

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134313/FH/2022

Date registered valid: 13 July 2022

Proposal: Erection of a part single/ part two storey rear extension to form additional living accommodation

Address: 14 Eileen Grove, Manchester, M14 5WE

Ward(s): Moss Side Ward

Applicant: Mr Majid Bakash 14 Eileen Grove, Manchester, M14 5WE

Agent (if any): Mr Andrew Brodie AGB CAD Services Ltd Royal Mills, 2 Cotton Street, Manchester, M4 5BD

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 7 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25th August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 July 2022 Expired: 11 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 property that is the subject of this householder application is a 2 storey brick built mid terraced property. It is identified as number 14 Eileen Grove and is within the Moss Side ward of the City. It is bay fronted and has a small walled garden to the frontage. There is no dedicated parking with the property. Access is from the front on Eileen Grove, with access to the rear being taken off a gated alleyway to the rear. There is a small yard to the rear of the property which is enclosed by a brick wall with coping stones on top, sitting on top of the wall is a timber trellis. The original outrigger on the property is the same along the terrace with a small projecting apron which runs across 2 properties, then returns into a recess before projecting again over the next 2 properties. This is repeated all the way along this terrace and the surrounding terraces.

There is a small timber single storey structure on the rear of the property which sits in line with the outrigger. The internal side walls of the yard comprise of the outside wall of a single storey extension on the property to number 16 Eileen Grove and a lower brick wall with trellis above to the common boundary with number 12 Eileen Grove.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with terraces of properties of the same size age and style to the proposal site. To the north of this lies Platt Church, Platt Fields Park and Platt Lane sports complex. To the south is Shahjalal Mosque and Islamic Centre.

Description of development

The proposal is for the erection of a part single part 2 storey rear extension. The dimensions of the 2 storey element are 3.225m rearward projection by 2.8m wide by a maximum height of 7.74m height. The single storey element would project from the rear of the property by 1.61m. The additional accommodation created includes internal reconfiguration to provide extended kitchen / diner to the ground floor and bathroom / office to the first.

Consultations & Notification Responses

Local Residents were informed- 3 representations have been received, the comments on the proposal are as follows:

There will be very little light coming into our back yard until 4pm every day
The plan includes 2 upstairs windows facing directly onto our yard so we will lose all our privacy.

I have no opposition to a single storey extension, which are quite common in the neighbourhood, I would like to express my objection to this application for a two- storey extension.

Our terraced houses are closely packed together and light and privacy are already at a premium, the proposed plans would significantly compromise this.

I am also very concerned that such a project, were it to be granted, would create a precedent for other houses in the neighbourhood to pursue similar two storey applications and that the result would be a significant loss of light and privacy across the neighbourhood - this would impact the health and well-being of children and adults who currently use the available outside space (in their yards and the alleyway) for recreation and relaxation.

Platt Claremont Residents association.

Have concerns with regards to loss of light - the house is North of the application property, so would lose all sunlight until late afternoon

(and maybe have no direct sunlight in winter months)

The proposal would have an impact upon privacy and residential amenity- from the plans it looks like there are 2 first-floor windows that directly overlook the back yard of No12 Eileen Grove. Unless these windows are opaque (which is unlikely as this area is scheduled to be an office) it will not be at all pleasant for the occupants of no 12.

If the proposal was for a single storey extension (as all the others are round here) this would not be a problem, but this proposal is for 2 storeys. the houses in this neighbourhood are all so close together that such a development would severely impact neighbouring properties including across the alleyway.

Issues

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.

Plans considered

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

EXISTING

Received 8th July 2022 numbered 217-002 Existing Plans and Elevations

Received 8th July 2022 numbered 2217-001 Location Plan

PROPOSED

Received 8th July 2022 numbered 2217-003 Proposed plans and elevations

History

There have been no previous planning applications relating to this site.

Residential Amenity

The applicant is seeking to extend the property for the erection of a part single/part two storey rear extension to provide reconfigured and additional living accommodation. Concerns were raised with the agent/applicant; However, the applicant elected to have the application determined in its originally submitted form rather than amend or withdraw the submitted scheme. The scheme as submitted was unable to be supported by the City Council as local planning authority.

The single storey element projecting 1.61 metres would extend as far as the existing footprint of the host property. The roof would be mono pitch with a roof light within the slope to provide additional natural lighting. Patio doors would be installed within the rear elevation overlooking the applicants own yard. There would be no windows along the common boundary with number 12 Eileen Grove.

The proposed two storey rear extension would project 3.22 metres from the rear wall close to the shared boundary with no. 16 Eileen Grove extending a width of 2.8 metres the roof would be mono pitched with the highest point being along the boundary with number 16 Eileen Grove. The 2 -storey extension would extend to the rear boundary with the alleyway covering the length of the rear yard and approximately two thirds of the width. There would be windows within the side elevation at both ground and first floors facing onto the yard area of number 12 Eileen Grove.

It is considered that the overall size, projection, scale, design and siting along the boundary, given the existing relationship to the existing properties is considered to give rise to loss of light and overshadowing and would result in a structure that would have an overbearing presence to the detriment of the residential amenity currently enjoyed by the neighbouring properties.

The City Council consider that the introduction of a first- floor structure in this location would provide an overbearing and unsatisfactory visual appearance to the occupiers of the neighbouring properties particularly no16 Eileen Grove interrupting clear views currently enjoyed from the rear.

Overall, given the orientation of the application site and its relationship to the neighbouring properties, it is considered that the proposal would provide an overbearing structure which would be out of character with the area and lead to overshadowing and the loss of residential amenity currently being enjoyed by the occupiers of the adjacent properties. The proposal is therefore considered would conflict with policies as set out in the Core Strategy for the City of Manchester Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The extension is proposed up against the single storey extension at number 16 Eileen Grove, this is also the highest point of the extension. It would stretch the full length of the yard resulting in a bulky oppressive structure along the common boundary and is believed to have an overbearing impact upon the residential amenities of the adjoining properties particularly number 16 Eileen Grove. The properties are all in close proximity to each other, with no gap between properties. There is only a narrow gap to the rear courtesy of the alleyway. The 2 storey extension would extend up to the boundary wall with the rear alleyway, and interrupts any openness currently achieved. As such it is not considered to be an acceptable addition to the host property and not in accordance with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Character of the area

The area within which the property is located comprises of properties of the same age, design and similar size and to the application property. This grid pattern of the terraces forms the character of the area. Many of the properties have secured single storey extensions within the rear yard, and whilst increasing the useable footprint of the property they do not interfere with the character and limited openness currently enjoyed by the neighbouring occupants. The two-storey extension would result in a highly visible expanse of blank brickwork when viewed within the context of the terrace interrupting the view along the alleyway which is very much used as additional amenity space by the local residents of Eileen Grove. It is therefore considered that the proposal is not in accordance with 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 design is not detailed as what is normally expected of such a structure it presents as a blank monolithic elevation to the rear and to the side along the boundary with number 16 Eileen Grove. This is due to the fact that there would be issues of overlooking and loss of privacy should any fenestration be introduced into either or both these two elevations.

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 saved policy DC1. 2 and DC1.3 and in general the design is considered unacceptable.

Waste management

There would be space for the 4 wheelie bins that are required by Manchester City Council however, this would also double up as external amenity space, and would be overlooked by the kitchen window.

Parking

There is no parking provision with the property and as such parking is unaffected by this proposal.

Conclusion

It is considered that the proposal would result in visual harm to the occupiers of the adjoining properties by way of appearance, bulk and mass and if approved would provide an overbearing and detrimental impact on the residential amenity currently enjoyed by the neighbouring properties. It is considered that the proposal would be harmful to the character of the area within which the property is located, 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.

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 and the Local Development Plan Document and other material considerations. In this instance a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

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

1) The proposed extension by reason of its height, orientation, rearward projection and close proximity to the site boundary would create an undue loss of light and have an overbearing impact on the rear habitable rooms of 12 and 16 Eileen Grove and would create an intrusive feature as viewed from surrounding homes and gardens to the detriment of residential amenity. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policies DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

73 Ealing Avenue, Manchester, M14 5WF
15 Eileen Grove, Manchester, M14 5WE
11 Eileen Grove, Manchester, M14 5WE
77 Ealing Avenue, Manchester, M14 5WF
75 Ealing Avenue, Manchester, M14 5WF
16 Eileen Grove, Manchester, M14 5WE
13 Eileen Grove, Manchester, M14 5WE
12 Eileen Grove, Manchester, M14 5WE

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
Area Team Boundary - Name: SOUTH AREA