

Delegated officer report for planning application

Application no.	129916/FH/2021					
Date registered valid:	25 May 2021					
Proposal:	retention of a single storey rear extension to form additional living accommodation					
Address:	89 Farnborough Road, Manchester, M40 7WF					
Ward(s):	Miles	Platting	&	Newton	Heath	Ward
Applicant:	An Vien Phan					
Agent (if any):						
Case officer:	Eve					Woolstencroft
	Tel:	0161		234		4533
	Email: eve.woolstencroft@manchester.gov.uk					
Recommendation:	Refuse					
Date of recommendation:	11 January 2023					

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 1 June 2021 Expired: 22 June 2021

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

Listed building: Not applicable

Description of Site/Area

The application site relates to a two-storey terraced dwellinghouse which is located within the Miles Platting area of Manchester. The external facing materials of the original dwelling are part brick and part render with concrete roof tiles. The front and rear gardens of the property are of a similar width and length and the extension covers more than half of the rear yard area. The rear gardens of the terraces on Farnborough Road face the highway on Shetland Road.

Description of Development

The application seeks planning permission for the retention of a single storey rear extension to form additional living accommodation. The extension has a rear projection of 4.85 metres, width of 7.1 metres with a gap to the boundary of 0.6 metres with no. 87 and 0.35 to the boundary with no. 91 Farnborough Road. The extension has a dual pitched roof with a maximum height of 3.55 metres and a height to the eaves of 2.58 metres.

Consultation and Notification responses

Local residents were consulted however no responses were received.

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.

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.

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.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) 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.

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 CABE 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.

Issues

Principle of Development

The submitted application seeks retention of a single storey rear 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.

Visual/Residential Amenity

With regards to the neighbouring properties either side of no.89 Farnborough Road experience an additional 4.8 metres of built form along the shared boundary at ground floor. Whilst some loss of light or overshadowing implications would arise from this development these are not considered to be unduly harmful. There are no concerns with regards to overlooking or loss of privacy caused by the extension as there are no windows in the side elevations.

Design and Appearance

Due to the siting, scale and appearance of the extension sited, which is sited within a small rear yard, the extension appears over dominant within the streetscene and highly visible from Shetland Road above the brick wall boundary treatment. The materials used on the external elevations of the extension are timber weatherboard (pine) and a metal sheet roof as well as white UPVC fenestration and roof edging.



Whilst discussions took place during the course of the application, which included the exploration of possibilities of over cladding the extension with an acceptable material that would be in keeping with the existing property, ultimately an acceptable solution that would overcome the concerns with regards to the extensions impact on visual amenity.

The extension is not in keeping with the existing dwellinghouse, nor the prevailing character of the dwellings within the terraced row and wider area which consist of brick, render and roof tiles.

In addition, the modest scale of the rear garden has result in an overly dominant and highly visible structure that has also removed a significant proportion of the rear amenity space for the dwellinghouse.

The materials used on the extension of considered inferior in terms of quality and create an incongruous and uncharacteristic form of development within the streetscape. Due to use of materials, scale and siting in highly prominent location, the extension is considered to be detrimental to visual amenity.

On the basis of the above, the proposal fails to meet the requirements of saved UDP policy DC1.1, Core Strategy policy DM1 and the general guidance within Chapter 12 of the National Planning Policy Framework – Achieving Well-Designed Places

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. The development is not acceptable and there are no conditions which could reasonably have been imposed, which would have made the development acceptable. Matters were discussed with the applicant during the course of the application process.

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

- 1) The rear extension by virtue of its siting, scale and appearance has resulted in an overly large and incongruous feature at the rear of the property. This has been exacerbated by the use of the poor quality materials. The extension appears out of character with the pattern and materiality of the surrounding area and has resulted in a significant loss of the rear amenity space for the dwellinghouse. The extension has an unduly harmful impact on the visual amenity and character of the area which is contrary to the provisions of policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved Policy DC1 Unitary Development Plan for the City of Manchester (1995), the Guide to Development in Manchester SPD (2007) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

87 Farnborough Road, Manchester, M40 7WF
91 Farnborough Road, Manchester, M40 7WF
93 Farnborough Road, Manchester, M40 7WF

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH