

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137051/FH/2023

Date registered valid: 12 June 2023

Proposal: Two store extension to rear, loft conversion and single storey gable extension

Address: 100 White Moss Road, Manchester, M9 6LZ

Ward(s): Charlestown Ward

Applicant: Mr and Mrs Saed

Agent (if any): Mr Neil Sharp Aspire Architectural Design

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: Refusal

Date of recommendation: 02.08.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 04 July 2023

Standard consultations:

Printed: 22 June 2023 Expired: 13 July 2023

Neighbour notifications

Printed: 22 June 2023 Expired: 13 July 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a semi detached brick built dwelling, in the Charlestown Ward of Manchester. The property benefits from hard landscaping and a front garden to the front with an area of amenity space to the side of the property. The rear garden is long with timber fencing and vegetation screening occupying the shared and rear boundary treatment.

The area is predominately residential in nature with houses of similar style and design.

Description of development

Consent is sought for the erection of a two storey rear extension, loft conversion and gable extension, to form additional living accommodation.

The proposed two storey rear extension would have approx. dimensions of Height 6.1m x Width 5.3m x Depth 9m. This element of the proposal would have a hipped roof, with rear gable. The extension would be sited approx. 2.2 metres from the eastern shared boundary with no. 98 White Moss Road and 0.4metres from the western shared boundary with no. 102 White Moss Road.

The proposed single storey gable conversion and loft conversion would include the incorporation of a rear roof dormer. The rear dormer would be positioned along the original

roofspace and have approx. dimensions of Height 2.5m x Width 5.1m x Depth 3m. The design of the dormer incorporates the rear windows being setback from the eaves.

The proposal would create a kitchen and living space along the ground floor with two additional bedrooms and a bathroom and en-suite along the first floor. On the second floor an additional bedroom and en-suite would be created from the proposal.

The proposal would involve the insertion of one ground and two first floor side facing windows and bi-folding sliding doors and two first and second floor rear elevation windows.

Materials to be used throughout the proposal would include brickwork to match existing, roof tiles to match existing and Upvc windows to match existing.

Consultations & Notification Responses

Local residents were notified and no responses were received.

Environmental Health had no objections to the proposal.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;

c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

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

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Issues

Principle

The submitted application seeks planning permission for the erection of a two storey rear extension, together with a single storey gable extension and incorporation of a dormer to the rear roof slope. The principle of development is not acceptable, as the benefits to the applicant do not outweigh the potential harm in relation to visual/residential amenity which would result from the proposed development. Despite several attempts to get into contact with the planning agent with a view to the application being withdrawn, and for discussions to take place to try to find a policy compliance solution, no response has been received. Therefore, the application will be determined on the basis of the originally submitted scheme.

Residential and Visual Amenity

The proposed two storey rear extension would be sited approx. 0.4metres away from the western shared boundary with the adjoining semi-detached property no.102 White Moss Road. The proposal would result in an additional built form of approx. 9 metres adjacent to the western shared boundary, it is considered that the proposal is excessively large, creating a building with an overly large footprint.

The proposal is considered to create an overbearing impact on residential amenity to the neighbouring property by creating an imposing feature with the neighbouring occupier looking out across at a large expanse of brickwork resulting in an overpowering and oppressive impact to the detriment of residential amenity. Furthermore, the extension would be contrary to policy DC1.3 regarding the depth of the proposal. In this instance it is deemed that the proposed depth of the two storey rear extension is overly large for the application site. The proposal is therefore contrary to policy DM1 of the Core Strategy and saved UDP Policy DC1.

The planning agent was made aware of Manchester City Council's concerns with this application particularly regarding the massing and overbearing impacts this extension would create along the shared boundary, however no responses were forthcoming from the agent in a timely manner. In this instance, the need to provide additional accommodation at the property does not outweigh the harm which would occur to the neighbouring properties.

It should be noted that the City Council deemed the loft conversion and single storey gable extension acceptable in regard to the proposed location. The rear dormer is acceptable and is not thought to significantly harm the residential or visual amenity of the surrounding neighbouring occupiers.

Conclusion

The extension is considered to be contrary to SP1 and DM1 of the Core Strategy and saved Policy DC1 of the UDP and cannot be supported for the reasons set out above.

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: REFUSAL

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. Officers have communicated their concerns about the proposal to the agent during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The proposed two storey rear extension by reason of its scale, massing and siting in proximity to the shared boundary with no.102 White Moss Road, would create an unsympathetic, overbearing intrusive feature in the form of a large expanse brickwork along this boundary, and in close proximity to the nearby properties to the detriment of the residential amenity of occupiers of surrounding properties and the character of the area. The proposal would therefore have an unduly harmful impact on visual and residential amenity, which is contrary to policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

106 White Moss Road, Manchester, M9 6LZ
104 White Moss Road, Manchester, M9 6LZ
102 White Moss Road, Manchester, M9 6LZ
98 White Moss Road, Manchester, M9 6LZ
96 White Moss Road, Manchester, M9 6LZ
111 White Moss Road, Manchester, M9 6HZ
109 White Moss Road, Manchester, M9 6HZ
105 White Moss Road, Manchester, M9 6HZ
8 Gifford Avenue, Manchester, M9 6JH
6 Gifford Avenue, Manchester, M9 6JH
107 White Moss Road, Manchester, M9 6HZ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA