

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
137579/FO/2023	17th Jul 2023	31st Aug 2023	Burnage Ward

**Proposal** Change of use from two dwellinghouses to eight apartments and the erection of a part single/part three storey extension to the rear and provision of car parking and associated landscaping.

**Location** 12 And 12A Errwood Road, Manchester, M19 2PA.

**Applicant** Mr Shane Gibson, Linex Properties Ltd

**Agent** Mr Jason Cartwright, P4B Architecture Ltd

## **Executive Summary**

### **Proposal**

The development involved the change of use of a part two, part three storey house and single storey extension that has been used as a separate dwelling into 7 x one bedroom apartments and 1 x two bedroom apartment. The development also involves the erection of a single storey addition to the side extension and a three storey extension to an existing outrigger. A further single storey extension would adjoin the east elevation of the three storey extension. 18 representations have been received from neighbouring residents objecting to the proposed development.

### **Key Issues**

1. Loss of family housing - The applicant has not satisfactorily justified the loss of the application property as a house with potential for occupation by a family. It therefore appears that the application property, in its current form, would contribute to the supply of accommodation for which there is currently limited availability. Core Strategy policy H6 (South Manchester) seeks to respond to shortfalls in family housing stock and requires that the supply of such accommodation is retained to meet future needs. It is considered that the proposal would not accord with the objectives of policy H6 and is therefore unacceptable.
2. Proposed future use - It is considered that the enlargement of the property and its conversion to apartments would result in the overly intensive level of occupation. The associated activity, noise and disturbance would be harmful to the amenities and character of the area and is considered to be unacceptable.
3. Residential extensions - Given the character and siting of the application property and orientation of neighbouring housing, it is considered that there is scope to extend the existing house. However, this would be dependent upon the property being maintained as a single dwellinghouse. The proposed extension would facilitate a change of use that would deliver eight apartments, which would be inappropriate in this location for the reasons detailed in this report.

## Description

The planning application site is located in a residential area predominantly comprising of relatively large semi-detached red brick houses with pitched grey slate roofs. Although the area predominantly comprises of single occupancy houses, apartment conversions have been undertaken at 8 and 14 to 20 (inclusive) Errwood Road. The adjacent highway is characterised by a sharp bend as it moves from north the south before forming a 'spur' that runs adjacent to the southern boundary of the site and links Errwood Road to Victoria Avenue and Arliss Avenue. Alma Park Primary School is located in close proximity of the site, i.e., on the opposite (eastern) side of Errwood Road. The site has a vehicular access on to Errwood Road and the adjacent highway is delineated with double yellow lines.



Fig.1 – Views of 12 and 12A Errwood Road

The application property relates to the western half of a pair of semi-detached houses, i.e., it is adjoined by 10 Errwood Road. The applicant has indicated that the property is currently vacant. The principal elevations of Nos 10 and 12 have a symmetrical configuration comprising a pair of 'bookended' two storey outriggers incorporating single storey flat roof bays and separated by a central recess. Both houses have a red brick and slate roof construction. The application property comprises two storey, part three storey and incorporates a basement. A single storey pitched roof extension is a later addition that adjoins the western elevation. To the rear, a three storey rear hipped pitched roof outrigger provides accommodation over two floors and in the roof space. Front and rear gardens are linked by retained space at the side of the single storey extension. The street boundary is defined by brick walls with a vehicular access to Errwood Road and hardstanding in the front garden providing in curtilage car parking.

Internally, No 12 comprises of basement storage and ground floor living rooms, kitchen, store and shower room / WC. The first floor incorporates three bedrooms, two bathrooms, a kitchen and storage with a bedroom, bathroom and store on the second floor. The layout of No 12 A incorporates a living room, dining room, kitchen and bathroom. Planning permission was granted in March 1990 in relation to the side extension (now referenced as No 12A) which was intended for occupation by a person with disabilities. However, it appears that, over time, this accommodation may have been more generally occupied as a separate Class C3 dwelling.



Fig.2 – Existing elevations



Fig. 3 – Proposed elevations

The proposed development involves:

- i. The erection of a single storey extension to the rear of No 12A with a projection of 3.86 metres. Although the ridge height would match the existing roof its eaves would be slightly higher. It would return across the rear elevation and adjoin a three storey extension with a rearward projection of 2.52 metres (thereby forming a continuous rear building line between these two additions at ground floor level). The height of the three storey extensions would correspond to the eaves and ridge line of the existing outrigger. A single storey extension with a lean-to roof would adjoin the eastern elevation of the three storey extension. It would have a maximum height of 5 metres, rearward projection of 2.6 metres and be offset from the boundary with No 10 by 1.7 metres. Steps would be incorporated into the rear entrances in response to changing ground levels.
- ii. Internally, the development would comprise: one basement apartment, four ground floor apartments, two first floor apartment and one second floor apartment. This would provide 7 x one bedroom apartments and 1 x two bedroom apartment.
- iii. The main entrance would be located in the principal elevation together with the access to apartment 2. Rear access would be provided to apartments 3 and 4. Lightwells to the basement apartment would be formed at the front and rear. New windows would be located on the extended rear elevation.





Fig.4 – Proposed siting layout

## Site history

- i. 129445/FH/2021 - 12A Errwood Road: Erection of first floor side extension to existing property, together with the erection of detached outbuilding to the front and rear to form double garages  
Finally Disposed Of – 16 May 2023
- ii. 036108 - 12, Errwood Road: Single storey extension to side of existing dwellinghouse to form a new dwelling for a disabled person  
Approved – 26 March 1990

## Consultations

Local residents – 18 emails of objection have been received. One email indicates that the related comments are supported by 13 individuals but this cannot be verified. The grounds for objection are summarised below:

- i. The development would result in the unacceptable loss of family housing. The application property has the capacity to respond to a local need for such housing.
- ii. The proposed intensification of occupation would increase activity, noise and disturbance and be harmful to residential amenity. The movement of people in and around the site may undermine the security of the site, lead to people congregating around the property and thereby increase the risk of crime and the occurrence of anti-social behaviour.
- iii. The adjacent highways network is tightly constrained and characterised by a bend in the road as Errwood Road runs from north to south and adjacent Alma Park Primary School. A number of residents have expressed concern regarding the potentially harmful impact of the development on pedestrian and highways safety, disruption of traffic flows on Errwood Road and potential increase traffic congestion associated with a lack of proposed on-site car parking. This would be particularly harmful to pedestrians travelling to nearby schools.

- iv. The height scale and massing of the proposed extensions would have an overbearing impact on neighbouring housing and would result in overlooking and an excessive loss of light and privacy.
- v. If the property is to be converted it should not be extended. A proportionate number of apartments should be considered within the existing building.
- vi. The introduction of multiple units would unduly increase pressure on local utilities and services, including drainage infrastructure.
- vii. Appropriate arrangements for the storage of waste and recycling would not be provided.
- viii. The development will reduce the value of neighbouring houses.

Highway Services – No objection but the following comments have been received:

- i. Access to the site is via an existing vehicular crossover in the form of a dropped kerb without alteration. This is considered to be acceptable.
- ii. The provision of six car parking for eight apartments is considered to be acceptable in a sustainable location with easy access to buses on the A6 corridor and trains via Levenshulme Station.
- iii. Car parking spaces would meet required dimensions.
- iv. The proposed cycle storage should be secured and sheltered.

Environmental Health – Comments will be reported.

GM Police Design for Security – No objection but it is recommended that the development should be capable of attaining secured by design accreditation. Comments have been made relating to the required specification for boundary treatments, cycle storage accreditation and internal security arrangements.

## **Issues**

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in July 2021. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.

iii. The environmental role should protect and enhance the natural, built and historic environment.

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. The statutory status of the development plan remains as the starting point for decision making.

i. Section 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, it is important that: a sufficient amount and variety of land can come forward where it is needed; the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 60). This should be reflected in the consideration of the size, type and tenure of housing needed for different groups in the community (paragraph 62). In this case the development would result in the loss of family accommodation that is required to meet an identified need within the city. The development would not, therefore, accord with chapter 5.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

i. Consultation and pre-decision matters - The PPG reasserts that local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. All necessary local consultation has been undertaken, including the posting of site notices and press advertisement;

ii. Design - Good quality design is an integral part of sustainable development. It is considered that, should the development be related to an appropriate form of residential use, suitable amendments could be delivered to secure a satisfactory design response.

iii. Flood Risk Planning and Flood Risk - The potential for increase flood risk has been appropriately assessed. It is considered that the development would significantly increase flood risk and appropriate improvements to site drainage could be delivered.

iv. Health and well-being - States those local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in planning decision making. In this case, the identified harm to amenity would detrimentally affect the well-being of residents (of the development and neighbouring properties).

vii. Noise - Mitigating the noise impacts of a development will depend on the type of development being considered and the character of the proposed location. In this case noise would be attributed to activity associated with intensive residential occupation, which is considered to be harmful for the reasons set out in this report.

viii. Travel plans and traffic / transport assessments – It is considered that highways issues have been appropriately assessed.

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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is acknowledged that the application seeks to bring a residential property back into sustained use. However, the applicant has not is considered that the applicant has not demonstrated that the use of the property as a single occupancy house is no longer viable. It is also considered that the development would not contribute positively to the formation of a sustainable community due to the associated loss of family accommodation. The levels of increased activity and disturbance associated with the intensification of the use would also be detrimental to the amenity of neighbouring residents and the established character the surrounding area. On this basis, policy SP1 would not be accorded with.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

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

Policy EN19 has been related to the proposed waste management arrangements. It is considered that the site has the potential to secure appropriate arrangements for the storage of segregated waste and recycling.



Policy H 6 (South Manchester) - Discusses the delivery of new residential development in South Manchester, including Burnage. It also identifies the need to address the need to meet shortfalls in housing need, including the provision of family housing. For the reasons previously discussed, the loss of family housing would be contrary to policy H6.

Policy T1 (Sustainable transport) – Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepares for carbon free modes of transport. In this case, the development would be supported with satisfactory car parking provision and arrangements for cycle storage. The site is in a sustainable location with access to local bus routes. This aspect of the development would respond positively to policy T1.

Policy T2 (Accessible areas of opportunity and need) - States that the Council will actively manage the pattern of development to ensure that it is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Given the sustainable location of the application site, in terms of access to public transport, this aspect of the development would also respond positively to policy T2.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy DM1 has been related to the assessment of the proposals with regard to its potential impact on residential amenity. It is considered that policy DM1 would not be accorded with due to the potentially harmful impact of the development on residential amenity, including increased noise, disturbance and activity around the property.

Unitary Development Plan (saved UDP) Policies -The following Unitary Development Plan saved policies are relevant to the assessment of the development:

Policy DC1 - Residential Extensions - Relates to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels and is therefore relevant to the proposed development.

- i. Policy DC1.1 would be generally accorded with as the development would satisfactorily related to the character of the property. The extensions to the eastern side of the house would incorporate necessary setbacks the reduce the impact on the adjoining property at No 10. However, in order to reduce the impact of new built

form on No 12, it is considered that the single storey extension should be omitted. The three storey extension would have a limited rearward projection and appropriately set back from the western and eastern boundaries.

ii. Policy DC1.2 states that the development should not be excessively large or bulky or result in an undue loss of sunlight, daylight or privacy. Subject to the above comments the new built form would be satisfactorily related to the existing building. The suitability of the proposed extensions would be dependent upon the application property being retained as a single occupancy house.

#### Policy DC5 - Flat Conversions

i. Policy DC5.1 – Relates to the appropriateness of related conversions in relation to the standard of proposed accommodation and the impact on residential amenity and the character of the surrounding area. The development would deliver an appropriate internal layout, albeit with limited scope to facilitate internal adaptations to meet future needs. It is not apparent that accommodation would support sustained occupation or respond to the future circumstance of residents. There would not be a change to the existing circumstances with regard to the absence of inclusive access. Although acoustic insulation may reduce noise transfer and disturbance between apartments, disturbance and from noise activity in and around the site would be more difficult to manage. Appropriate car parking would also be provided. It is not considered the development represents a uncharacteristic form of development in the locality as the majority of properties have been maintained as family-type housing. On balance, it is not considered that policy DC5.1 would be appropriately accorded with due to potential harm to residential amenity and the character of the area.

#### Policy DC26 – Development and noise

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources may impact on the proposed housing.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

Whilst noise attenuation may reduce noise disturbance external noise disturbance from activity in external and other communal areas would be more difficult to manage. The development site is in an established residential area, and it is considered that the disturbance associated with its occupation would detract from the characteristics of the local noise environment. In these circumstances it is not considered that the development would accord with policy DC26.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live. It also seeks to raise the quality of life across Manchester. The MRQG space criteria relates to new build development but has been referenced to as a benchmark for assessing the quality space achieved as part of the development. Given the

constraints of the development it is considered that the internal layout would accord with the space criteria specified in the MRQG.

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 to 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. In this case, pre-application discussions were undertaken and the applicant was advised that the development presented strong concerns regarding the loss of family accommodation. As part of the considerations of the planning application, the applicant was advised that the loss of family accommodation had not been satisfactorily justified. Furthermore, the proposed extension would facilitate the overly intensive use of the site associated with harm to residential amenity and character of the area. It was considered that the development was supported and the local planning authority was therefore minded to refuse planning permission. As the principal of the development could not be supported no further negotiation was undertaken.

Principle of the development – Notwithstanding the incidental occurrence of apartment conversions in the locality of the application site, i.e., 8 and 14 to 20 Errwood Road, the neighbouring area predominantly comprises of single occupancy family type housing. However, the formation of 25 apartments at 14 to 20 Errwood Road relates to a planning permission granted in 1980 and the conversion of 8 Errwood Road to three apartments was regularised through a certificate of lawful development granted in 2007. Planning permission has not been granted in the vicinity of the application site for apartment conversions in the subsequent period. As the loss of family housing has not been justified, the proposed apartment conversion is considered to be unacceptable. Furthermore, the characteristics of the occupation of apartments within an enlarged house would be harmful to the amenities and character of the area. The proposed extensions would significantly increase the size of the application property and bring built form into closer proximity to the shared western boundary with residential properties. A reduction in the scale of the proposed extensions and improvements to the related siting may potentially deliver an appropriate design response. However, this would be dependent upon the application property being retained as a single dwellinghouse, which would avoid the harmful impact of overly intensive residential occupation. In the light of the above concerns, the principle of the proposed use is not considered to be acceptable.

Loss of family housing - The applicant has not satisfactorily justified the loss of the application property as family housing with potential for occupation by a family. Specific marketing details have not been provided to demonstrate that there is no longer interest in its occupation as a single house (or two separate houses) or such continued occupation is otherwise unviable. The application submission makes reference to an on-line estate agent search of 3+ bedrooms within half a mile of the application site, which identifies 49 properties for sale. However, given the configuration of the application property, it is considered that a search of 4+ bedroom properties within a half mile radius of the site would be more appropriate. This criterion has been applied 25 properties were identified as being on for sale (as part of a search undertaken on 16 August 2023 using the same website). It therefore

appears that application property, if marketed in its current form, would contribute to the supply of accommodation for which there is limited availability. Core Strategy policy H6 (South Manchester) seeks to respond to shortfalls in family housing stock and therefore requires that the supply of such accommodation is retained to meet future needs. It is considered that the proposal would not accord with the objectives of policy H6 and is therefore unacceptable.

**Proposed future use** - It is considered that the enlargement of the property and its conversion to apartments would result in an overly intensive level of occupation. The associated activity, noise and disturbance would be harmful to the amenities and character of the area and is considered to be unacceptable. Given the relationship to neighbouring houses and gardens it is considered that the additional activity associated with the use including the additional car movements and use of outdoor amenity space would result in an unacceptable impact on neighbouring occupiers.

**Residential amenity** – The proposed development would include 7 x one bedroom apartments. The configuration and space within these apartments would limit residents ability to adapt their homes in response to changing occupational needs. Residents may, therefore, be likely to seek alternative accommodation in response to their particular future needs. There is strong concern that the development may be affected by cycles of transient occupation that would undermine the formation of sustainable communities. These circumstances and issues relating to the overly intensive occupation of the development would be harmful to the residents of the application property and neighbouring houses.

**Scale, Massing and Siting** – The proposed extension to the existing single storey extensions would bring built form with an additional projection of 3.83 metres to within 1.6 metres of the shared western boundary. It is considered that the close proximity of the enlarged extension would produce a tight relationship to this boundary and thereby have an overbearing impact on neighbouring gardens and would be detrimental to the amenity enjoyed by those occupiers. The three storey extension would maintain distances of 6.8 metres and 4.3 metres to the western and eastern boundaries, which is considered to be appropriate given the orientation of neighbouring houses and the absence of windows in the side elevations. The rear lean-to extension would have a rearward projection of 3.7 metres and be offset from the shared boundary with No 10 by 1.7 metres. It is considered that this addition would be proportionate and would not unduly affect the amenities of residents on No10.

**Design** – The proposed extensions would significantly enlarge the property and bring built form into closer proximity to the shared western boundary with neighbouring properties. It is acknowledged that the closest additions are limited to a single storey and a reduction in scale and siting could potentially deliver an appropriate design response, i.e., the omission of the single storey extension to the western side of the house. The design of the extension has been suitably related to the style and character of the existing house and matching materials would be utilised. The roofscape of the extension would be appropriately related to the existing house. On balance the design of the proposed extension would be acceptable.

The proposed car parking would result in the loss of existing landscaped areas and would result in a larger formal car park which would be dominated by cars associated by the proposed apartments. It is considered that this would result in an unacceptable appearance within the street scene and within the character of the area in general dominating the front of the property.

Inclusive access – Existing differences in ground to floor levels and changes to internal floor levels currently prevent the formation of inclusive access. The development does not provide any substantial benefits in relation to inclusive access which would outweigh the harm identified.

Highways issues – Six car parking spaces would be formed within the site, which is considered to be an appropriate level in a location served by alternative sustainable transportation options. On-site cycle storage would be provided. The development would utilise an existing vehicular access. Immediately adjacent sides of Errwood Road are demarcated with double yellow lines and ‘Keep Clear’ road markings are in place outside Alma Park School. Traffic enforcement cameras are also in operation in the locality. The development would utilise an existing vehicular access. On balance, it is considered that the existing traffic management arrangements would ensure the development would not unduly impact the operation of the highway.



Fig.5 – Adjacent highway layout to Errwood Road

Cycle storage The applicant has demonstrated that the site has the capacity to accommodate a 10 cycle secure enclosure within the rear garden.

Waste and recycling management – The applicant has demonstrated that an enclosure could be provided for the storage of waste and recycling bins in a position situated adjacent to the car parking area.

Flood risk and drainage – The site is located in Flood Zone 1 and it is not considered that the development would significantly increase the risk of flooding. However, any appropriate development would need to demonstrate that the car parking area would incorporate satisfactory drainage and surfacing.



Conclusion - The proposed development would result in the loss of quality residential accommodation and reduce the supply and availability of family housing. The formation of eight self-contained apartments would result in the overly intensive use and occupation of the enlarged property resulting in undue generation of additional noise, disturbance and activity. The development would be harmful to residential amenity, the character of the area and the formation of sustainable communities and thereby be contrary to policies SP1, H6 and DM1 of the Core Strategy for the City of Manchester and saved policy DC5 of the Unitary Development Plan.

## **Other Legislative Requirements**

### **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

**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 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 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**

### **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. In this case, pre-application discussions were undertaken and the applicant was advised that the development presented strong concerns regarding the loss of family accommodation. As part of the considerations of the planning application, the applicant was advised that the loss of family accommodation had not

been satisfactorily justified. Furthermore, the proposed extension would facilitate the overly intensive use of the site associated with harm to residential amenity and character of the area. It was considered that the development was supported and the local planning authority was therefore minded to refuse planning permission. As the principal of the development could not be supported no further negotiation was undertaken.

### **Reason for recommendation to refuse**

1) The proposed development would result in the loss of quality residential accommodation and would thereby reduce the supply and availability of family housing. The development would thereby fail to positively respond to an identified housing need and thereby undermine the formation of cohesive and sustainable neighbourhoods where people would choose to live. The development would thereby be contrary to policies SP1, H6 and DM1 of the Core Strategy for the City of Manchester.

2) The proposed development would facilitate the formation of eight self-contained apartments, which would result in the overly intensive use and occupation of the enlarged property and the undue generation of additional noise, disturbance and activity. The development would be harmful to residential amenity, the character of the area and the formation of sustainable communities and thereby be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC5 of the Unitary Development Plan.

3) The proposed car parking would result in the loss of existing landscaped areas in the front garden and the formation of an overly large, hard surfaced car park that would undermine the setting of the application property and facilitate the unduly prominent parking of vehicles. The resulting visual impact would be unduly harmful to residential amenity and the character of the streetscene and be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

4) The proposed single storey rear extension (to the rear of an existing single side extension to the western elevation of the application property) would, by virtue of its siting in close proximity of the western site boundary, have a harmful and overbearing impact on neighbouring rear gardens and the visual amenity of adjoining residents. The proposed single storey rear extension would thereby be contrary to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

### **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: 137579/FO/2023 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:**

**Highway Services  
Environmental Health  
Greater Manchester Police**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Carl Glennon
<b>Telephone number :</b>	0161 234 4530
<b>Email :</b>	carl.glennon@manchester.gov.uk

