

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133678/FH/2022
Date registered valid: 19 July 2022
Proposal: Retrospective application for the erection of single storey rear extension.
Address: 2 Macauley Road, Manchester, M16 0FA
Ward(s): Chorlton Ward
Applicant: Mr Talat Mehmood, 2 Macauley Road, Manchester, M16 0FA
Agent (if any): Mr Niamat Ali, NA Design & Construction Ltd, 47 Egerton Road South, Manchester, M21 0YW
Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk
Recommendation: Refuse
Date of recommendation: 12 September 2022



Satellite image of site, with blue to show approx. footprint of previously approved extensions and green for approx. footprint of the unauthorised extension.

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 February 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 25 July 2022 Expired: 15 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a double fronted two storey detached C3 dwellinghouse of red brick with a hipped pantile roof. The property features existing single storey rear extensions (F06811 and 101297/FH/2013/S1), a porch, two storey rear extensions and single storey side extensions (130679/FH/2021 and 132611/FH/2021). The plot includes a front garden, with a driveway to each side, and a small paved yard to the rear.

Description of area

Macauley Road is residential in nature and characterised by red brick family dwellinghouses with hipped roofs and red tiled bays. The short cul-de-sac lies between Manchester Road, at the northern end of Chorlton, and the border with Firswood in Trafford.

Description of development

The applicant is seeking retrospective planning permission for an unauthorised single storey rear extension, which was applied for as part of a previous application (130679/FH/2021) but negotiated away due to impacts upon residential amenity.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF 2012, amended in 2021):

- Chapter 12 – Achieving well designed places

For reasons to be outlined below, it is considered the proposal conflicts with the principles of these policy documents.



Issues

Principle – Extending a residential property to provide additional living accommodation to suit changing household needs is acceptable in principle, however the house has already been substantially extended, therefore careful consideration must be given to the proposals siting, scale, appearance and impact upon both residential and visual amenity.

Planning history – This is the 9th submission for this address.

- 033509 – **Approved** (06.09.89) - Single storey rear kitchen extension and erection of a detached garage.
- F06811 – **Approved** (22.07.77) - Single storey study and garage extension side and rear of dwellinghouse.
- 045403/FH/CENTL1/94 – **Approved** (13.06.94) - Single storey side and rear extensions to dwellinghouse to form new garage and kitchen.
- 101297/FH/2013/S1 – **Approved** (01.02.13) - Erection of single storey rear extension.
- 124695/PDE/2019 – **Turned away** (17.09.19) - Prior Approval for single storey rear extension extending beyond rear wall by 5.5 metres.
- 124879/FH/2019 – **Approved** (22.11.19) - Erection of a single storey rear extensions.
- 130679/FH/2021 – **Approved** (16.08.21) - Erection of single storey side extension and part single storey, part two storey rear extensions.
- 132611/FH/2021 – **Approved** (07.03.22) - Erection of single storey side extension.

Siting, scale and massing – The additional single storey rear extension forms a utility room. It is 3.5m in depth and 2.8m in width, with a flat roof height of 2.52m. This projects from a previous part single, part two storey rear extension which extends 5.5m from the original rear wall of the house, making this 9m in total from the original rear elevation. It is sited along the side boundary which forms the rear boundary of No's 127 and 129 Manchester Road, leaving a gap of 0.62m according to the plans, and leaves a gap of just 1m to the rear boundary. The depth is considered excessive, even taking into account the 8m depth allowed under permitted development, which this house would not benefit from owing to the previous additions. The garden is too small to comfortably accommodate the extension, the proposal is very close to multiple shared boundaries and the depth would far exceed that which is stipulated within saved policy DC1 of the UDP (of 3.65m) by 5.35m, hence the siting, scale and massing of the proposal is contrary to policy and thus deemed unacceptable.

Residential amenity – The additional extension had been negotiated away during discussions for the previous application and the agent was informed that an application to regularise it would not be supported, however they applied for it retrospectively. There are two impacts upon residential amenity, the first being the effect it has on No.129 Manchester Road, whose modest rear garden is now hemmed in on two boundaries by neighbouring structures. The applicant's 9m extension would extend along almost the whole shared boundary, forming an overbearing feature as viewed from the rear garden and windows at No.129 Manchester Road, which conflicts with policy DM1 and the NPPF. The second impact is on the applicant's own garden, which is now so narrow at the rear, it does not comprise meaningful outdoor amenity space. There is a front garden, but this lies within full view of the street, hence the only private area of garden was at the rear. The applicant may not use this and may not miss this outdoor space, however future occupiers of this large 4 bed family home may require a rear garden for children to play in etc. The aforementioned impacts are considered to be unacceptable and are contrary to the residential policies contained within the Core Strategy.

Conclusion – For the reasons explored above, it is considered that the proposal would have an overbearing massing along the shared boundary with No.129 Manchester Road. The scale of

the total enlargement, which projects 9m beyond the original rear, occupies some of the last remaining private outdoor amenity space for this large family house, to the detriment of both neighbouring occupiers and future occupiers of the application site. In policy DC1 it is explained that the adaptation and alteration of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the residential amenity currently enjoyed by the surrounding occupiers and future occupiers of No.2, thus acting against the principles set out in the above policies, therefore the proposal cannot be supported by the City Council. The agent was informed of the recommendation and no response was received, hence the application is recommended for refusal.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen on this occasion a satisfactory solution was not possible due to the retrospective nature of the application.

Reasons for recommendation to refuse

1) The proposed development, by reason of its excessive depth and siting in close proximity to the boundary shared with No.169 Manchester Road, will be detrimental to the residential amenity of the occupiers of the adjacent properties, having an overbearing impact and reducing the openness of their outdoor amenity space. Therefore the proposal would conflict with saved policies DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy and the NPPF.

2) The proposed development, by reason of its siting, depth and close proximity to the rear boundary, will be detrimental to the residential amenity of the current and future occupiers of the property, due to the loss of outdoor amenity space. Therefore the proposal would conflict with saved policies DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy and the NPPF.

Appendix 1 – List of consultees & neighbours notified

165 Manchester Road, Chorlton, Manchester, M16 0FE
171 Manchester Road, Chorlton, Manchester, M16 0ED
167 Manchester Road, Chorlton, Manchester, M16 0ED
6 Macauley Road, Manchester, M16 0FA
169 Manchester Road, Chorlton, Manchester, M16 0ED
1 Crimsworth Avenue, Manchester, M16 0EB
4 Macauley Road, Manchester, M16 0FA

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH