

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136248/FH/2023

Date registered valid: 14 February 2023

Proposal: Erection of a two-storey side extension to form additional living accommodation

Address: 9 Welland Street, Manchester, M11 1BX

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Mohammad Asghar

Agent (if any): Mr Gregory Oldham, Spence & Oldham Architects Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 10 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 2 March 2023 Expired: 23 March 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

Description of site/building area

The application relates to a two storey, pitched roof, end-of-terrace dwellinghouse long a short row of four properties, within a cul-de-sac position with a mix of housing type, consisting of 4-row terrace houses and semi-detached houses within a modern housing estate. The pattern of the housing layout along the Welland Street streetscene is defined by alternate 4-row terrace houses and semi-detached houses, and as a consequence, the application site shares a boundary with a semi-detached property along the side elevation, (specifically, no.11 Welland Street), coupled with the fact that no.11 Welland Street is marginally elevated compared with the application building, and is set back marginally, approximately 0.14 from the front building line of the application property and also projects approximately 0.21 metres beyond its rear building line. The application property has amenity space along the front, side and rear, enclosed with boundary treatment. There is an existing timber frame garden shed along the rear garden, including a driveway along the gable and front elevations. Various planning permission have been granted in relation to the application property, however, at the time of the planning officer's site visit, (dated, 15/03/23) it was noted that the permissions had not been implemented.

Site History

- 134676/PDE/2022 - Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 3.5m and a height at eaves of 2.5m - Conditional extension, 28.09.2022
- 134188/FH/2022 - Erection of a porch to the front of the existing dwelling house - Approved, 30.08.2022
- 134187/LP/2022 - Enlargement of dwellinghouse with a single storey rear extension and a single storey side extension - Approved, 05.08.2022

Description of development

The submitted application relates to the proposed erection of a two storey side extension, approximately (lengthy 7920mm x width 2800mm) to form additional living accommodation. The scheme would include a bedroom at ground floor level and a bedroom with ensuite accommodation above. The proposed extension would follow the existing front, rear, and roof building lines of the original dwellinghouse. A small gap of approximately 150mm would be left from the side elevation of the proposed extension and the common shared boundary with no.11 Welland Street. The extension would incorporate windows along the front and rear elevations, and it is intended to use matching materials.

Correspondence was sent to the agent expressing the concerns relating to the proposal and requesting confirmation regarding how they wished to proceed within specified timescales. No revisions have been received. The proposal cannot be supported in its current form and therefore will be recommended for refusal.

Consultations & Notification Responses

1. Neighbours

No comments, objections or representations in respect of this application were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012.

It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

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

- a. 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, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Policy EN19 (Waste) - States that developers should have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users, and

encourage communities to take responsibility for the waste they create through the provision of accessible facilities.

Policy T2 (Accessible areas of opportunity and need) - States that the Council will actively manage the pattern of development to ensure that in new development:

o The car parking standards are maximums and the cycle and disabled car parking standards are minimums. However the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate.

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance. This states:

DC1.1

In determining planning applications for extensions to residential properties, the council will have regard to:

- a) the general character of the property
- b) the effect upon the amenity of neighbouring occupiers
- c) the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs
- d) the overall appearance of the proposal in the street scene
- e) the effect of the loss of any on site car parking

DC1.2

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 the original buildings)
- b) they do not create an 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 street scene by virtue of design, use of materials or constructional details
- d) they would not result in the loss of off street car parking in a situation where there is so severe an existing on street car parking problem that unacceptable additional pressures would be created

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
- e) extensions which conflict with the council's guidelines on privacy distances (which are published as supplementary guidance)

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.

Policy DC1.6

For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods. The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principle have not been satisfactorily incorporated into the development.

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Conclusion

In this instance, it is considered the proposal does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the proposal does not represent a proportionate addition to the existing house, is out of character by reason of its design and its relationship to the shared common boundary with no. 11 Welland Street, and the proposal would not be subservient to the main house leading to the potential to create a terracing effect. It is therefore considered that the proposed development does not respond positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

Residential and Visual Amenity

As previously stated, the pre-existing housing layout pattern along the Welland Street streetscene is defined by alternate 4-row terrace houses and semi-detached houses, and as a consequence, the application site shares a boundary with a semi-detached property along the side elevation, (specifically, no.11 Welland Street). In addition, no.11 Welland Street is set back marginally, approximately 0.14 from the front building line of the application property and also projects marginally, approximately 0.21 metres beyond its rear building line; combined with the fact that the proposed extension would follow the existing front, rear, and roof building lines of the original dwellinghouse and a small gap that would be left from the side elevation of the proposed extension and the common shared boundary with no.11 Welland Street, it is considered that the proposed extension would create a building with an overly large footprint, which would not be seen as subservient to the main house, and would have an unacceptable impact on no. 11 Welland Street and the wider area. On this basis, it is considered that development does not respond positively to The Manchester Core Strategy Development Plan Document Policies SP1, DM1 and EN1; saved Unitary Development Plan policy DC1; and The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

In terms of refuse management arrangements, as the existing side access would be lost to accommodate the proposed 2 storey side extension, however, it is unclear from the submitted information the proposed storage location of wheeled bins. It is therefore considered that the proposed development does not respond positively policy EN19 of The Manchester Core Strategy Development Plan Document, and saved policy DC1 of the Unitary Development Plan.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework. In this instance a solution that was satisfactory to both the Local Planning Authority and the applicant could not be reached as the nature of the proposal was considered to be unacceptable.

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

1) The proposed 2 storey side extension, by reason of its design and scale would create a building that would not be seen as subservient to the main house and would as a consequence cause a harmful loss to the character of the area. The proposal is therefore contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies EN1, SP1 and DM1 of the Core Strategy for Manchester and National Planning Policy Framework.

2) The two-storey side extension by reason of its design and its relationship to the shared common boundary with no. 11 Welland Street would lead to the potential to create a terracing impact and detract from the character of the original property to the detriment of the visual amenity of the area. The proposal is therefore contrary to the NPPF; The Manchester Core Strategy Development Plan Document Policies SP1, DM1 and EN1; and saved Unitary Development Plan policy DC1.

Appendix 1 – List of consultees & neighbours notified

8 John Beeley Avenue, Manchester, M11 1GH
7 Welland Street, Manchester, M11 1BX
9 Printer Street, Manchester, M11 1DJ
10 John Beeley Avenue, Manchester, M11 1GH
6 John Beeley Avenue, Manchester, M11 1GH
10 Welland Street, Manchester, M11 1BX
11 Welland Street, Manchester, M11 1BX

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA