

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138259/FH/2023

Date registered valid: 23 October 2023

Proposal: Erection of a part single/part two storey side and rear extension, together with the installation of a rear roof dormer and erection of a single storey extension to the existing outbuilding.

Address: 276 Withington Road, Manchester, M21 0XZ

Ward(s): Chorlton Park Ward

Applicant: Mr Hammaad Khalil

Agent (if any): Mr Mark Percival, architecture:m

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 11 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 November 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 31 October 2023 Expired: 21 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

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 and cream render with a grey concrete tile dual pitch roof. The property features white uPVC windows, including a two-storey bay to the front, a paved driveway and modest front garden bordered by a low-level redbrick wall, a front porch extension, a single storey side and rear extension, and a detached outbuilding situated within a spacious rear garden.



Figure 1. Principal elevation.



Figure 2. Rear elevation.



Figure 3. Rear garden and outbuilding.



Figure 4. Outbuilding.

Description of area

Withington Road is a residential street situated within the Chorlton Park ward of Manchester, close to Mauldeth Road West, Whalley Range Cricket & Lawn Tennis Club, and Whalley Range Amateur Football Club. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties.

Description of development

The applicant is seeking permission for the erection of a part-single / part-two storey side and rear extension, together with the installation of a rear roof dormer and erection of a single storey extension to the existing outbuilding.

Planning History

109773/FH/2015/S1 - Erection of a single storey side and rear extension to form additional living accommodation following demolition of existing garage – **APPROVED** (09.10.2015).

Consultations & Notification Responses

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

- Out-of-keeping with the character of the semi-detached properties on this stretch of Withington Road.
- Significant visual harm to the surrounding area.
- Not in-keeping with other extensions granted to neighbouring properties in the area.
- Poor and inappropriate design.
- Lack of subservient materials.
- Issues associated with overlooking.
- Would set a precedent for terraced style housing.
- Form and massing would be overbearing.
- Would result in an increase in on-street parking in the area.
- Loss of privacy.
- Would cause overshadowing and loss of light.
- Vibration and structural damage to neighbouring properties, including potential water damage.
- Scope for the creation of balconies in the future.
- No existing precedent for developments of this type.
- Inaccurate plans.

Policies

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

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

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.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are 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.

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, and policies DM1 and SP1 of the Core Strategy.

Siting, scale, and massing – the part-single / part-two storey extension would be sited at the side and rear of the property, wrapping around its north and west elevations.

At ground floor level, the extension would project 4.822m rearwards, with a total length / depth of 14.975m, a sideward projection of 2.878m, a width of 10.078m, and a flat roof height of 2.849m. It would be sited along the boundaries shared with No.274 and No.278 Withington Road.

At first floor level, the extension would project 5.042m rearwards, with a total length / depth of 12.923m (featuring a 2.431m setback from the front of the property), a sideward projection of 2.878m, and a width of 6.271m. Along its front elevation, the extension would feature a part-pitched roof measuring to 7.912m in height (set 0.605m below the ridge of the host dwellinghouse), with eaves to match. Along its rear elevation, the extension would feature a flat roof measuring to 5.659m in height. The side element of the extension would be sited along the boundary shared with No.274 Withington Road, whilst the rear element of the extension would maintain a gap of 2.401m to the boundary shared with No.274 Withington Road, and a gap of 3.398m to the boundary shared with No.278 Withington Road.

The dormer extension would be sited at the back of the property within the rear roof slopes of both the host dwellinghouse and the proposed side extension, facing west. It would feature a length / depth of 4.182m, with a width of 9.4m, and height of 2.697m. As such, it would be set 0.38m below the existing ridge of the host dwellinghouse, with a setback of 0.11m from the eaves. A gap of 0.29m would be maintained to the shared boundary with No.278 Withington Road, whilst the opposing end of the dormer would sit flush with the edge of the side extension.

The proposed outbuilding extension would project southwards from the existing structure, featuring a length / depth of 2.185m, width of 5.601m, and flat roof height of 2.8m. It would be sited adjacent to the boundaries shared with No.278 Withington Road, and No.2 Kildare Road.

Overall, the siting, scale, and massing of the proposal is considered to be unacceptable. This is largely due to the side and rear extension's excessive mass and bulk which, when combined with its inappropriate siting along the property's shared boundaries, would result in the introduction of an imposing and overbearing feature to the detriment of residential amenity. Moreover, the rear dormer's inappropriate siting within the roof slopes of both the host dwellinghouse and proposed extension, as well as its flush side elevation and lack of an adequate setback from the eaves, would mean that the development would read as a second floor / third-storey extension, rather than a dormer addition. The proposal would therefore not read as a visually subservient addition to the host dwellinghouse and would be understood as being 'excessively large and bulky', overdeveloping the property as a whole and would be out-of-keeping with the scale of development in this area.

The proposal would therefore act against the principles set out in policy DC1 of the UDP, and policies SP1 and DM1 of the Core Strategy.

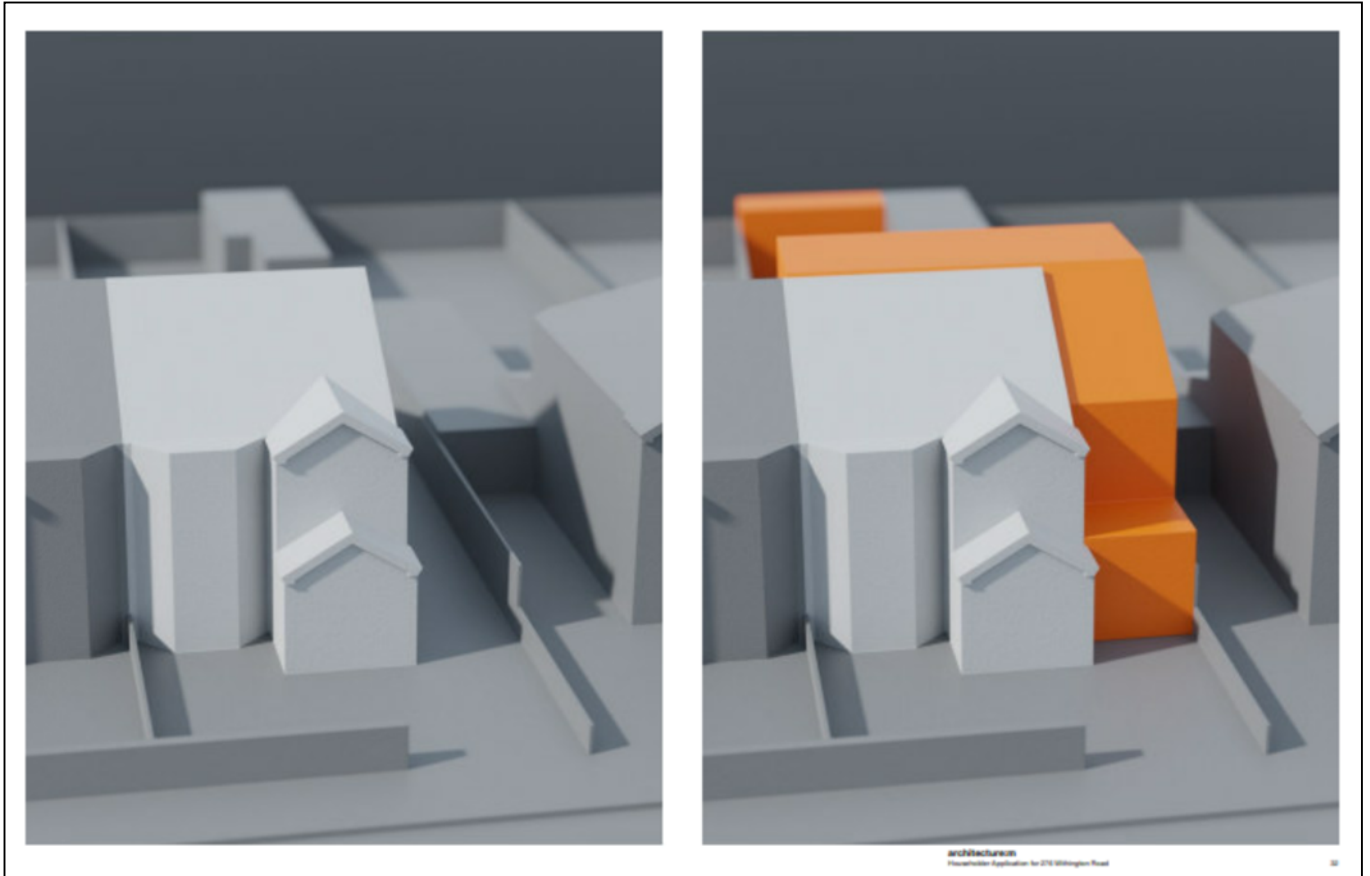


Figure 5. Submitted massing model.

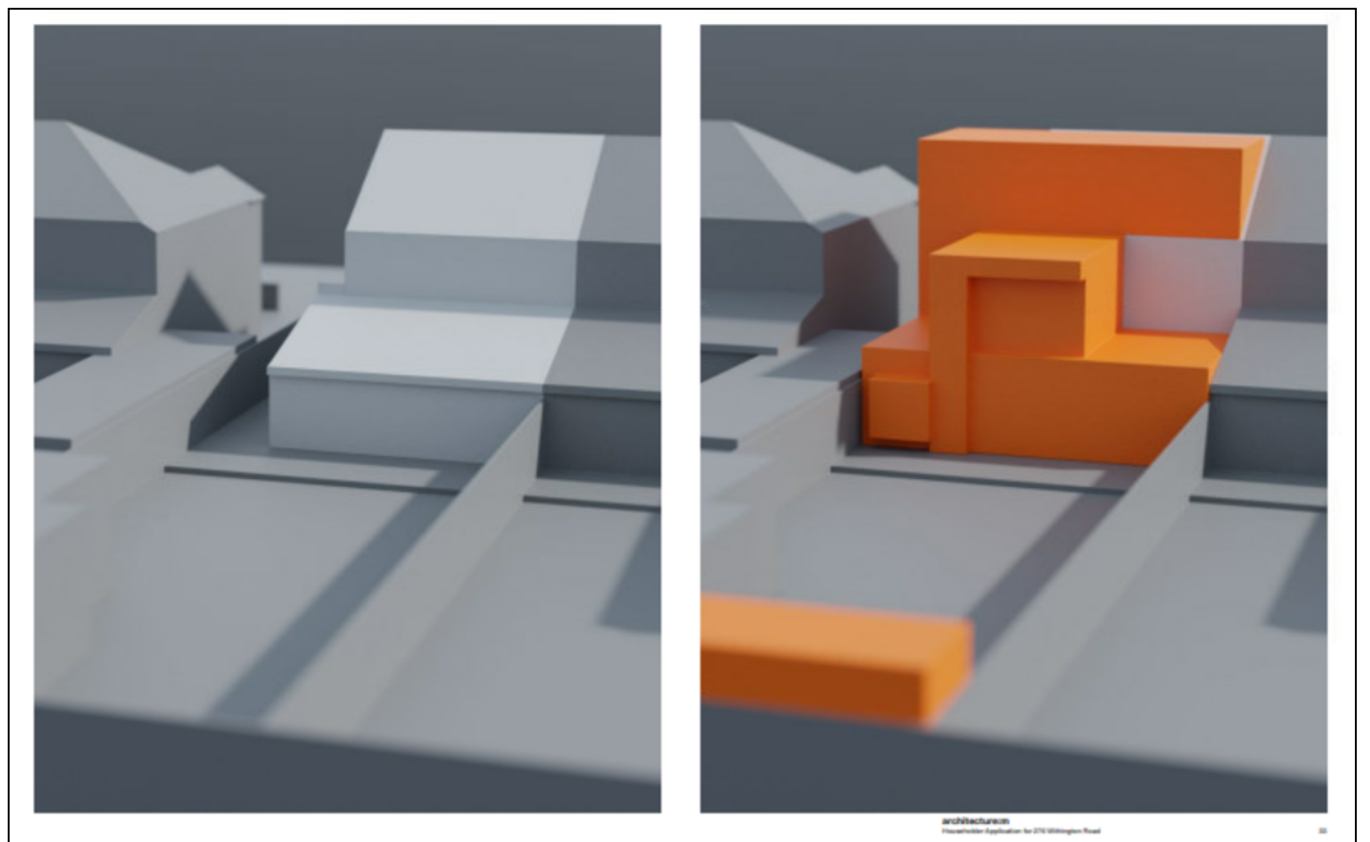


Figure 6. Submitted massing model.

Appearance and visual amenity – the proposal would feature a variety of materials including brickwork, beige-coloured render and grey roof tiles to match the existing in addition to white render, vertical timber slat cladding, and grey aluminium-framed windows and doors.

At ground floor level, the side and rear extension would feature brickwork to match the existing and one window along its front elevation. Its side elevations would be blank and featureless, also consisting of brickwork to match the existing. Its rear elevation would feature a mixture of vertical timber slat cladding and white render, with one projecting box window and a set of sliding doors. One flat skylight would be featured atop of the extension's flat roof to the front, whilst two flat skylights would be featured to the rear.

At first floor level, the side and rear extension would feature light beige render and roof tiles to match the existing along its front elevation with one window and one flat skylight. Its northern side elevation, facing No.274 Withington Road, would feature light beige render (to match the existing) on its side element, and white render to its rear element, with no windows featured. Its southern side elevation, facing No.278 Withington Road, would feature white render and would be blank and featureless. The rear elevation of the extension would feature a mixture of white render and light beige render with two windows.

The rear dormer would feature light beige render to all of its elevations. Its side elevations would be blank, whilst its rear elevation would feature four windows.

The proposed outbuilding extension would feature brickwork to match the existing outbuilding structure with a flat roof. Its northern, southern and western elevations would be blank and featureless, whilst its eastern elevation would feature one inward-opening door.

Overall, it is considered that the proposal would be of inappropriate design and would cause unnecessary and undue harm to the visual amenity of the area. The proposed rendering of the dormer extension is considered to be unacceptable as this adds further weight to the development reading as a second floor / third-storey extension, rather than a dormer addition. The flat roof forms featured at first floor level to the rear of the property are also considered to be inappropriate design choices, which conflict with Council policy, and, as such, cannot be supported. Moreover, it should be noted that the choice of materials overall is considerably varied and lacks cohesivity and would ultimately result in a visually disjointed development.

As previously stated, the proposal would also not read as a subservient addition to the host dwellinghouse and would constitute overdevelopment of the property as a whole. Sited at the side and rear of the property, elements of the proposal would be visible within the street scene and public realm, causing considerable visual harm as they would imbalance the appearance of the adjoining semi. It should also be noted that the scale of the development would be out of character and out-of-keeping with the nearby residential properties, meaning the proposal would form a visually incongruous and obtrusive feature, which would not be sympathetic to the host dwellinghouse or its surrounding area.

The proposal therefore conflicts with policy DC1 of the UDP and policy DM1 of the Core Strategy.



Figure 7. Submitted proposed front elevation.

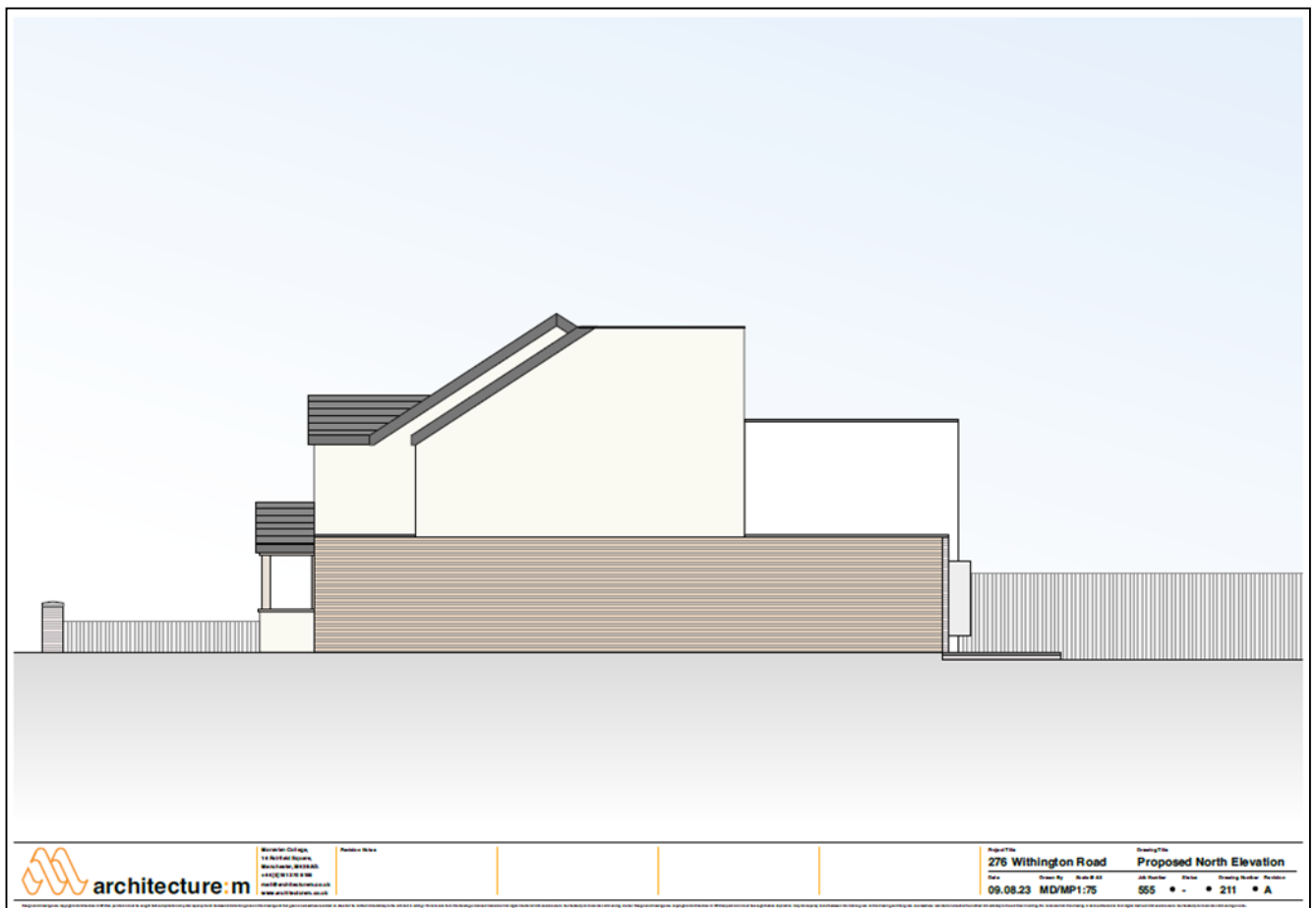


Figure 8. Submitted proposed north elevation.

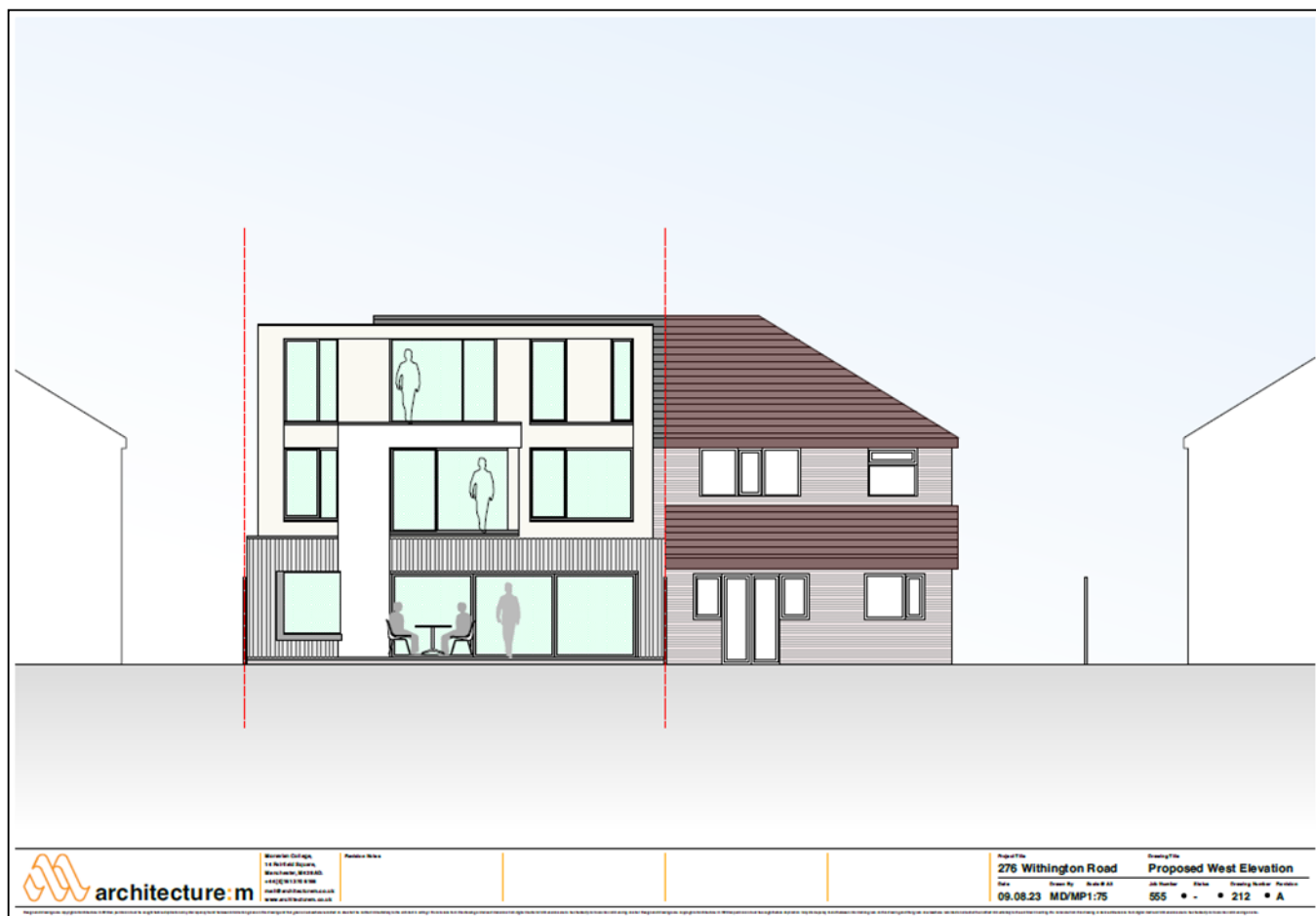


Figure 9. Submitted proposed rear elevation.

Residential amenity – due to the excessive mass and bulk of the side and rear extension as well as the rear dormer in combination with their inappropriate siting and proximity to the property’s shared boundaries, it is considered that the proposal would have the potential to give 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.274 Withington Road, as their south-facing side windows would be significantly affected by the developments.

The excessive mass and bulk of the proposal, together with its proximity to the plot’s shared boundaries would also mean that the developments 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 and policies DM1 and SP1 of the Core Strategy.

Waste storage – the proposal would result in the loss of external access to the rear of the property, meaning refuse bins would have to be stored to the front. No details of a secure bin store have been provided; therefore the bins would be visible within the street scene and public realm, causing unnecessary visual harm to the area.

The proposal therefore conflicts with policies DM1 and EN19 of the Core Strategy.

Parking – a car parking space (measuring to at least 2.4m by 4.8m) would be retained on the property’s existing driveway. The proposal is therefore considered acceptable in this regard.

Conclusion – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale, and massing, inappropriate materials and design choices, and resultant negative impact upon the visual and residential amenity of neighbouring occupiers as well as the overall appearance of the host dwellinghouse and surrounding street scene. The applicant and their agent were informed of the above concerns and submitted an amended scheme; however it is considered that the revised scheme does not adequately address the case officer's concerns. 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 host dwellinghouse, street scene, and the visual and residential amenity of neighbouring occupiers, thus acting against the principles set out in the aforementioned policies, 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 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

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 siting, scale and massing would result in an excessively large and bulky addition to the host dwellinghouse and would be considered an overdevelopment of the application property overall. As such, the proposal is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and the National Planning Policy Framework.
- 2) The proposal by reason of its excessive scale, massing and bulk, inappropriate materials and design choices and lack of a bin store, would not be visually subservient to the host dwellinghouse, would introduce detrimental visual elements to the street scene, imbalancing the appearance of the adjoining semi and would form a visually incongruous and obtrusive structure which would not be sympathetic to the appearance of the host dwellinghouse or its surrounding area, to the detriment of visual amenity and, as such, is contrary to saved policy DC1 of the

Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of the Manchester Core Strategy and the National Planning Policy Framework.

3) The proposal by reason of its proximity to the shared boundaries, together with its excessive scale, massing and bulk, would have a detrimental effect upon the residential amenity of the area, in terms of overshadowing, loss of light, and loss of outlook, as well as having an overbearing impact upon the occupiers of the neighbouring properties of No.274 and No.278 Withington 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

297 Withington Road, Manchester, M21 0YA
2 Kildare Road, Manchester, M21 0YR
278 Withington Road, Manchester, M21 0XZ
272 Withington Road, Manchester, M21 0XZ
295 Withington Road, Manchester, M21 0YA
299 Withington Road, Manchester, M21 0YA
274 Withington Road, Manchester, M21 0XZ
183 Kings Road, Manchester, M21 0XY

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