

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133609/FO/2022

Date registered valid: 28 April 2022

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

Address: 72 Braemar Road, Manchester, M14 6PS

Ward(s): Fallowfield Ward

Applicant: Mr David Neill N & R Developments Ltd 21 Rosedale Road, Stockport, SK4 2QU

Agent (if any): Mr David Slater 51 Higher Shady Lane, Bromley Cross, Bolton, BL7 9AQ

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation:

Date of recommendation:

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 24 May 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 April 2022 Expired: 19 May 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: No

Tree Preservation Order: No

Description of area

This planning application relates to a 2-storey end terraced house in a residential area with a high proportion of student HMO accommodation. Alleyways are located to the west and south of the site and positioned adjacent to brick walls adjoining the rear yard. The property incorporates a ground floor single storey bay to the front of the property and is sited at the back of pavement. The application relates to works to the rear of the property. The property comprises a 2-storey outrigger spanning the shared boundary with No 70. The roof forms a hipped pitch. The roof to the two storey outrigger forms a hip to the roof plane with a gable rear elevation.

The property has been previously the subject of the following planning permission granted on 27 November 2013:

101612/FO/2013/N2 - Proposed erection of a part single part two storey rear extension following the removal of the existing bay at first floor level



Fig. 1 – Front and rear of 72 Braemar Road

Description of development

- i. The development would involve the formation of an end gable extension to the property that would be related to the height of the ridge line and the angle of the extended roof plane .A window would be incorporated into eastern elevation.
- ii. The extended southern roof plane would incorporate a flat roof rear extension spanning the width of the southern roof plane and terminating 200 mm from its outside edge. The extension would project from the ridge line with dimensions of 2.25 metres (h) x 4 metres (l) x 4 metres (w). The rear elevation would be off set from the eaves by 200 mm and would incorporate a window its rear elevation.
- iii. The southern elevation of the proposed extension would be adjoined by a second element projecting outwards along the western roof plane of the outrigger (forming an L-shape). The secondary extension would have dimensions of 2 metres (height) x 4 metres (length) x 2.7 metres (wide). The roof extension would be set back from the eaves and outside edge of the gable elevation by 200 mm. A window would be incorporated into the eastern elevation.
- iv. The external elevations have been constructed in black horizontal cladding to reflect the appearance of the main roof.
- v. A part single, part 2-storey extension would be formed and adjoined to the southern elevation of the rear extension. The single storey element would be incorporated into the boundary wall and spanning across the width of the outrigger. The rearward projection would be 3 metres. A lean-to pitched roof (with a maximum height of 3.5 metres) would be formed and incorporated into the first floor element of the extension. The first floor element of the extension also involve a lean -to pitched roof with a maximum height of 6.25 metres. It would also be related to the width of the existing outrigger and a window would also be incorporated into its southern elevation .
- vi. The implemented work has facilitated the formation of:

Ground floor - 1 x bedroom, lounge and kitchen;
 First floor - 3 x bedrooms and bathroom;
 Second floor (roof space) - 2 x bedroom and 1 x bathroom.

Consultations & Notification Responses

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless 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.

i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). It is not considered that the development would affect the existing circumstances and Chapter 8 would thereby be accorded with.

i. Chapter 12: Achieving well-designed places - States that 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 (paragraph 126). Paragraph 130 further states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and 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).

The proposed development has been appropriately related to the existing house would not harmfully impact upon neighbouring houses. It is considered that the quality of design has been appropriately related to the existing house to thereby accord with chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.
- ii. The development should make a positive contribution to neighbourhoods of choice including:
 - a. Creating well designed places that enhance or create character.
 - b. Making a positive contribution to the health, safety and wellbeing of residents
 - c. Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. Protect and enhance the built and natural environment.
 - e. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is considered that the development would relate appropriately to the character of housing in the area and improve the quality of the existing accommodation without unduly harming existing levels of residential amenity. It would thereby accord with policy SP1.

Policy EN1 (Design Principles and Strategic Character Areas) - States that, amongst other things, opportunities for good design to enhance the overall image of the City. Policy EN1 has been related to the assessment of the quality of the elevational design and its contribution to the built environment.

In this case, it is considered that the quality of the proposed design would respond positively to the existing built form and achieves a cohesive design response that relates strongly to the character and proportions of the host building. The development would thereby accords with policy EN1.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

The existing communal waste storage arrangements in the alleyway would be retained and unaffected by the development. It would thereby comply with policy EN19.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy;
- iii. Adequacy of internal accommodation and external amenity space;

- iv. Refuse storage and collection;
- v. Vehicular access and car parking.

It is considered that the development would be appropriately related to its context in terms of design and its potential impact on residential amenity. The development also maintains the character of the original house thereby securing compliance with policy DM1.

Unitary Development Plan - The following saved policies are considered to be relevant:

Policy DC1 - Residential Extensions

Policy 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 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 street-scene;
- e. The effect of the loss of any on-site car parking.

Policy 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 the original buildings);
- b. They do not create an 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 streetscene by virtue of design, use of materials or constructional 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.

Policy DC1.3 - Sets out the circumstances whereby, notwithstanding the generality of the above policies, the Council will not normally approve planning permission for residential extensions. The relevant aspects in this case are the extent of rearward extensions and the potential impact on privacy.

The development has been assessed with reference to other similar extensions that have been constructed in the local area. The height of the development relates appropriately to the scale and proportions the existing house and its roof. As communal bin store is provided it is considered that satisfactory amenity space has been retained. On balance, the proposed development would comply with saved policy DC1.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development that is wanted in Manchester. It is considered the proposed development accords with the relevant sections of the guide, particularly with regard to design and amenity.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

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. In this case, discussion with the applicant's agent has secured appropriate amendments to the submitted drawings. Sufficient information has therefore been provided and the assessment of the proposals has been undertaken without the need for further negotiation.

he application site occupies a highly visible and prominent position within Lindleywood Road and this is highly significant and material consideration.

There is strong concern that the combined impact of multiple roof extensions and part single, part two storey rear extension would give the property a disproportionately large and bulky appearance. The development would reduce existing space between the existing built form thereby emphasising the cramped nature of the development. The combined built form would thereby have an overbearing impact on the street scene.

There is also concern regard the proximity of the first floor extension and its interface with the neighbouring 71 Brailsford Road. The position of the proposed windows would appear to directly overlook 71 Brailsford Road leading to a loss of privacy.

Given the significance of these concerns the development is not supported and is minded to refuse planning permission on 23 June 2022.

Please indicate if you wish to withdraw the planning application and consider the res-submission of new application detailing a more proportionate development.

Principle of the development –

he application site occupies a highly visible and prominent position within Lindleywood Road and this is highly significant and material consideration.

There is strong concern that the combined impact of multiple roof extensions and part single, part two storey rear extension would give the property a disproportionately large and bulky appearance. The development would reduce existing space between the existing built form thereby emphasising the cramped nature of the development. The combined built form would thereby have an overbearing impact on the street scene.

There is also concern regard the proximity of the first floor extension and its interface with the neighbouring 71 Brailsford Road. The position of the proposed windows would appear to directly overlook 71 Brailsford Road leading to a loss of privacy.

Given the significance of these concerns the development is not supported and is minded to refuse planning permission on 23 June 2022.

Please indicate if you wish to withdraw the planning application and consider the res-submission of new application detailing a more proportionate development.

The proposed design of both the first floor and roof extension would be suitably related to the host building and its context of the surrounding area. Appropriate materials have been utilised. With regard to the submitted objection, it is the case that the extension would relate to an existing HMO and would lead to the formation of a maximum of 6 bedrooms. As such the development would remain within a Class C4 use and any restriction to the number of residents would be unreasonable. On this basis, it is not considered that the development would materially affect the relationship of the property to the character of the area.

Continued Class C4 HMO use - Reference has been made to Council Tax records that have confirmed that the occupation of the property as a Class C4 HMO pre-dates the introduction of an Article 4 Direction in Manchester (requiring planning permission for change of use from Class C3 to Class C4 use after 8 October 2011). On balance, it is considered that the formation of a 6 bedroom dwellinghouse would remain within the parameters for Class C4 occupation and it would therefore be unreasonable to seek any restriction to the number of future residents.

Height, scale and massing - The height of the roof extension has been assessed with regard to the requirement for permitted development and is considered to be appropriately related to the house and the surrounding context. The height of the first floor extension would be limited to 5.87 metres. It would coherently relate to articulation formed by the elements of built form within the composition of the property. On balance, the additional height and massing is considered to be acceptable.

Siting - With regard to the first floor extension, a distance of 8.25 metres (across the alleyway) to the nearest windows in the outrigger to 1 Brailsford Road has been maintained. Given the density of development in the area, it is considered that the development would reflect the characteristics of the surrounding area. It is acknowledged that new built form would be brought closer to 1 Brailsford Road and an appropriate relationship between windows would be secured through a previously discussed condition relating to window frame design and glazing. The siting of the proposed development is therefore considered to be acceptable.

Residential amenity - The roof extension would essentially meet the requirements for permitted development but would not meet the conditions:

- i. The provision of continuous 200 mm set back of external elevation to the eaves;
- ii. A window design that incorporates obscured glazing and opening parts that are more than 1.7 metres above the related floor level.

Design of windows in the side elevation of the roof extension and the window to the rear first floor extension can be amended through condition to window frame details and the incorporation of appropriate obscured glazing. It is considered that the proportions of the roof extension would be appropriately and reflective of the character of similar extension in the locality. It is not apparent that the additional height, in itself, would unduly harm amenity. The development has not introduced an incongruous built form to the area and, on balance, it is considered that harm to residential amenity would be proportionate and manageable. The

existing use of the property would facilitate occupation be up to 6 people, any result activity following the development would be consistent with continued Class C4 occupation.

Design - The design of the roof extension has been informed by permitted development criteria, including the use of appropriate materials and proportions that are suitable related to the composition of the house. Similarly, the first floor extension is relatively small and appropriately related to the existing house, in relation to its materials and roof design. The development is therefore considered to be acceptable.

Conclusion - It is considered that the proposed development is acceptable as it would be appropriately related to the appearance of the existing house without undue or harm to existing levels of residential amenity.

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:

Article 35 Declaration

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

Appendix 1 – List of consultees & neighbours notified

68 Braemar Road, Manchester, M14 6PS
70 Braemar Road, Manchester, M14 6PS
66 Braemar Road, Manchester, M14 6PS
71 Braemar Road, Manchester, M14 6PR
69 Brailsford Road, Manchester, M14 6PT
74 Braemar Road, Manchester, M14 6PG
76 Braemar Road, Manchester, M14 6PG
73 Brailsford Road, Manchester, M14 6PX
75 Brailsford Road, Manchester, M14 6PX
71 Brailsford Road, Manchester, M14 6PT
67 Brailsford Road, Manchester, M14 6PT
73 Braemar Road, Manchester, M14 6PQ

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Moseley Road/Ladybarn Lane)
Area Team Boundary - Name: NORTH