

Planning

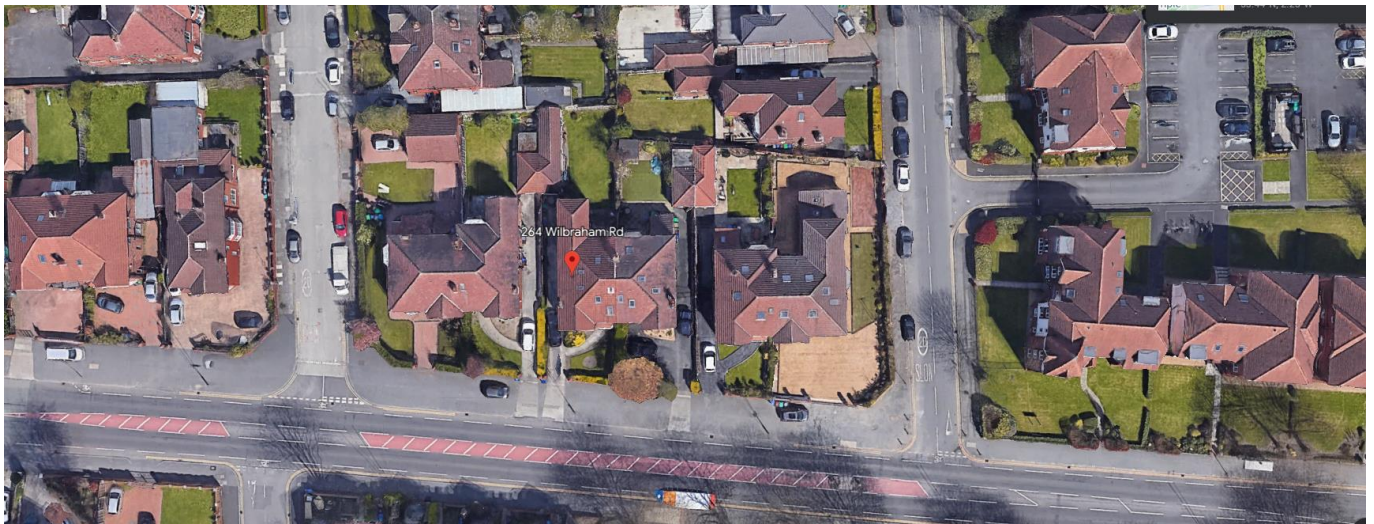
Growth & Development

Delegated officer report for planning application

Application no. 132730/FH/2022
Date registered valid: 17 January 2023
Proposal: Erection of a single storey rear extension to form additional living accommodation
Address: 264 Wilbraham Road, Manchester, M16 8QL
Ward(s): Whalley Range Ward

Applicant: A Koser
Agent (if any): Mr V Alyas, Architek
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 20th March 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	28 February 2023
Standard consultations:	Printed: 30 January 2023 Expired: 20 February 2023
Neighbour notifications	Printed: 30 January 2023 Expired: 20 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 property in the Whalley Range ward area of Manchester. Historically the property has undergone enlargements to the rear by way of a two storey rear extension which extends part way across the rear. The property is set back considerably from the road with gardens to the front and rear and off road car parking. The property features gable fronted bay windows with front porch and detached garage to the rear along the shared boundary with no. 266 Wilbraham Road. To the rear are bay windows to the ground and first floor.



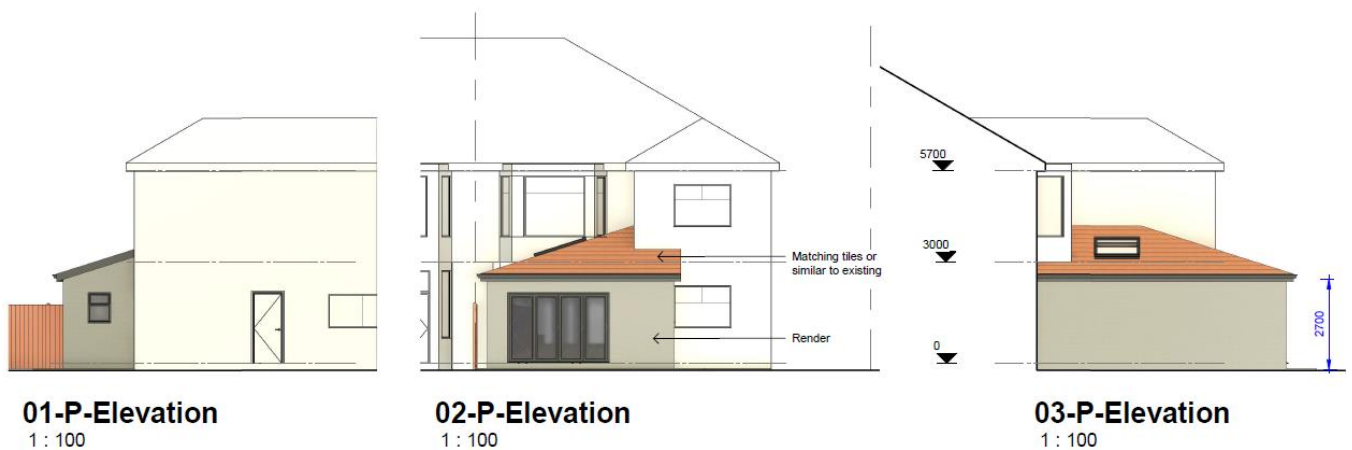
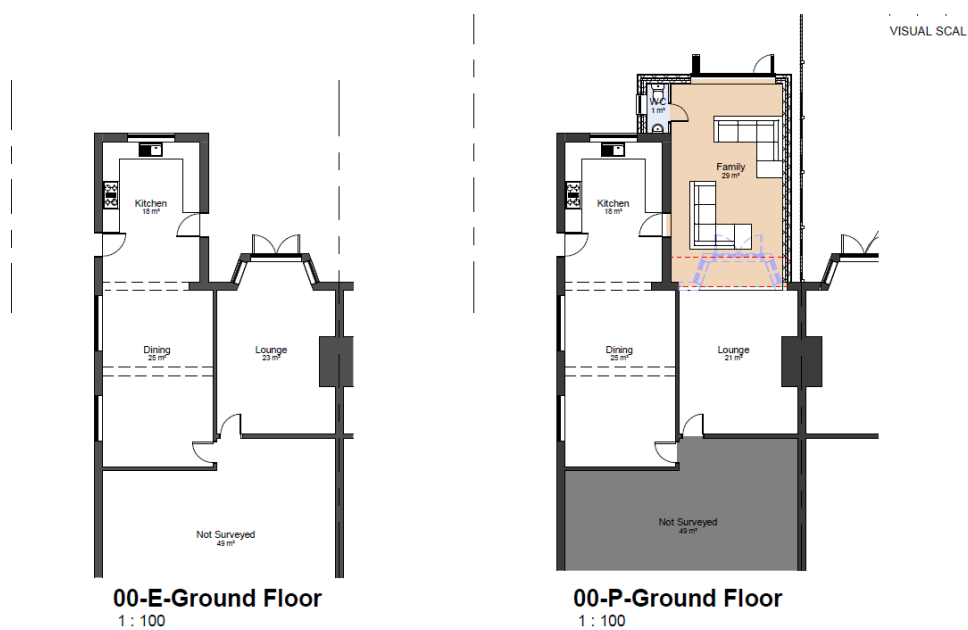
Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in nature comprising detached and semi detached properties with the exception of Whalley Range High Schools for Girls opposite the site and some town houses.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension to form additional living accommodation.



Consultations & Notification Responses

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

MCC Flood Risk Management, comments as follow:

As per the FRA, the proposed extension is within Flood Zone 2, floor levels should be set no lower than existing floor levels of the existing property.

The site is within Flood Zone 2 and an Environment Agency Flood Warning Area. 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.

INFORMATIVE:

MCC records highlights an underground culverted watercourse (Dog Kennel Brook) is located within close proximity to the site (approximately 60m north-west of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

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.

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.

List of plans considered

The plans considered as part of this proposal are as follows:

Received on 19th January 2023 numbered A101 Rev P1 Existing and Proposed Site Plan

Received on 19th January 2023 numbered A102 Rev P1 Existing and Proposed Floor Plans

Received on 19th January 2023 numbered A103 Rev P1 Existing Elevations

Received on 19th January 2023 numbered A104 Rev P1 Proposed Elevations

Received on 19th January 2023 numbered A105 Rev P1 Proposed Visuals 3D

History

Previous applications relating to this site as follows:

090246/FH/2009/S1 - Recv: 01.06.2009 - Application Approved - 02.07.2009 Erection of two storey rear extension to form additional living accommodation

079077/FH/2006/S1 - Recv: 06.04.2006 - Application Approved - 12.05.2006 Erection of 2 storey rear extension

Residential Amenity

The applicant is seeking to extend the property by erecting a single storey rear extension to form additional living accommodation.

The property has an existing two storey rear extension which projects approximately 5.3 metres extending partway across the rear wall retaining a gap to the boundary with the adjoining semi-detached property no. 262 Wilbraham Road. The City Council raised concerns with the applicant/agent with regards to the projection of the proposal along the shared boundary with the adjoining semi detached property with a view to withdrawing the current scheme and resubmitting an amended scheme with a lesser projection along the shared boundary.

The proposal involves the infilling of the space between the existing extension and the shared boundary with the adjoining semi detached property measuring approximately 7.3 metres in length and wrapping around the existing extension. The height would be 2.9m to eaves and 4.3m in total height to ridge. The roof would be hipped with the additional insertion of a roof light. Bi folding doors are proposed on the rear leading into the garden. No windows are proposed on the side elevation facing the adjoining semi detached property; a window is proposed on the side facing no. 266 Wilbraham Road.

Given the close relationship to the shared boundary with the adjoining semi detached property no. 262, it is considered that the proposal would provide an overbearing structure which would lead to the loss of residential amenity currently being enjoyed by the occupiers of this property. Whilst it is noted that there is an existing extension on the application site to the rear, given the gap retained to the boundary, this is considered retains an element of openness to the occupiers of the adjoining semi-detached property. It is considered that the introduction of a 7.3m extension together with the height along this boundary would provide a domineering and harmful outlook on the occupiers of the adjoining property including the result of a tunnelling affect given that the adjoining semi detached property also has an outrigger on the rear of the dwelling house.

In terms of overshadowing and loss of light, although the City Council acknowledges that during the early morning and afternoon, this would not be affected, given the proposed length of the proposal, during the late afternoon and early evening the proposed extension would result in overshadowing and loss of light to the adjoining semi detached property.

In terms of residential amenity it is considered that the proposed development would provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered does not accord with Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is believed to provide an overbearing impact upon the residential amenities of the adjoining property and is therefore considered that the proposal would be out of character with the existing and surrounding properties in the area. The proposal not satisfactory 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

The design of the proposal is considered unacceptable with the existing and surrounding properties in the area. The City Council considers that this additional built form in such close proximity to the common boundary, combined with the 7.3m length of the extension, would result in an undue sense of enclosure when viewed from the rear windows and garden area of No.262 and therefore design is not detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development does not accord with Core Strategy Policies DM1 and EN1 and in general the design is considered unacceptable.

Waste management

Not affected by this proposal

Parking

Parking is unaffected by this proposal as off road parking would be available on the front drive.

Conclusion

It is considered that the proposal would provide visual harm to the occupiers of the adjoining property by way of appearance, bulk and mass and if approved would provide an overbearing and detrimental impact on the residential amenity of the occupiers of the adjoining property and the character of the area and therefore does not comply with Council saved policies DC1 of the Unitary Development Plan and policies DM1, SP1 and EN1 of the Core Strategy.

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 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 development due to its poor design, scale and massing and relationship to the shared boundary with the adjoining semi detached property would form an unacceptable tunnelling effect leading to an unduly visually obtrusive feature to the detriment of visual amenity and character of the area. This would form an overly bulky, structure with an overbearing impact to the occupiers of no. 262 Wilbraham Road and as such is contrary to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

333A Wilbraham Road, Manchester, M16 8GL
333 Wilbraham Road, Manchester, M16 8GL
262 Wilbraham Road, Manchester, M16 8QL
266 Wilbraham Road, Manchester, M16 8QL

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