

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135796/FH/2022

Date registered valid: 19 December 2022

Proposal: Enlargement of dwellinghouse with a single storey rear extension and elevational alterations including rendering property in connection with a garage conversion into living accommodation

Address: 187 Wythenshawe Road, Manchester, M23 0AD

Ward(s): Brooklands Ward

Applicant: Mr Savage

Agent (if any): Mr David Litster Vanderbyl Design & Build Ltd

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 January 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 13 January 2023 Expired: 3 February 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 brick built dwellinghouse with a forward protruding porch and garage. The front garden is a mixture of hardstanding and gravel and can accommodate up to 3 vehicles.

The south facing garden provides private amenity space for the occupiers.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is near to Wythenshawe Park and is characterised as being predominantly residential in nature.

Description of development

The applicant is seeking planning permission to erect a single storey rear extension and elevational alterations including rendering property in connection with a garage conversion into living accommodation

Consultations & Notification Responses

Publicity – Notification letters were sent to nearby residential properties (see appendix 1 for the list of properties).

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

127. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning History – There has been one previous planning application at this address, concerning an application to apply for a certificate of lawful proposed development for a single storey rear extension and elevational alterations including rendering property in connection with a garage conversion into living accommodation.

The application was refused for the following reason:

Refuse on the basis that the proposed single storey rear extension and elevational alterations, as detailed on the submitted drawings 187WR/001a received by the City Council as Local Planning Authority, on the 21 October 2022, does not constitute permitted development and is not in accordance with Part 1, Schedule 2, Class A.3(a) of the Town and Country (General Permitted Development) Order 2015 (as amended), as the proposed off white render would not be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The 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 an extension is acceptable, however matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Siting, Scale and Massing – This is an identical proposal to the previous certificate which was refused, in that the applicant seeks to extend the rear of the property and make elevational alterations to both the front and rear of the property with the application of a render.

The single storey rear extension would have a rearward projection of 3 metres that would extend across the full width of the rear of the property, saved UDP policy states that the Council will not normally approve a rearward extension greater than 3.65m (12 ft) in length. The proposal would therefore comply with the extant policy in terms of its rearward projection. At a proposed height of 3.7 metres and an eaves height of 2.53 metres the proposal would meet the requirements of the GPDO as set out within Part 1, Schedule 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Which is considered the fallback position should the application be unsuccessful. The fallback is a material consideration in the decision-making process, of which the PD rights given by the Order comprise an element. Thus, when deciding on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights.

In this case it could be possible to approve a similar brick built that would be similar in appearance to the existing dwellinghouse without the requirement of a planning application and it is therefore considered that the siting, scale and massing would be appropriate and no result in an addition to the property that overbears or overshadows the adjoining neighbour properties.

Therefore, to conclude the proposal in terms of siting, scale and massing accords with policies with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Design and Appearance – The applicant proposes to render in an off white colour the front porch and garage and the whole of the rear of the property including the proposed extension. To be considered permitted development the materials should be visually similar to those used on the construction of the existing dwellinghouse to reduce the visual impact. As there is no existing render on the property, visually the appearance would be different and therefore require planning permission. The test is to consider whether the addition of render would be visually detrimental to the appearance of the property and the character of the wider area.

It was noted during site visits that the properties opposite the application site have had their bricks painted in white and that a property to east of the dwellinghouse (no.173) has also had an extension which includes rendering parts of the property in a white render under approved planning reference: 119377/FH/2018. Therefore, the application of render or painted brick would not be unusual for this location.



Image 1 Aerial image of painted or rendered property (red circles) together with the applications site: Source: google.com/earth accessed 10.02.2023

The elevational alterations at the front include replacing the existing garage door with a window and a new front door that would be in keeping with the dimensions and size of the original windows.

There are no concerns with the design or appearance, it is recommended that materials are dealt with by means of a planning condition.

Residential Amenity - If the proposed development is approved there would still be sufficient space for outdoor amenity in the form of the rear garden. The siting, scale and massing of the proposal have been discussed previously in this report and are found not to cause any detrimental impact on residential amenity. The proposal is therefore considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP.

Car Parking and Refuse Storage – There are no changes to the proposed car parking and refuse storage arrangements.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

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: Approve

Article 35 Declaration

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

187WR/001a received by the City Council as Local Planning Authority, on the 19th December 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development hereby approved shall be carried out in accordance with the materials as set out in drawings:

187WR/001a received by the City Council as Local Planning Authority, on the 19th December 2022.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

3 Nan Nook Road, Manchester, M23 9BZ
1 Nan Nook Road, Manchester, M23 9BZ
7 Cherry Tree Road, Manchester, M23 9BY
292 Wythenshawe Road, Manchester, M23 9DA
268 Wythenshawe Road, Manchester, M23 9DA
189 Wythenshawe Road, Manchester, M23 0AD
185 Wythenshawe Road, Manchester, M23 0AD
294 Wythenshawe Road, Manchester, M23 9DA
270 Wythenshawe Road, Manchester, M23 9DA

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA