

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132583/FO/2021

Date registered valid: 23 December 2021

Proposal: Erection of single storey rear extension to form additional living accommodation

Address: 5 Firdon Walk, Manchester, M9 5GJ

Ward(s): Harpurhey Ward

Applicant: Mr Sinisa Nedeljkovic Northwards Housing Unit 11 Hendham Vale Industrial Estate, Hazelbottom Road, Manchester, M8 0AD

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 9 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 14 January 2022

Standard consultations:

Printed: 7 January 2022 Expired: 28 January 2022

Neighbour notifications

Printed: 5 January 2022 Expired: 26 January 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:

Tree Preservation Order:

Description of area

The application site relates to 5 Firdon Walk within the Harpurhey ward of north Manchester. The application property is a two-storey, terraced brick property that sits within a Radburn style housing estate. The front of the property is accessible by the walkway of Firdon Walk and so the property has limited amenity space to the front, only a small gated entrance. The rear of the property holds the main amenity space, in the form of a grassed garden with paving slabs leading from the rear gate to the back door. The amenity space is relatively small and contains a small store which is located against the boundary with 7 Firdon Walk. The store for no.3 Firdon Walk extends into the applicant's rear amenity space by approximately 0.5 metres. Boundary treatment for the rear amenity space consists of wooden fences to the adjoining neighbours and a low wall with railings facing the alleyway to the rear.

Description of development

The submitted application seeks planning permission for the erection of a single storey rear extension to form additional living accommodation.

The existing store would be demolished as a result of this proposal. The rear extension would have approximate dimensions of Height: 2.2 (to the eaves)/ 3.86 (at the highest point) x Length:

5 x Width: 3.79 metres. The extension would be sited against the shared boundary with no.7 Firdon Walk and would be sited approximately 3.1 metres from no.3 Firdon Walk. The extension would have a double pitched roof with a 17 degree angle.

The extension would involve the insertion of 2 skylights in the roof and 2 windows and a door within the proposed left gable. The extension would create a hallway, bedroom and bathroom for a disabled user residing at the property.

Materials to be used, to match existing, include brick, concrete tiles and uPVC windows and doors.

Amended drawings were requested from the agent, since the original drawings were considered overdominant for the site itself. The roof was originally too high and too obstructive for no.7 Firdon Walk, and the length of the property was considered too long, measuring 6.24 metres.

Planning history

No recent planning history exists for this property, only planning ref: 056727/VO/NORTH2/99 which relates to improvement works to the entire estate.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Environmental Health

Environmental Health recommended the following gas membrane condition to be placed on any approval granted. Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually

supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in

national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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

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 original buildings);
- b. They do not create 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 scene by virtue of design, use of materials or construction 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.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the erection of a single storey rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

As stated above, the extension would be sited against the shared boundary with no.7 Firdon Walk and would be sited approximately 3.1 metres from no.3 Firdon Walk. Due to the orientation of the property, loss of light implications to no.7 Firdon Walk would be minimal. This neighbouring property would experience an additional level of built form against the boundary, however the extension being only of a single storey would help reduce visual harm. No.3 may experience additional built form, but for reasons mentioned above adverse impacts would be minimal.

No privacy or overlooking implications should arise for those neighbouring properties, since the windows and doors within the extension face onto the garden and the outlook from the extension would be the shared boundary with no.3. Since this boundary benefits from a high fence, it would not be possible to gain a view into no. 3 Firdon Walk.

Due to the orientation of the properties on Carisbrook Street and Firdon Walk, the applicant property may experience a small level of overlooking, as those properties along Firdon Walk may be able to look into the extension from the first floor. No windows or doors are to be inserted in the rear elevation of the extension. However, in the interests of maintaining privacy, the bathroom window should be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity, a condition to this effect would be placed on any approval granted. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

Overall, it is not considered that the proposal would have an adverse impact upon visual or residential amenity. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Design and Appearance

The proposed rear extension has been designed sympathetically to relate to the existing property. The extension would be made of materials to match the existing property. A condition to that effect would be attached to any consent granted. Therefore, the design of the extension would not adversely affect the appearance of the existing dwelling.

The residents would lose amenity space to the rear of the property. The plot would still benefit from amenity space and the additional living accommodation would meet the changing residential needs of the family.

In terms of the scale and form, the rear extension extends just over half the width of the rear garden and is 5 metres in length. Given the small nature of the rear amenity space, the rear extension is considered to be large for the site, in relation to Policy DC1.2 and extends beyond the 3.65 metre length prescribed in DC1.3 of the UDP. However, the extension would benefit the needs of a disabled user residing at the property and the agent has amended the drawings so the length is reduced, as well as the height of the roof. Therefore, on balance any impacts in relation to design would be outweighed by the need for a better quality of life for a disabled user in this instance, pursuant to Policy DC1.5 of the UDP.

Bin storage

At the time of the site visit, some bins were stored at the front of the property and some were stored to the rear. As such, provision would be unaffected by the proposal.

Car parking

No off street car parking is provided for the property and as such car parking would be unaffected by this proposal.

Gas membrane

The agent was sent the gas membrane pre-commencement condition on 11 January 2022 and agreed to the condition on the same day. The agent expressed their intentions to send through gas membrane details to be discharged prior to the approval given, however no details were received by email.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area, and the form of the extension has been reduced to minimise impacts while benefitting the needs of the disabled resident.

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: Approve

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner by requesting further information relating to the scheme.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Application for Planning Permission, stamped as received by the City Council as Local Planning Authority on 23 December 2021.
- Drawing- Proposed, numbered Prop. Rev. 2- A3L, stamped as received by the City Council as Local Planning Authority on 8 February 2022.
- Drawing- Proposed- Set Out Plan, numbered rev. 2- A3L, stamped as received by the City Council as Local Planning Authority on 8 February 2022.
- Drawing- Existing- GF Plan and Elevations, stamped as received by the City Council as Local Planning Authority on 23 December 2021.
- Drawing- The Location Plan, stamped as received by the City Council as Local Planning Authority on 23 December 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Before first occupation the ground floor bathroom window in the side elevation as shown on the approved 'Proposed, numbered Prop. Rev. 2- A3L', stamped as received by the City Council as Local Planning Authority on 8 February 2022, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

7 Viewfield Walk, Manchester, M9 5GA
7 Firdon Walk, Manchester, M9 5GJ
3 Firdon Walk, Manchester, M9 5GJ
5 Viewfield Walk, Manchester, M9 5GA
3 Viewfield Walk, Manchester, M9 5GA

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1