MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138647/FH/2023
Date registered valid:	27 November 2023
Proposal:	Erection of a two storey side extension and single storey rear extension to provide additional living accommodation.
Address:	38 Wyverne Road, Manchester, M21 0ZN
Ward(s):	Chorlton Park Ward
Applicant:	Mr & Ms Thorne - Bowman
Agent (if any):	Ms Jane Leach iarchitect Limited
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: **27/12/2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06/12/2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 1 December 2023 Expired: 22 December 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 semidetached dwellinghouse on Wyverne Road. The property features an existing single storey outrigger and hardstanding to the front for off street vehicle parking.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: **Not applicable**



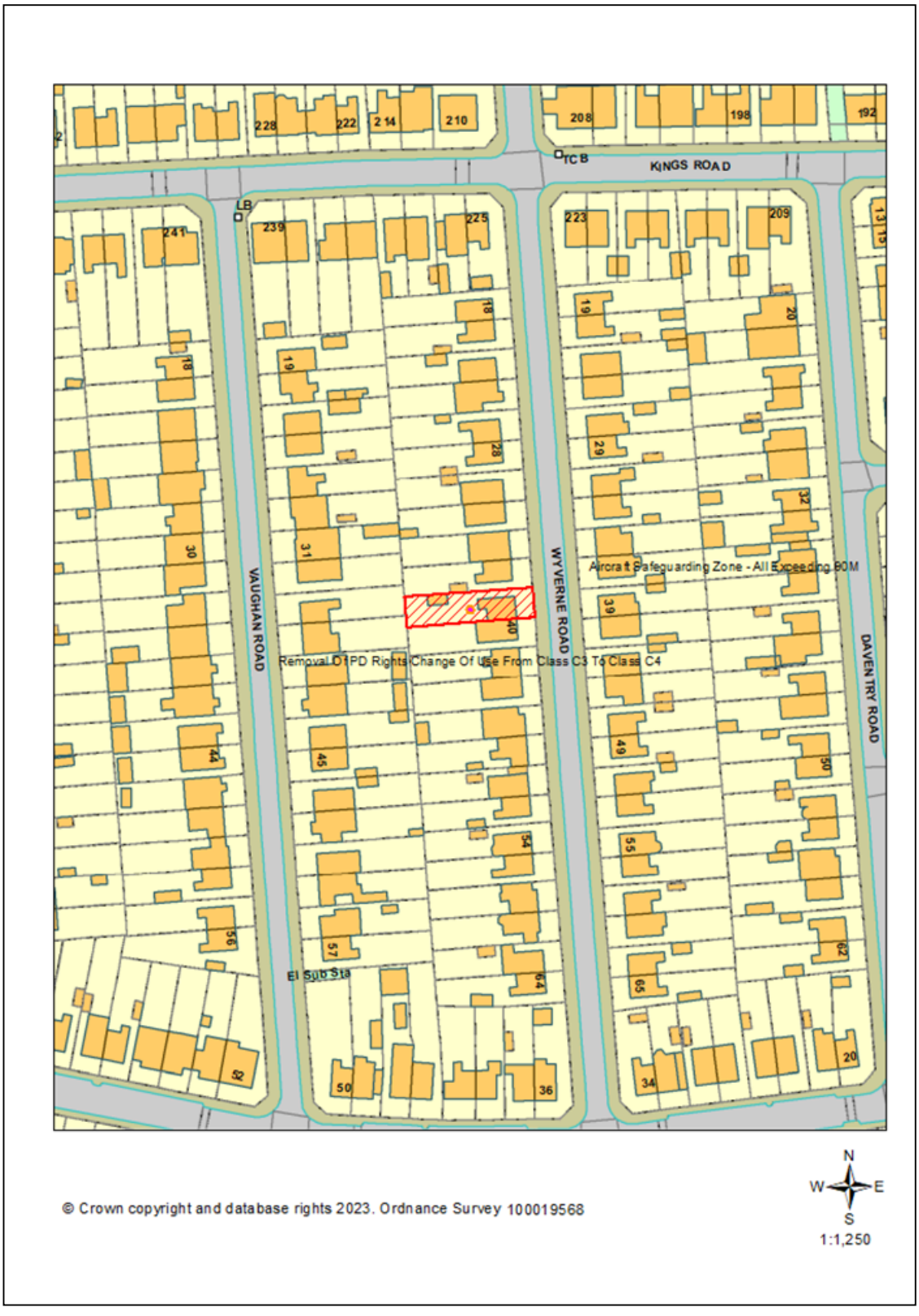
Figure 1. Street Scene



Figure 2. Rear elevation

Description of area

The property is located in a residential part of Manchester's Chorlton Park ward.



Description of development

The applicant proposes the erection of a two-storey side extension and single storey rear extension to provide additional living accommodation.

Two storey side extension

The proposed two storey side extension projects 1307mm from the existing side extension and runs the full length of the existing side elevation. The extension continues the roof form of the existing house and finishes with a gable end. The extension adds windows to the rear.

Single storey rear extension

The single storey rear extension projects 1800mm from the existing elevation and spans the full width of the property meeting the proposed side extension for a wraparound effect. The rear extension features a sloping roof line with 2no rooflights and new glazing.



Figure 3. Proposed elevations

Planning History

There is no planning history at the address.

Consultations & Notification Responses

Consultations

We did not consult any consultees on this proposal.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

4no. neighbours commented in support of the application and a petition with 27no. signatures was received.

Negotiations

Issues have arisen in the consultation phase.

The council generally does not support two storey side extensions that are in line with the main elevation of the property that would sit with 1.5m of the boundary (UDP DC1). In this case there is an 800mm gap to the shared boundary and the officer asked the applicant to set back the first floor by 1.5m to negate the terracing effect on the street scene.

Unfortunately, the applicant was unwilling to do so and decided to continue the application unamended.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.
In considering this application, we consider the following policies relevant.

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management
    - SP 1 - Spatial Principles
    - EN 1 - Design Principles and Strategic Character Areas
- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC1 - Residential Extensions
- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places

Principle of the development

Residents can usually expand their homes for more space, as long as it doesn't affect the neighbourhood or property's character.

The proposal's principle is unacceptable as there are factors in amenity terms that warrant refusal.

After careful consideration, it is concluded that the proposed development opposes policy of Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

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

The applicant is seeking the erection of a two-storey side extension and single storey rear extension to provide additional living accommodation.

The new addition adds a full height two storey extension 800mm from the shared boundary.

The two-storey extension would create a large massing close to the boundary, not set back to the front elevation, and has the potential to create a terracing effect if replicated along the street scene.

The side extension features no new front windows creating a 1325mm wide brick pillar running the full height of the building without embellishment creating a design feature which would stand out in the locality.

The side extension is not subservient to the original dwelling house and its design creates a heavy massing close to the shared boundary.

The full height gable end creates a large massing close to the boundary with No.36 which would have an overbearing effect on the neighbouring property. It is of note that No.36 features a hipped roof which has a lower ridge height exacerbating the effect.

The single rear extension projects only 1800mm and its size design and materiality are acceptable.

Overall, officers consider the new development to be unacceptable in its siting, layout, scale, form, massing, materials, and detail.

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 proposal would create a 1325mm wide brick finished two storey extension to the front elevation due to the lack of windows in the proposed extension. The design would be out of place in the street scene. Combined with the lack of set back to the first floor the effect on the character of the area is negative.

The full height 2 storey side extension without any set back, 800mm from the shared boundary, would have the potential to create a terracing effect to the street scene if the neighbouring property were to extend in a similar way.

The large gable end would create an overbearing effect to the lower hip roof of No.36

The combined effects would create a negative visual relationship between the properties and remove the distinct semidetached nature of the properties along Wyverne Road.

Its important to note that multiple properties along the street have two side extensions with a set back at first floor to help relieve this effect. Most notably No.41 opposite which features a gap to the boundary and a set back at first floor.

In general, the proposed development has a negative impact on the surrounding areas. The design, scale, and appearance oppose with the development management principle.

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

As noted above the combination of the terracing effect and overbearing gable created by the full two storey extension would have an impact on the residential amenity of No. 36

The proposal adds no new windows in the front of the building.

The proposal includes adding large glass doors at the back of the building. These doors face the gardens of properties on Vaughn Road. The design of the boundary and its distance help reduce privacy concerns.

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. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal has no effect on road safety and traffic generation.

Overall, the proposal has a negative impact on the amenity of local neighbours. So, it opposes this principle of development management.

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

The proposal does not change how people can get in and out of the building.

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

Adequacy of internal accommodation and external amenity space.

The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

Refuse storage and collection.

The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site. We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal doesn't change how vehicles access and park at the property, so it follows the development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

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.

The proposal would minimally affect green infrastructure and would balance new development with existing green space.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

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

Flood risk and drainage.

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

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’.

For the reasons outlined in Policy DM 1, we consider this proposal to oppose with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

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

This proposal sits within the ‘Southern Character Area’.

For the reasons outlined in Policy DM 1, we consider this proposal to oppose with the principles of this policy.

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.

To date, five consultations have taken place in relation on the Plan. The Examination of 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 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 the reasons outlined in Policy DM 1, we consider this proposal to oppose with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

DC1 - Residential Extensions

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

In this case DC 1.4 of DC1 is highly relevant to the proposed two storey extension.

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 would create a full two storey side extension within 1.52m of the shared boundary. As previously discussed in Core Strategy DM 1, the proposal if replicated by adjacent properties would be the creation of a terracing effect unsympathetic to the street scene and create an unsatisfactory visual relationships between elements of the buildings involved. As a result, the proposal would not allow the gap between properties to be shared equally as required by policy DC1.4 a).

It is of note that the applicant recognises these issues and policy consideration within the design and access statement however fails to adequately address the concerns or attempt to amend the design.

We consider this proposal to oppose with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

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.

We consider this proposal to oppose with the principles of the Section 12 of the NPPF

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)

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.

Conclusion

We find the proposal's design, size, and appearance unacceptable for this location. The proposal would create a terracing effect unsympathetic to the street scene and create an unsatisfactory visual relationship between elements of the buildings involved. Furthermore, the full height gable close to the lower hipped roofline of No. 36 would create an overbearing effect. Due to these reasons, the proposal will have a negative impact to the visual relationship of the two buildings, the character of the street scene and local residential amenity. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Refuse

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive way to find solutions for planning problems. Issues arose while reviewing the application. Officers talked with the applicant and others involved to find a solution they could all agreed on, however, a solution was unable to be found.

Reasons for recommendation to refuse

1. **Terracing effect**

   The full height two storey side extension, in line with the main elevation, would sit 800m from the boundary which would create a terracing effect unsympathetic to the street scene and create an unsatisfactory visual relationship between elements of No. 38 and No. 36. This is counter to DM 1, SP 1 and EN 1 of the Core Strategy, saved policy DC1 of the Extant UDP and Section 12 of the NPPF.

2. Overbearing effect

The two storey side extension gable wall close to the lower hipped roofline of No. 36 would create an overbearing effect from No.38 to No.36. This would have a negative impact to the visual relationship of the buildings and street scene, and the residential amenity of No. 36 and is contrary to DM1 of the Core Strategy and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

36 Wyverne Road, Manchester, M21 0ZN
39 Vaughan Road, Manchester, M21 0ZL
33 Vaughan Road, Manchester, M21 0ZL
43 Wyverne Road, Manchester, M21 0ZW
37 Wyverne Road, Manchester, M21 0ZW
42 Wyverne Road, Manchester, M21 0ZN
37 Vaughan Road, Manchester, M21 0ZL
35 Vaughan Road, Manchester, M21 0ZL
39 Wyverne Road, Manchester, M21 0ZW
35 Wyverne Road, Manchester, M21 0ZW
40 Wyverne Road, Manchester, M21 0ZN
34 Wyverne Road, Manchester, M21 0ZN
41 Wyverne Road, Manchester, M21 0ZW

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