

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136754/FH/2023
Date registered valid: 17 April 2023
Proposal: Erection of a single storey side extension
Address: 20 Russell Road, Manchester, M16 8DL
Ward(s): Whalley Range Ward

Applicant: Mrs E Miller
Agent (if any): Mrs Elwira Baranowicz Anglian Home Improvements
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 9 June 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 May 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 April 2023 Expired: 16 May 2023

Site notice

Posted: 5 May 2023 Expired: 26 May 2023

Press advert

Published: 2 May 2023 Expired: 23 May 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Yes

Description of area

The application site relates to 20 Russell Road within the south Manchester ward of Whalley Range. The application site relates to a detached, red brick, two storey dwellinghouse with bay windows with associated red brick detailing. An existing wooden garage is sited against the eastern boundary of the site. The property benefits from an unusual shaped plot- with the majority of the amenity space sited to the front and side of the property, and further amenity space to the rear. The property to the north and west has a shared boundary with Tangmere Court and to the south and east further residential accommodation is sited.

The property sits within the Whalley Range Conservation Area. The residential properties within the conservation area are characterised as being Edwardian and sited on tree lined avenues with many of the original houses remaining. The application site appears newer in age. Development control in Whalley Range is aimed at encouraging the area to flourish whilst paying attention to its special architectural and visual qualities.

Description of development

The submitted application seeks planning permission for erection of a single storey side extension. The extension would sit within the amenity space located to the west of the

dwellinghouse, would align with the primary elevation of the host property and would have approximate dimensions of Height: 2.7 x Length: 5.3 x Width: 2.7 metres. The proposal would involve the insertion of a door within both the front and rear elevations. Materials to be used would be as followed: roof- white aluminum rafter with PVCu capping and solarroof glass, walls- silver mist toughened obscure glass and frame/doors- white high impact PVCu mainframe.

Planning history

106253/TCA/2014/S1- Works to tree - proposed pruning works to a Sycamore (*Acer pseudoplatanus*) to remove 3 lower branches to prevent them from damaging the roof of the property.

Approved 14 August 2014.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.

ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

iii. Chapter 16. Conserving and enhancing the historic environment- States that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 197- In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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 effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

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 EN3 (Heritage); states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that 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 the 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 a street scene;
- e. The effect of the loss of any on-site car parking.

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.
- 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 parking problem that unacceptable additional pressures would be created.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

Paragraph 11.45 stresses that proposals should preserve or enhance the character of the conservation area. It is important that new developments in conservation areas or elsewhere are not designed in isolation. This does not prevent or inhibit creative design. Considerations of design and layout must be informed by the wider context, having regard not just to any immediate neighbouring buildings, but also to the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.

Paragraph 11.46 states that planning submissions within conservation areas must be supported by sufficient information to enable the Council to assess in detail the context of the area. This will include full contextual drawings, photomontage, and where appropriate, a model of the proposed development.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

ISSUES

Principle of Development

The submitted application seeks planning permission for erection of a single storey side extension. The principle of development is not acceptable, as the benefits to the applicant do not outweigh the potential harm in relation to visual amenity and design and appearance. After the site visit was conducted, the agent was asked to amend the proposal to be in keeping with the colour palette and materials of the Conservation Area. Although 3D designs were sent for consideration of which two may have been acceptable, a revised drawing set was not received. The original request to change the scheme was sent to the agent on 9th May 2023 and to date no approvable plans have been received.

Design and Appearance

Whilst the form and massing of the proposed side extension would be considered acceptable and appropriate given the constraints of the site, the materials chosen are unacceptable. As stated above, the materials to be used for the proposal would include- roof- white aluminum rafter with PVCu capping and solaroof glass, walls- silver mist toughened obscure glass and frame/doors- white high impact PVCu mainframe.

The materials would contrast the red brick and red roof tiles at the property. Whilst it is acknowledged there are several garages along the northern side of Russell Road, these are original and in some cases are of disrepair/ poor quality. Further, the spaces are used as garages and not as additional living space in connection with the use of the properties. Although the current timber fence enclosing the side amenity space from the highway would hide some of

the impact, the proposal in contrasting materials would be visible from several parts of the street and would create an incongruous feature within the streetscene. The materials and the white colouration to be used for the external roof and frames would create a low quality extension which would not relate well to the existing property. As such, the design and appearance of the proposal is considered contrary to Policy DC1 of the UDP.

Visual/Residential Amenity

It is acknowledged the proposal is considered acceptable in relation to visual/ residential amenity. Due to the siting of the extension within the side amenity space, no immediate neighbours would be impacted by the proposal. However, due to the materials and colouration chosen, the proposal is considered to create a detrimental feature in relation to visual amenity. The side extension would be viewed by neighbours and passers-by from the streetscene and is considered visually intrusive, contrary to Policy DC1 of the UDP.

Whalley Range Conservation Area

The property sits within the Whalley Range Conservation Area. The residential properties within the conservation area are characterised as Edwardian in era and sited on tree lined avenues with many of the original houses remaining. Development control in Whalley Range is aimed at encouraging the area to flourish whilst paying attention to its special architectural and visual qualities.

Policy EN3 requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved policy DC18 of the UDP expresses the need to carefully consider the relationship of new structures to neighbouring buildings and spaces.

The application seeks permission to erect a single storey side extension to the western side of the property. The side extension would align with the primary elevation of the host property and as such would be seen by residents and passers-by. Although the current timber fences enclosing the side amenity space from the highway would hide some of the impact, the proposal in contrasting materials would still be visible from several parts of the Conservation Area.

The use of contrasting materials and the white colouration within the proposal would be contrary to the ethos of the conservation area, where original character and details of properties should be retained. The materials chosen would result in a proposal which is visually out of keeping with the architectural qualities of the Conservation Area. As a result, the proposal made of poor quality and highly unsympathetic materials would not preserve or enhance the historic environment or character of the area.

Whilst it is acknowledged the property offers a small contribution to the Conservation Area, as the extension is to the side of the property, the harm to the Conservation Area would be unacceptable. In accordance with paragraph 202 of the NPPF, public benefits do not overcome the harm that would be caused if approval was granted.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property

and local area, and the proposal has been amended to minimise visual impacts to the Conservation Area.

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 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. In this instance officers have worked with the applicant in a positive and proactive manner, however no revised plans to overcome concerns were received.

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

- 1) The erection of a single storey side extension would, by reason of its design, materials and colouration, form a visually intrusive and incongruous feature, which is out of character with, and fails to contribute positively to, the local area. The proposal would therefore have an unduly harmful impact on visual and residential amenity and the Whalley Range Conservation Area, which is contrary to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policy DC1 and DC18 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

12 Goodwood Lodge, 22 Russell Road, Manchester, M16 8GD
11 Goodwood Lodge, 22 Russell Road, Manchester, M16 8GD
10 Goodwood Lodge, 22 Russell Road, Manchester, M16 8GD
27 Russell Road, Manchester, M16 8DJ
25 Russell Road, Manchester, M16 8DJ
23 Russell Road, Manchester, M16 8DJ
Flat 28, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 8, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 6, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 4, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 38, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 35, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 32, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 3, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 27, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 24, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 22, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 19, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 17, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 14, Tangmere Court, Dudley Road, Manchester, M16 8DF
18 Russell Road, Manchester, M16 8DL
29 Russell Road, Manchester, M16 8DJ
Flat 9, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 7, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 5, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 40, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 39, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 37, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 36, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 34, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 33, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 31, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 30, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 29, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 26, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 25, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 23, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 21, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 20, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 18, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 16, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 15, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 12, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 11, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 10, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 1, Tangmere Court, Dudley Road, Manchester, M16 8DF

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

Conservation Area - Whalley Range Conservation Area 1992

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA