

Application Number	Date of Appln	Committee Date	Ward
089605/FH/2009/S1	31st Mar 2009	23rd Jul 2009	Moss Side Ward

Proposal Erection of a single storey rear extension to form enlarged kitchen

Location 29 Newlyn Street, Rusholme, Manchester, M14 7PQ,

Applicant Mr Stuart Bayley , 29 Newlyn Street, Rusholme, Manchester, M14 7PQ

Description

The application site relates to a two-storey, terraced dwelling on the southern side of Newlyn Street. The property fronts straight onto the street and includes a single storey outrigger to the rear and a small rear yard with side return that backs onto a rear alleyway that separates the property from the rear of dwellings along Boscombe Street.

In terms of the site's immediate surroundings, the area is predominantly residential and consists of tightly packed, two-storey, terraced streets almost identical in appearance to that of the application site.

The proposed scheme consists of a single storey, flat roofed extension to form an enlarged kitchen. It is proposed that the structure would be built off the existing outrigger extending up to the rear boundary whilst incorporating the rear boundary wall as part of the rear elevation.

This report is being present to the Planning and Highways Committee as the applicant is a City Council Officer.

Consultations

Local residents - No letters of objection have been received.

Issues

Unitary Development Plan - There are no site-specific policies relating to the application site. However the following city-wide policies are relevant to this proposal:

Policy DC1 relates to residential extensions and requires that consideration be given to various factors, with particular regard given to the general character of the property and the effect upon the amenity of neighbouring occupiers.

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider include the scale and appearance of the development and it's impact in terms of noise, vibration, traffic generation, road safety and air pollution

Regional Spatial Strategy - In terms of regional policy, it is not considered that any policy is of particular relevance in this case.

In addition to the above, Central Government provides national planning guidance in the form of Planning Policy Guidance Notes (PPGs) and more recently on some planning issues, Planning Policy Statements (PPSs).

PPS1 'Delivering Sustainable Development' underpins the planning system and sets out the overarching policies on the delivery of sustainable development. Emphasis is placed on the need for good design to ensure attractive, usable, durable and adaptable places.

The Guide to Development in Manchester (SPD) - This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design.

Principle – It is considered that whilst the principle of a single storey, rear extension is acceptable, the design and size of the proposed extension would result in an overly large structure which would consume too much of the rear yard, leaving very little amenity space. It is also considered that building onto the rear boundary wall would have an overbearing impact, detrimental to the visual character of the area and the visual amenity of adjoining occupiers.

It is acknowledged that similar extensions to that proposed exist within the immediate vicinity of the site and most notably those at 1, 7, 17, 19, 21, 29, 25, Newlyn Street. It should be highlighted however that only one of these extensions has ever been granted planning permission. This was back in 1986 and therefore predates current planning policy that is based on the Unitary Development Plan adopted in 1995. All remaining extensions are unauthorised or constructed under previous permitted development legislation. Many of these extensions are visually unattractive and form an overbearing relationship with the rear alleyway. It is therefore believed that refusal of the current application is warranted as the erection of extension occupying much of the rear yard and up to the rear boundary wall is not a trend that should be continued.

Scale – Whilst a single storey extension is of an appropriate scale in relation to the main house and adjoining properties, the rear elevation of the proposed extension would be oppressive in relation to the rear alleyway. Building off the rear boundary wall would heighten the amount of blank brick expanse to a height that would be overbearing and detrimental to the visual character of the area. The rear elevation would contribute to a canyon effect that occurs when a narrow route or area of land is heavily built up both sides. This in turn is a feature of no aesthetic value and adds to the negative feel of the rear alleyways.

Visual Amenity – Due to the reasons referred to above, the overdevelopment of the rear yard and rear projection of the proposed extension onto the rear boundary wall would be unattractive, overbearing and visually intrusive. As a consequence, the visual character of the area and the visual amenity of adjoining occupiers would be compromised.

Refuse Storage – Bins would be stored in the remaining rear yard and moved to the rear alleyway on collection day.

Crime and Security – From a crime and security perspective, it is believed that a flat roofed extension built of the rear boundary wall which separates the property from an alleyway would leave the property more susceptible to unwanted intruders by making access to property much easier.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the refusal of the application 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

Refuse on the basis that the proposal conflicts with Policies DC1 and H2.2 of the Unitary Development Plan for the City of Manchester and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

1) The proposed rear extension would by reason of its position, size and rear projection up to the rear boundary wall constitute overdevelopment of the rear yard. In turn the extension would leave insufficient amenity space and have an overbearing impact up the visual character of the area and the visual amenity of adjoining occupiers. As such, the proposal conflicts with Policies DC1 and H2.2 of the Unitary Development Plan for the City of Manchester and there are no material considerations of sufficient weight to indicate otherwise.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 089605/FH/2009/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

26 Boscombe Street, Manchester, M14 7PG
30 Boscombe Street, Manchester, M14 7PG
28 Boscombe Street, Manchester, M14 7PG
32 Boscombe Street, Manchester, M14 7PG
31 Newlyn Street, Manchester, M14 7PQ
27 Newlyn Street, Manchester, M14 7PQ
24 Boscombe Street, Manchester, M14 7PG

Representations were received from the following third parties:

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : s.mccoombe@manchester.gov.uk