MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138502/FH/2023
Date registered valid:	23 November 2023
Proposal:	Erection of two story side extension together with increase in roof height to existing rear conservatory
Address:	231 Manley Road, Manchester, M21 0RB
Ward(s):	Chorlton Ward
Applicant:	Mr Ahsan-ul-haq
Agent (if any):	Mr David John David John
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	REFUSE

Date of recommendation: **17th January 2024**



Figure 1. Google earth

Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: Street view and google earth utilised Figures 1 and 2
Standard consultations:
Printed: 30 November 2023 Expired: 21 December 2023
Neighbour notifications
Printed: 30 November 2023 Expired: 21 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 site relates to a two storey semi-detached property within the Chorlton ward area of Manchester. The property features bay windows to ground and first floor, gated access along the side, driveway providing off road parking and gardens to the front and rear. The area is residential, with a mix of architecture, the character and appearance of the properties in the area creates attractive street scene. The property has historically undergone enlargements to the side and rear.



Figure 2. Google street view

Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in character and is situated within a short distance to Chorlton District Centre which contains a number of independent shops, cafes and bars.

Description of development

The proposal is for the erection of two story side extension together with increase in roof height to existing rear conservatory.

The property faces in a northerly direction to the front, west to the side and south to the rear.



Figure 3. Submitted proposed elevations

<u>Consultations & Notification Responses</u>

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

Flood Risk Management – comments as follows:

As per the FRA, the proposed extension is within Flood Zone 2 and EA Flood Warning Area. 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 EN19 Waste
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

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 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.

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.

History

Planning reference number: 059264/FH/SOUTH1/00 - Two storey rear extension to form kitchen with bedroom over after demolition of existing lean-to-kitchen/ outbuilding - this application was approved on 06.07.2000

Planning reference number: 088362/FH/2008/S1 - Erection of dormer window to side and rear elevations – This application was withdrawn on 19.01.2009

Plans considered as part of this proposal

Received 7th November 2023 numbered A101 Existing Ground Floor Plan
Received 7th November 2023 numbered A102 Existing First Floor Plan
Received 7th November 2023 numbered A103 Existing Loft Plan
Received 7th November 2023 numbered A104 Existing Roof Plan
Received 7th November 2023 numbered A109 Existing Elevations

Received 7th November 2023 numbered A105 Proposed Ground Floor Plan
Received 7th November 2023 numbered A106 Proposed First Floor Plan
Received 7th November 2023 numbered A107 Proposed Loft Plan
Received 7th November 2023 numbered A108 Proposed Roof Plan
Received 7th November 2023 numbered A110 Proposed Elevations

Residential Amenity

This property features previous enlargements to the side and rear by way of dormers and extensions. This application would see the addition of a two storey side extension together with increase in roof height to existing rear conservatory. In terms of it is immediate surroundings, the

property is neighboured by similar sized dwelling houses with front and rear gardens. During the application process, there were raised concerns with regards to terracing and the impact of the proposal. The agent was emailed about the concerns; however, no response was received.

Ground floor side

The proposal would be set back from the principle elevation of the property measuring 500mm extending rearwards to a length of 12.2m along the shared boundary with the neighbouring property no. 233 Manley Road. The extension will project beyond the original rear wall of the property measuring 4.3m in line with the existing two storey rear projection. Windows are proposed on the front and double doors on the rear elevation.

First floor side

The first floor would be set back from the principle elevation of the property measuring 500mm extending rearwards to a length of 8.0m approximately and would end in line with the original rear wall of the property. Both the ground and first floor would extend towards the shared boundary with the adjacent property no. 233 Manley Road measuring 3.0m in width without the retention of a gap to the shared boundary. The roof would be a Saltbox type roof with the inclusion of two roof lights on the rear elevation.

Rear

At the rear of the property is an existing conservatory which is sited along the shared boundary with the adjoining semi detached property no. 229 Manley Road. The applicant proposes to change the roof of the conservatory by continuing the roof slope from the existing eaves resulting in a Saltbox type roof.

The City Councils considers that the proposal does not lend itself to a suitable setback from the principle elevation of the property to overcome terracing. It is considered that given that there is no gap to the shared boundary and the fact that there is an insubstantial set back from the front wall of the property, this would provide a detrimental impact within the street scene and therefore it is believed that should the proposal be built; the visible appearance of the extension would result in an unbroken and unrelieved "terraced" effect especially should the neighbouring property wish to build the same.

In relation to the proposed roof design of the extension to the side and the rear replacement roof of the existing conservatory as outlined in Figure 3, the City Council is of the view that the proposal would provide a prominent and detrimental feature on the host dwelling which would be out of character with the surrounding properties in the immediate area.

Overall, it is considered that the proposal would conflict with UDP saved policy DC1 for residential extensions and Core Strategy policies SP1 and DM1 and NPPF.

Other matters

During the consideration of the application, the officer noted that submitted drawings included proposed changes to the original roof of the property outlining a change from hip to gable. As this element of changes were not identified in the description of the proposal, the officer emailed the agent to outline the discrepancies requesting confirmation of the proposal. No response was received.

Scale and Massing

The proposal is considered unacceptable within the surrounding environmental context and is believed to provide an unacceptable impact upon the residential amenities of surrounding properties. It is therefore considered that the design, scale and appearance of the proposed extension is unsatisfactory and is considered not to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design and Appearance

It is considered that the proposal has not been sited and designed appropriate to the character of the area and therefore does not accord with the principles for residential extensions set out in saved UDP policy DC1 and Core Strategy Policies DM1, SP1 and EN1.

Car Parking

Existing car parking arrangements would be unaffected by this proposal as off street car parking would still be retained to the front of the property.

Bins

Bin storage is an important consideration when determining applications for side extensions, however, the agent has not addressed this as part of the proposal.

Conclusion

Notwithstanding the discrepancies with regards to the description of the proposal , for the reasons outlined above, it is considered that the proposal would have an unacceptable impact within the street scene and to the detriment of neighbouring occupiers of surrounding properties. 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 UDP policy DC1 and Core Strategy Policies DM1, SP1 and EN1.

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

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 virtue of its design, siting, and scale would have a detrimental impact on visual amenity and the character of the street scene. The resulting appearance would be an extension which will have an inadequate relationship with number 233 Manley Road, resulting in a terracing effect. The proposal will be out of character with the street scene and will have a negative impact on visual amenity which is contrary to the provisions of saved policies DC1 of the Unitary Development Plan for the City of Manchester (1995), policies SP1 and DM1 of the Manchester Core Strategy (2012) and the National Planning Policy Framework.

2) The proposed development by reason of its design, massing and siting; would create an over dominant and incongruous feature which would be out of character with the host dwelling and area in general, 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 Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

229 Manley Road, Manchester, M21 0RB
57 Egerton Road North, Manchester, M21 0GX
233 Manley Road, Manchester, M21 0RB
55 Egerton Road North, Manchester, M21 0GX
252 Manley Road, Manchester, M21 0RD
250 Manley Road, Manchester, M21 0RD
227 Manley Road, Manchester, M21 0RB
256 Manley Road, Manchester, M21 0RD
254 Manley Road, Manchester, M21 0RD
235 Manley Road, Manchester, M21 0RB
2 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