

Planning Statement

For Mr Imtiaz Khan and Mr Amir Khan | 22-300

Proposed householder application - 415 Wilbraham Road, Manchester, M21 0UT

Project: 22-300
Site Address: 415 Wilbraham Road, Manchester, M21 0UT
Client: Mr Imtiaz Khan and Mr Amir Khan
Date: 30 January 2023
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1. Introduction

- 1.1 This statement is submitted in support of a householder planning application for minor extensions and alterations to the external appearance and a replacement of roof structure at 415 Wilbraham Road, Chorlton.
- 1.2 It will be demonstrated that the principle of the development is acceptable. The proposed development would comply with the policies set out in the development plans and the Framework and therefore be in accordance with paragraph 11 of the Framework, planning permission should be approved. There are no material considerations to indicate otherwise.



2. The application

- 2.1 415 Wilbraham Road is a detached two storey dwelling located within a primarily residential area.
- 2.2 Planning permission is being sought to extend the property by undertaking minor extensions and provide a replacement roof to enable the applicant to re-organise the existing living accommodation for his extended family, as well as improve the external appearance of the property. The proposed alterations involve minimal external intervention to provide a balanced and uniform appearance.
- 2.3 The application consists of the following elements:
- Infilling of the two small recesses on the rear corners to provide a simple rear elevation and to improve the internal room size with regular shaped rooms at both ground and first floor.
 - Constructing a narrow first floor extension over the existing ground floor extension on the eastern elevation of the property.
 - Infilling the small recess at the first floor on the western side of the front elevation of the property to create a uniformed appearance to the front elevation of the property and improve internal room layout.
 - Replacing the existing roof structure with a new roof of a hipped roof design with a slightly steeper roof pitch and a central flat roof as well as a small increase in the ridge height. The combination of the stepper roof pitch and flat roof will allow the current unhabitable roof accommodation to provide 3 new bedrooms, 1 bathroom and storage area to be provided. These rooms will be lit by roof lights.
- 2.4 All new external materials will match the existing building.



3. Context

Site location and description

- 3.1 As referred to above, 415 Wilbraham Road is a two-storey detached dwelling located to the south of Wilbraham Road. It is located in a predominantly residential area, with a mixture of detached and semi-detached dwellings on both sides of the road. Over the years many of these properties have either been substantially extended or replaced with new dwellings. Due to these modifications, there is now less cohesion between the house types with more individually designed dwellings which provides a wider variety of different designs, heights and house types.
- 3.2 Whalley Range Football Club lies to immediately to the south of the application site.

Relevant planning history

- 3.3 Following a search of the local authority website the following planning application are considered to be relevant:
- November 1989 – planning permission approved for part single, part two storey extension to side and rear (application reference 034859).
 - February 2002 – planning permission approved for first floor front extension, part single, part two storey rear extension with first floor terrace and single storey side extension (application reference 063800/FH/SOUTH-01).
 - July 2002 – planning permission refused for part two storey, part single storey rear extension, first floor front extension and alterations to front elevation and single storey side extension (application reference 65037/FH/SOUTH1/02).
 - October 2002 – planning permission approved for single storey front and side extension and two storey rear extension (application reference 065964/FH/SOUTH1/02).
 - March 2008 – planning permission granted for single storey side and front extension and part single/part two storey side extension and two storey front extension, re-roofing and frontage alterations (application reference 085355/FH/2007/S1).



- August 2009 – retrospective planning permission granted for erection of single storey side and front extensions, part two storey rear extension and two storey front extension together with elevational alterations (application reference 090519/FH/2009/S1).
- March 2020 – application for extensions including increase in height and link to outbuilding withdrawn (application reference 125868/FH/2020).
- September 2020 planning permission refused for first floor side extension, two storey rear extension, alteration to roof including inclusion of rear balcony to form additional living accommodation together with associated elevation alterations (application reference 126975/FH/2020).
- March 2021 – Class AA extension to add additional storey refused for not meeting relevant criteria (application reference 129677/P1AA/2021).
- June 2021 – Class AA extension to add an additional storey refused for not meeting relevant criteria (application reference 130042/P1AA/2021).
- May 2022 – Class AA extension refused for additional storey for not meeting necessary criteria (application reference 133453/P1AA/2022).

Relevant nearby planning history

- 3.4 The immediate neighbouring property, no 413 Wilbraham Road, is believed to be a replacement dwelling and has now been completed for some 20 years. This building is substantially taller than other properties along Wilbraham Road and is 2.5 metres taller than the application property. It is understood this permission was granted in 1999 but no details of the relevant planning permissions are available to view on the Councils online search facility.
- 3.5 Of equal importance is the recent development which has been approved for 409 Wilbraham Road which is for a replacement dwelling. The approved plans for planning permission 131200/FO/2021 (for a replacement dwelling), show an increase in ridge height of 300mm and increase in the roof pitch from 31 degrees to 47 degrees, the roof design also includes a large central flat roof to enable additional accommodation to be provided within the roof space.
- 3.6 A further planning application has now been submitted and approved which approves modifications to the previously approved scheme (application reference 135175/FO/2022). This is proposed to raise the ridge



height of the replacement dwelling by approximately 340mm and increase the roof pitch from 31degrees to approximately 45degrees.

- 3.7 In this instance, a small increase in ridge height and alterations to the roof pitch have been approved on neighbouring properties and the approved schemes are virtually identical to the current roof modifications proposed at no. 415 under this application.



4. Policy context

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the relevant development plan:

“If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Development plan context

- 4.2 The development plan comprises the Manchester Core Strategy, which was adopted in 2012, and the saved policies of the Unitary Development Plan, which was adopted in 1995. Policies considered relevant to the determination of this application includes the following;

- Core Strategy Policies DM1 – Development Management
- Core Strategy Policies SP1 – Sustainable Development

National Planning Policy Framework (The Framework) July 2021

- 4.3 Paragraph 11(c) and (d) of the Framework establish a presumption in favour of sustainable development, to be applied in plan making and decision taking:

“For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 4.4 Relevant chapters from the Framework to this development are below:

- 2. Achieving sustainable development
- 4. Decision making
- 12. Achieving well-designed places



Determining applications

- 4.5 Paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Design

- 4.6 Section 12 of the Framework seeks to achieve well-designed places. Paragraph 126 recognises that 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. Paragraph 130 of the Framework also reinforces the good design principles of paragraph 126 and provides guidance on how this can be achieved.

National Practice Guidance

- 4.7 The National Planning Practice Guidance (NPPG) was published in March 2014 with various elements now being updated. It provides guidance on the interpretation of Government policy contained within the Framework.



5. Planning considerations

- 5.1 This section of the report assesses the proposed development within the context of the planning policies set out in the previous section.

Existing Situation.

- 5.2 The existing dwelling, despite the previous approved extensions provides 5 bedrooms at first floor level. Whilst space has previously been provided in the roof space, this is unusable as living accommodation due to the lack of appropriate head height. As a result, this area is only used for storage.
- 5.3 The applicant lives in the property with his extended family of 3 generations. The family unit consists of;
- Mrs Nargis Kahn (70) and Mr Imtiaz Khan (65)
 - Miss Sanah Khan (31) (daughter) and partner Noman Haider and two children Raees – male (5) and Idrees Khan- male (2)
 - Mr Amir Khan (33) (son) and wife Sadia (33) and two children Aiyla – female (7) and Zakariya – male (3) with third child expected in summer 2023
- 5.4 The accommodation provided does not allow for sufficient bedroom accommodation for this growing family. Whilst the children are small the sharing of bedrooms has not been an issue, however Mr Amir and Sadia Khan are expecting their third child in summer 2023 and then as the children grow, they will need additional bedroom accommodation.
- 5.5 The applicant and his family are very keen to stay at 415 Wilbraham Road as this has been their family home for many years. As can be seen from the planning history, the applicants have over recent years tried many different options to gain additional living accommodation with varying degrees of success.
- 5.6 The last 3 applications for the site have sought permission for Class AA extensions, with the last formal householder planning application, 126975/FH/2020 being refused in September 2020. Since this refusal in 2020, there have been a number of planning applications on surrounding properties that have now been approved and are comparable to the application schemes.
- 5.7 It is well established in case law that previous planning decisions are capable of being material considerations and may need to be taken into account by local planning authorities in determining subsequent applications for permission.
- 5.8 It was stated by Mann LJ in *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65P & CR137 that:



“One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency...Consistency is self-evidently important to both developers and development control authorities. But is also important for the purpose of securing public confidence in the operation of the development control system.”

- 5.9 Singh J stated in the case of R (Midcounties Co-Operative Limited) v Forest of Dean District Council [2017] EWHC 2050 that:

‘Although the authorities demonstrate that a local planning authority is not bound by its earlier decision, nevertheless it is required to have regard to the importance of consistency in decision-making’.

- 5.10 In particular, we refer to the recent approvals at no 409 Wilbraham Road. Of importance to this current scheme are several factors that can be taken from the officer report from application 126975/FH/2020 and resulted in no objections to certain elements of the scheme. These elements will be discussed below.

Proposed scheme

- 5.11 The scheme now submitted seeks to undertake minimal alterations to the footprint of the property but maximize the accommodation that can be provided on all floors.
- 5.12 In the assessment of potential options for extending the property, we have undertaken a review of the immediate area along Wilbraham Road to ascertain other similar applications for either extensions and/or modifications to existing dwellings or indeed any replacement dwellings. This has allowed us to understand what design modifications have been achieved on other properties and which have been deemed to be acceptable for both dwelling and the street scene.
- 5.13 As referred to at paragraph 2.3 the proposed modifications can be split into 4 areas of work. We will now address each of these elements individually.

Infilling of the two small recesses on the rear corners of the property.

- 5.14 This alteration is required to improve the internal room size and to improve the useable space available in each room.
- 5.15 The property has previously been extended at the rear. It is assumed that as part of the previous scheme to extend the property at rear, the extension was stepped in on the corners to make the extension appear subsidiary to the main dwelling as well reducing any impact on the neighboring property. However, not all of the historical planning history for the building is available online so this assumption cannot be verified.



- 5.16 Due to other modifications that have taken place, either at the same time or since, this stepped in details is no longer considered to be necessary. The whole of the rear property has effectively been rebuilt in new brick work so any distinction between the original building and the extension has been lost. As a result the rear elevation looks like the original building. Consequently, maintaining this step in to provide a break between the original and extension is no longer considered necessary.
- 5.17 As referred to earlier within this statement, the neighbouring property, no.413 has been replaced with a much larger dwelling and sits further back on the site and impacts on the application property due to its height. Due to the position of no.413, the proposed infilling of the corners will not have a negative impact on this property.
- 5.18 In relation to no. 417 there is a large, glazed lean to conservatory across the whole of the rear elevation which is used as additional living accommodation. As this conservatory is used as one room and constructed in glass, the loss of light that may be caused by the proposed infilling of the rear corners of 415 is negligible. As can be seen on drawing number 511-03-601P rev A, a 45 degree line has been marked on from the corner of the conservatory at number 417 which demonstrates that the proposed corner modifications do not interfere within the sightlines from the existing conservatory. Consequently, it is not anticipated that the infilling in of the corners will have any impact on the amenity of the neighbouring properties, 413 or 417 Wilbraham Road.

To construct a narrow first floor extension over the existing ground floor side extension on the southern elevation of the property.

- 5.19 The property has previously been extended on the eastern side of the property with a narrow single storey extension. The extension was designed to provide additional accommodation at ground floor whilst allowing a pedestrian route at the side of the property to enable access to the rear garden to be maintained. It should be noted that number 413 has a similar pedestrian route at the side of the property to allow access to the rear garden of a similar width.
- 5.20 The western gable for 413, adjacent to no 415, has a number of windows at both ground, first and second floor on these elevations. It is understood that all these windows are either bathrooms, utility or secondary windows to existing living accommodation, however all these windows are fitted with obscure glazing.
- 5.21 The current scheme proposes building on top of the existing ground floor extension to create additional first floor accommodation. The proposed new windows are on the first floor only and will be to dressing rooms so the windows will be obscure glazing. The use of obscure glazing will remove any amenity issues with the neighbours. The ground floor dining room window is existing.



5.22 It should be noted that the refused application 126975/FH/2020 also proposed the same detail on the eastern gable of the building. The officer report for this application whilst referring to whole scheme and raising concerns in relation to other matters, clearly states that:

Given the relationship of the proposed extensions and the scale of the adjacent properties it is considered that the proposed changes would not have an overbearing impact. On balance it is considered that there would be no significant loss of amenity.

5.23 Consequently, we consider this element to be acceptable.

Infill the small recess at the first floor on the western side of the front elevation of the property to create a uniformed appearance to the front elevation of the property and improved internal layout.

5.24 As with the proposed infilling of the rear corners of the property, this proposal seeks to infill the current front corner on the western side of the property, to not only to provide a more uniformed room internally but to also balance up the front elevation of the property especially when seen as whole with the modifications, already carried out and those now being proposed as part of this application.

5.25 The infilling of this corner will not result in any adverse impact on number 417 Wilbraham Road.

Replace the replace the existing roof structure with a slightly steeper hipped roof design but with a central flat roof.

5.26 As referred to earlier within this statement the applicant and his extended family of 3 generations all live at the same property. Due to growing family, there is a need to provide additional living accommodation for all the family members, especially the children as they will require their own bedroom accommodation.

5.27 As can be seen from the detailed planning history referred to in section 3 of this statement, the applicant has tried on numerous occasions to obtain permission through a variety of schemes to improve and increase the accommodation available on the site.

5.28 Following the latest refusal for a Class AA application and reviewing at the last householder refusal, the applicant now proposes a less complicated approach to create the much needed additional accommodation required. This has also resulted from an assessment of the recent planning approvals in the immediate locality for other properties to extend and replace dwellings. Of particular importance, is no. 409 Wilbraham Road.

5.29 There have been 2 recent applications at 409 Wilbraham Road, both for replacement dwellings (with the second being a variation to the design of the approved scheme), the design of the replacement dwelling has adopted a similar design approach in maximizing the living accommodation available within the building and on the plot. Externally the building appears to be a traditional two storey dwelling, however



through a slight increase in the ridge height of the building and an increase in the roof pitch, it has been possible to achieve a third floor with full height living accommodation in the roof space. This scheme involves a section of flat roof in the middle which will give the appearance of a traditional hipped roof when viewed from the road.

5.30 The scheme subject to this application follows the same design approach by increasing the roof pitch and the ridge height to achieve additional living accommodation within the roof space. As with the approved scheme at 409 Wilbraham Road, the current proposal, from the street will give the appearance of a traditional hipped roof. As with no 409 the roof will also consist of a flat roof in the middle to assist with achieving the necessary internal head heights.

5.31 Of relevance is the planning officer report for the application 131200/FO/2021 for no 409 Wilbraham Road states

Scale and Massing - The roof form would not be typical of this part of Wilbraham Road, however examples of the pitch and ridge width do exist further to the west on Wilbraham Road beyond the junction with Wyverne Road to the south side of Wilbraham Road.

5.32 The fact that this roof form has been accepted on no 409, which is in such close proximity to the current application, clearly shows that this form of roof design is acceptable in principle and is therefore highly relevant to this current application.

5.33 It is acknowledged that within the officer report for the previous application 126975/FH/2020 for no. 415, that the officer was concerned about the impact the suggested alterations would have on the street scene. However, since the determination of this application the City Council has accepted a scheme for a replacement dwelling with a simple balanced appearance which is considered to be acceptable in the street scene. The scheme subject to this application will also result in a well-designed dwelling with a balanced appearance on the street scene and one that should be welcomed. Importantly the building will always be viewed against the dwelling at no 413 Wilbraham Road which is recognized by the Authority at being at odds with the immediate area due to its height and design. Therefore, we consider that the proposed alterations would not result in adverse impact on the street scene and should be welcomed.

Residential Amenity

5.34 As referred to above, a great deal of care has been taken to ensure that the proposed development would not result in any adverse impact on the residential amenity of the two immediate neighbouring properties.

5.35 The impact on no 417 is considered to be minimal. The proposed modification to the front elevation will not result in any loss of light or have an overbearing impact to number 417 due to the small nature of the extension and the existing separation distances. Any impact on the rear elevation is also minimal due to



the position of the conservatory on the rear elevation. The proposed slight increase in the ridge height and increase in roof pitch will be minimal to both the front and rear elevations of the property.

- 5.36 Likewise, any impact on 413 Wilbraham Road is considered to be minimal as no 413 is already considerably taller than the application the building, it is in similar proximity to the western boundary of the property to that of no 415 and the windows which are in existence on the western elevation are all obscure glazed. We are of the opinion that the proposed scheme will not result in any adverse impact on the residential amenity of the occupiers of no 413 Wilbraham Road.

Design and Appearance

- 5.37 As referred to above the scheme now submitted for determination has been carefully designed to achieve minimal changes that would maximize the living accommodation. The application scheme does just that. It also has the added advantage of regularising the design and appearance of the dwelling, in particular the existing unbalanced appearance on the front elevation, but also the rear and will replace the existing complicated roof design. The proposed scheme provides a much improved appearance to the dwelling which will blend in seamlessly with the neighbouring properties.
- 5.38 It is proposed to use matching materials to that of the existing building to help assimilate the modifications to the existing building.

Street Scene

- 5.39 Due to the passage of time any sense of uniformity with the house types on Wilbraham Road has now been lost, by virtue of either modifications/extensions as well as replacement dwellings. Consequently, there is now a variety of design of dwellings providing improved character and individuality to the street scene.
- 5.40 The scheme subject to this application, whilst it will result in a further change, is considered to be minimal and will still allow the dwelling to be read as a two storey dwelling which will blend in seamlessly to the neighbouring properties. Importantly the dwelling will sit more comfortably in the street scene than the dwelling at 413 Wilbraham Road.

Parking

- 5.41 The current ample off-street parking at the front of the property will not be affected by the current proposal and will be maintained. Consequently, there is ample parking available for the property.



Wate collection

- 5.42 As a domestic property the building is subject to standard waste collections provided by Manchester City Council, this will not change as a result of this proposal with existing facilities and storage areas to be maintained.



6. Summary and conclusions

- 6.1 Planning permission is sought for minor modifications to the existing dwelling including a replacement roof at the property to provide much needed living accommodation for the applicants' extended family.
- 6.2 It has been demonstrated within this supporting planning statement that the proposed development would not result in disproportionate additions to the dwelling and would not have an adverse impact on neighbouring properties or the street scene and would therefore comply with local policy.
- 6.3 The proposal therefore complies with the development plan and in accordance with s38(6) of the Planning and Compulsory Purchase Act 2004, paragraph 11(c) of the Framework and Policies DM1 and SP1 of the Manchester Core Strategy, planning permission should be granted without delay.



