

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134281/FH/2022
Date registered valid: 22 July 2022
Proposal: Erection of a front porch
Address: 1 Mitford Road, Manchester, M14 6UL
Ward(s): Withington Ward

Applicant: Mr Wasim Akram 34 Daylesford Crescent, Cheadle, Stockport, M14 6UL
Agent (if any): Colin T Williams 11 Gilda Crescent Road, Eccles, Manchester, M30 9AG
Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: REFUSE
Date of recommendation: 14 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 July 2022 Expired: 19 August 2022

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 application site relates to a large two storey dwellinghouse located within the Withington ward of Manchester. The building is constructed of red brick and grey slate roofs and presents two frontages as it is located on the corner of Brook Road and Mitford Road. The Mitford Road frontage is the focus of this application as it contains the main entrance into the building.



Photograph 1: Mitford Road Frontage



Photograph 2: Brook Road Frontage

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: None

Description of area

The surrounding area is residential. The two buildings to the south of the site are four-storey blocks of flats, constructed of a light brown brick under tiled roofs. These buildings are designed with half dormers fronting Mitford Road. Other buildings on the Road are two and three-storeys high, constructed of bricks coloured either red, buff or grey.

Description of development

The applicant is seeking planning permission to erect a front porch outside the main entrance fronting Mitford Road.

Consultations & Notification Responses

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

Local residents/public opinion – One representation was received objecting to the proposal, however the comments relate to a different development located on the same street and were not relevant to this application.

Issues

Planning History – There have been two previous planning applications at this address, a summary of the applications are provided below:

Application and Status	Reference	Description
128380/FO/2020 Recv: 10.12.2020 Application Refused - 03.02.2021 Appeal: Dismissed – 23.12.2021		Erection of a two storey detached dwellinghouse together with associated landscaping and car parking
102424/FO/2013/S1 Recv: 21.06.2013 Application Approved - 09.09.2013		Erection of two-storey detached dwellinghouse (Class C3) with associated parking

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:

126. 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,

130. 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.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design

guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should 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).

The Principle – The principle of a front porch is acceptable and in many cases this type of development could be considered permitted development subject to the limitations and conditions set by Part 1, Schedule 2, Class D of the Town and Country (General Permitted Development) (England) Order 2015 (as amended) the relevant part of the legislation when considering the addition of porches to properties.

Class D of the GPDO allows the following:

1. the ground floor area (measured externally) would not exceed three square metres.
2. no part would be more than three metres above ground level (height needs to be measured in the same way as for a house extension).
3. no part of the porch would be within two metres of any boundary of the dwellinghouse and the highway.

The above limitations would be considered the fallback position, the fallback is a material consideration in the decision-making process, of which the Permitted Development (PD) rights given by the Order comprise an element. Thus, when making a decision 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. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to.

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 and DC1.3 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and whilst not explicit on the addition of porches the policy does 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.

During the site visit it was observed that some of the works had commenced on site which shows the platform area of the porch and steps into the building.

Residential and Visual Amenity – The proposal would have a height of 4.3 metres, an eaves height of 3.57 metres and a ground floor area of 5.36 metres². The steps which would provide access to the porch from the front garden and street would have a height of 0.94 metres.

As described above these dimensions would exceed those set by the GPDO and therefore require planning permission. There are concerns that if approved the choice of materials and the size of the front porch would form an unduly prominent feature in the street scene and would be out of character with the surrounding area.

During the application this concern was raised with the applicant who was asked to consider reducing the size of the porch and therefore reduce the visual impact, but no response was received. It is acknowledged that the property does benefit from PD rights as stated above however, the porch that would be permitted by the GPDO should the application be refused would have significantly less of an impact than the one proposed during this application.

Therefore, the proposal would be contrary to Policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

Car Parking and Refuse Storage – The proposal would not impact the existing car parking or refuse storage arrangements.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The front porch would form an unduly prominent feature in the street scene and would be out of character with the surrounding area. As such the proposal is contrary to Policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Flat 6, 1 Brook Road, Manchester, M14 6UJ
Flat 3, 1 Brook Road, Manchester, M14 6UJ
Flat 2, 1 Brook Road, Manchester, M14 6UJ
Flat 5, 5 Derby Road, Manchester, M14 6UN
4A Mitford Road, Manchester, M14 6UL
Fallowfield Service Station, 377 - 385 Wilmslow Road, Manchester, M14 6AH
377 - 385 Wilmslow Road, Manchester, M14 6AH
Flat 1, 7 Mitford Road, Manchester, M14 6NU
Flat 3, 7 Mitford Road, Manchester, M14 6NU
Flat 10, 7 Mitford Road, Manchester, M14 6NU
Flat 6, 7 Mitford Road, Manchester, M14 6NU
Flat 8, 7 Mitford Road, Manchester, M14 6NU
Flat 9, 7 Mitford Road, Manchester, M14 6NU
Flat 7, 7 Mitford Road, Manchester, M14 6NU
Flat 5, 7 Mitford Road, Manchester, M14 6NU
Flat 4, 7 Mitford Road, Manchester, M14 6NU
Flat 2, 7 Mitford Road, Manchester, M14 6NU
Flat 3, 5 Mitford Road, Manchester, M14 6NT
Flat 5, 5 Mitford Road, Manchester, M14 6NT
Flat 7, 5 Mitford Road, Manchester, M14 6NT
Flat 8, 5 Mitford Road, Manchester, M14 6NT
Flat 9, 5 Mitford Road, Manchester, M14 6NT
Flat 6, 5 Mitford Road, Manchester, M14 6NT
Flat 4, 5 Mitford Road, Manchester, M14 6NT
Flat 2, 5 Mitford Road, Manchester, M14 6NT
Flat 11, 5 Mitford Road, Manchester, M14 6NT
Flat 12, 5 Mitford Road, Manchester, M14 6NT
Flat 10, 5 Mitford Road, Manchester, M14 6NT
Flat 7, 9 Mitford Road, Manchester, M14 6UL
Flat 4, 9 Mitford Road, Manchester, M14 6UL
Flat 1, 9 Mitford Road, Manchester, M14 6UL
Flat 4, 5 Derby Road, Manchester, M14 6UN
Flat 1, 5 Derby Road, Manchester, M14 6UN
Flat 7, 1 Brook Road, Manchester, M14 6UJ
Flat 24, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 21, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 18, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 16, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 12, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 10, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 7, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 12, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 10, Delamere House, Brook Road, Manchester, M14 6UJ
6 Brook Road, Manchester, M14 6UH
4C Brook Road, Manchester, M14 6UH
5 Derby Road, Manchester, M14 6UN
Flat 12, 7 Mitford Road, Manchester, M14 6NU
Flat 11, 7 Mitford Road, Manchester, M14 6NU
Flat 8, 9 Mitford Road, Manchester, M14 6UL
Flat 6, 9 Mitford Road, Manchester, M14 6UL

Flat 5, 9 Mitford Road, Manchester, M14 6UL
Flat 3, 9 Mitford Road, Manchester, M14 6UL
Flat 2, 9 Mitford Road, Manchester, M14 6UL
Flat 3, 5 Derby Road, Manchester, M14 6UN
Flat 2, 5 Derby Road, Manchester, M14 6UN
Flat 9, 1 Brook Road, Manchester, M14 6UJ
Flat 8, 1 Brook Road, Manchester, M14 6UJ
Flat 5, 1 Brook Road, Manchester, M14 6UJ
Flat 4, 1 Brook Road, Manchester, M14 6UJ
Flat 25, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 23, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 22, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 20, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 19, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 17, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 15, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 14, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 11, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 9, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 8, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 6, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 5, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 4, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 3, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 2, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 1, Mitford Court, Derby Road, Manchester, M14 6WD
Flat 9, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 8, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 7, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 6, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 5, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 4, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 3, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 2, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 11, Delamere House, Brook Road, Manchester, M14 6UJ
Flat 1, 5 Mitford Road, Manchester, M14 6NT
Flat 1, 4 Mitford Road, Manchester, M14 6UL
Flat 2, 4 Mitford Road, Manchester, M14 6UL
Flat 1, 1 Brook Road, Manchester, M14 6UJ
Flat 1, Delamere House, Brook Road, Manchester, M14 6UJ

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) -

Flood Zones Type 3 (high risk) -

Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Wilmslow Road/Egerton Road)

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA