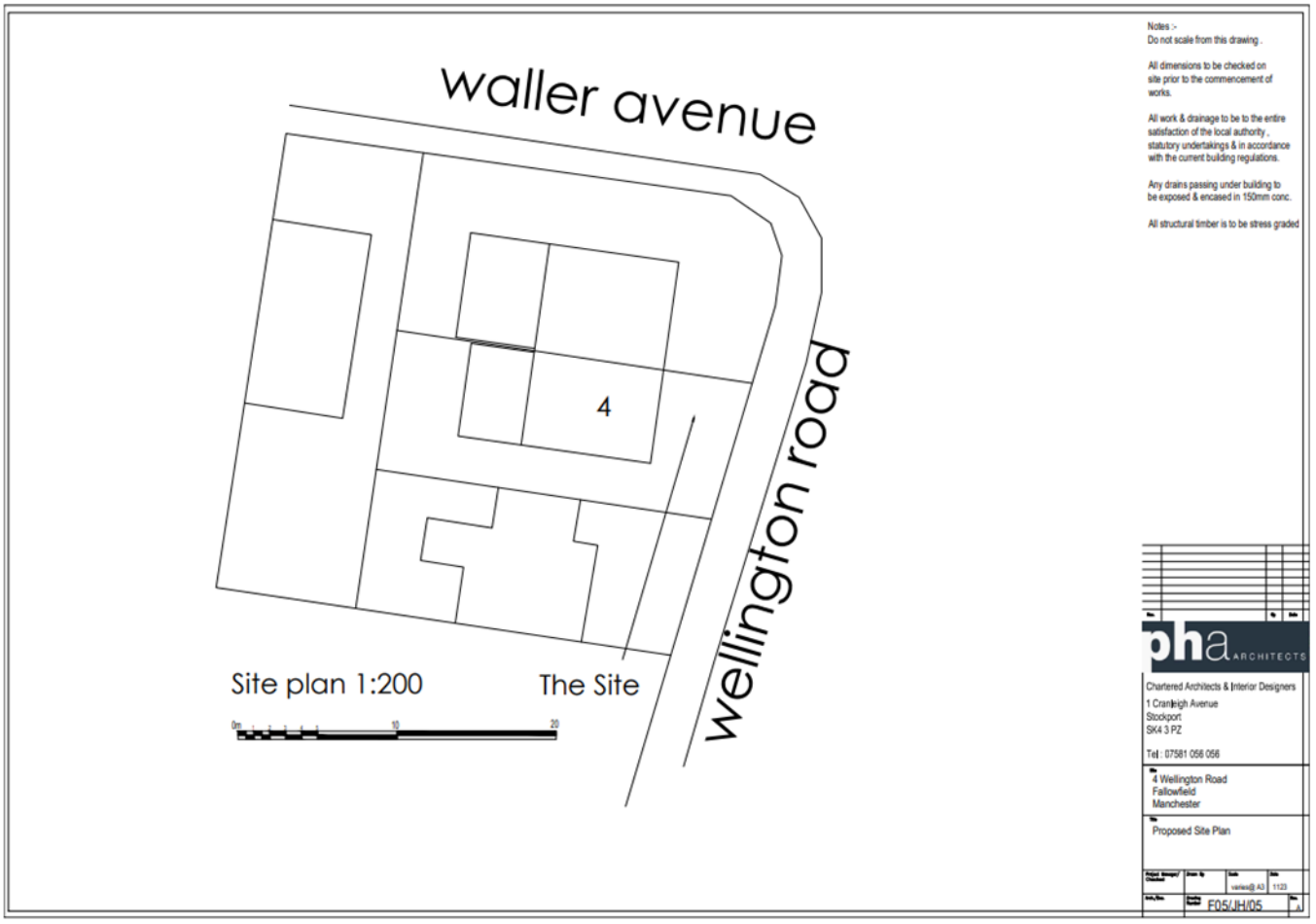


Figure 11. Submitted proposed site plan.

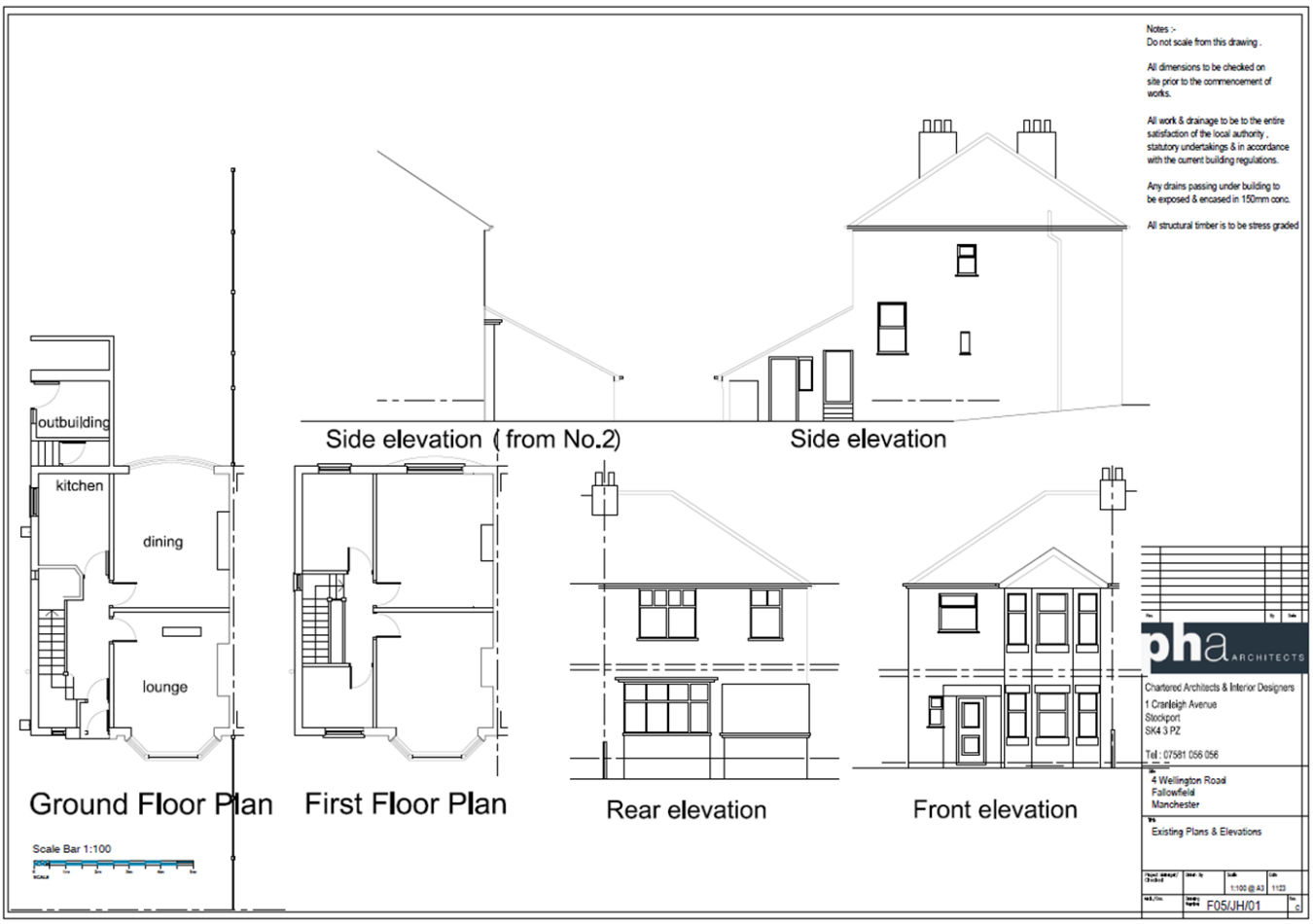


Figure 12. Submitted existing plans and elevations.

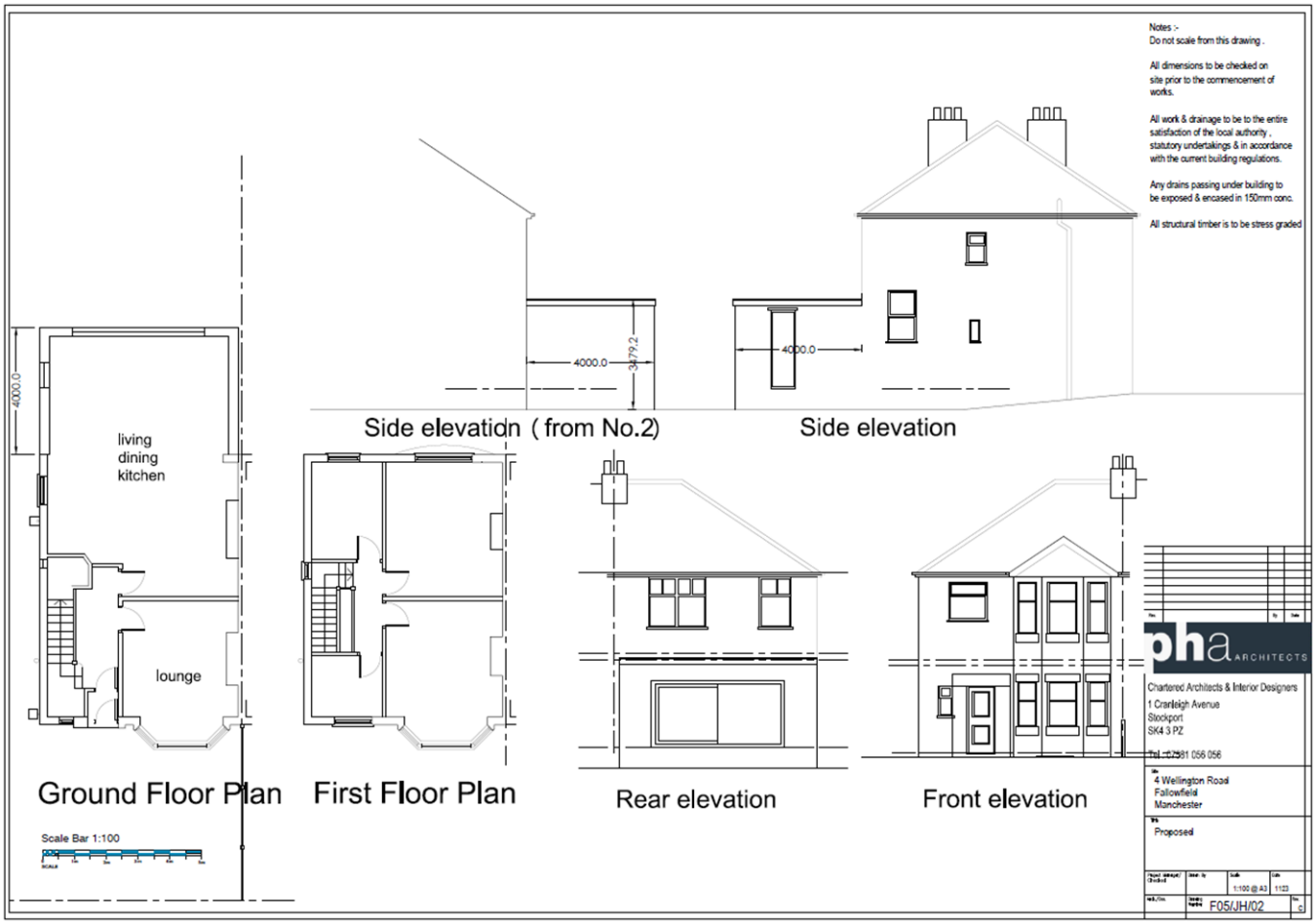


Figure 13. Submitted proposed plans and elevations.

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 principle of allowing residents to extend and develop their homes to provide enlarged or improved living accommodation is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property or upon the visual and residential amenity of neighbouring occupiers.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of amenity that would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy, and chapter 12 of the NPPF.

Siting, scale, and massing – the single storey extension would be sited at the back of the property, facing west, replacing the existing single storey rear outrigger (which measures to approximately 4.08m in length / depth, 2.618m in width, with a mono pitch roof height of 3.619m and an eaves height of 1.25m. The existing outrigger maintains a gap of 3.744m to the boundary shared with No.2 Wellington Road and a gap of 0.886m to the boundary shared with No.6 Wellington Road).

The proposed extension would project 4m rearwards from the host dwellinghouse with a width of 6.239m, and a flat roof height of 3.4792m. A gap of 0.122m would be maintained to the boundary shared with No.2 Wellington Road and a gap of 0.886m would be maintained to the boundary shared with No.6 Wellington Road.

In terms of its impact, the proposal must be assessed on the basis that the single storey rear extension present at No.2 Wellington Road (*see figures 14 and 15*) does not exist as this development represents an unauthorised addition to the adjoining property and is subject to an active enforcement case under ENF/15582/23. Prior to the erection of the aforementioned unauthorised extension, No.2 Wellington Road featured a modest single storey rear outrigger as well as a rounded ground floor bay window (*see figures 16 and 17*) (similar in terms of its appearance to the one present at No.4 Wellington Road, *see figures 3, 4, and 5*), which was located directly adjacent to the boundary shared with No.4 Wellington Road. It is this context under which the proposed extension will be assessed and determined in relation to.

With this in mind, it should be noted that the overall siting, scale, and massing of the proposal is considered to be unacceptable. This is largely due to the proposed extension's excessive mass and bulk, in terms of its 4m rearward projection (which exceeds the limit stipulated within policy DC1 of the UDP of 3.65m) as well as its 3.4793m height, which, when combined with its inappropriate siting directly adjacent to the property's shared boundary in close proximity to the adjoining property's rounded ground floor bay window (associated with its main habitable room to the rear) (*see figure 17),* would result in the introduction of an imposing and overbearing feature to the detriment of residential amenity.

It is therefore considered that the proposal would result in an ‘excessively large and bulky’ addition to the property, which would cause undue harm to the amenity of neighbouring occupants, thus conflicting with the principles set out under policy DC1 of the UDP, policies SP1 and DM1 of the Core Strategy, and chapter 12 of the NPPF.



Figure 14. Extract from Google Maps depicting the existing unauthorised single storey rear extension present at No.2 Wellington Road.



Figure 15. Extract from Google Maps depicting the existing unauthorised single storey rear extension present at No.2 Wellington Road.



Figure 16. Extract from Google Maps depicting No.2 Wellington Road prior to the erection of the unauthorised single storey rear extension.



Figure 17. Extract from Google Maps depicting No.2 Wellington Road's rounded ground floor bay window, prior to the erection of the unauthorised single storey rear extension.

Appearance and visual amenity – the proposal would be built of brickwork to match the existing, in addition to a flat roof. Its side elevation, facing No.2 Wellington Road, would be blank and featureless, whilst its rear elevation would feature one large double-paned window. Its side elevation, facing No.6 Wellington Road, would feature one full-length vertical window. Its flat roof would be blank.

Sited adjacent to a corner plot, the proposal would be visible from specific viewpoints along Waller Avenue (*see figure 16*) and, as such, would form a visual feature within the street scene. Its flat roof form is generally not viewed as a favourable design choice in terms of its subservience and sympathy to the appearance and character of the host dwellinghouse as well as the surrounding residential properties, with pitched roof forms generally preferred. Nonetheless, the visual harm caused as a result of the proposal is not considered to be so significant so as to warrant the refusal of this application on visual amenity grounds.

Residential amenity – due to the excessive mass and bulk of the rear extension in combination with its inappropriate siting and proximity to the property's northern shared boundary, it is considered that the proposal would give to rise to undue harm to residential amenity, in terms of causing overshadowing, a loss of light, and a loss of outlook for neighbouring residents, most notably those occupying No.2 Wellington Road. Indeed, the proposed extension would be sited directly south of the adjoining property (*see figure 18)*, just 0.122m away from the associated shared boundary, affecting the light and outlook experienced by those occupying No.2 Wellington Road throughout the day, with a significant effect upon the property's rounded ground floor bay window to the rear. The proposal would also infringe upon the privacy of neighbouring occupiers due to the inclusion of a full-length vertical window to its south side elevation directly facing No.6 Wellington Road, sited just 0.886m away from the shared boundary.

As previously discussed, the excessive mass and bulk of the proposal, together with its proximity to the plot's shared boundaries would also mean that the extension would result in the introduction of an overbearing, visually obtrusive feature into the area, to the detriment of the residential amenity of neighbouring occupiers.

The proposal therefore conflicts with policy DC1 of the UDP, policies SP1 and DM1 of the Core Strategy, and chapter 12 of the NPPF.



Figure 18. Extract from Google Earth depicting the application property's relationship to the surrounding residential properties.

Waste storage – the current waste storage arrangements would be unaffected by the proposal.

Parking – the current parking arrangements would be unaffected by the proposal.

Conclusion – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale, and massing, inappropriate design choices and resultant negative impact upon the residential amenity of neighbouring occupiers, in terms of loss of light, privacy and outlook.

Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the residential amenity of neighbouring occupiers, thus acting against the principles set out in policy DC1 of the UDP, policies SP1 and DM1 of the Core Strategy, and chapter 12 of the NPPF, hence the proposal cannot 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 polices 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 proposal by reason of its proximity to the shared boundaries, together with its excessive scale, massing, and bulk, and inappropriate design choices, would have a detrimental effect upon the residential amenity of the area, in terms of overshadowing, loss of light, loss of outlook, and loss of privacy as well as having an overbearing impact upon the occupiers of the neighbouring properties of No.2 and No.6 Wellington Road. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC1 of the UDP and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

6 Wellington Road, Old Moat, Manchester, M14 6EQ
15 Wellington Road, Old Moat, Manchester, M14 6FA
17 Wellington Road, Old Moat, Manchester, M14 6FA
13 Wellington Road, Old Moat, Manchester, M14 6FA
1 Waller Avenue, Manchester, M14 6EB
2 Wellington Road, Old Moat, Manchester, M14 6EQ

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