

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132254/FH/2021
Date registered valid:	25 November 2021
Proposal:	Erection of part single/part two storey side extensions together with single storey rear extension to form additional living accommodation
Address:	6 Tuscan Road, Manchester, M20 5GS
Ward(s):	Didsbury East Ward
Applicant:	Mr & Mrs Vaughan VC Law Ltd 56 Tithebarn Street, Liverpool, L2 2SR
Agent (if any):	Ian Grainger Blu Room Architecture 5 Uplands Road, Darlington, DL3 7SZ
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	17 January 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 12 January 2022

Standard consultations:

Printed: 26 November 2021 Expired: 17 December 2021

Neighbour notifications

Printed: 26 November 2021 Expired: 17 December 2021

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

The property is a traditional, two-storey semi-detached house with gardens to the front and rear. The area is residential in nature and located within Flood Zone 3.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant is applying to erect a part single/part two storey side extension and single storey rear extension to form additional living accommodation. To facilitate the proposal the pre-fabricated garage at the rear of the property would be demolished.

Planning permission for a single-storey rear extension and single storey side and first floor side extension was approved under ref. 130564/FH/2021 in October 2021.

Consultations & Notification Responses

Local Residents – no comments received.

Environmental Health – suggests the imposition of the GAS condition.

Flood Risk Management – suggests the imposition of flood risk conditions.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Saved UDP Policy Saved 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 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.

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 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.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Policy DC1.4 states that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;

- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

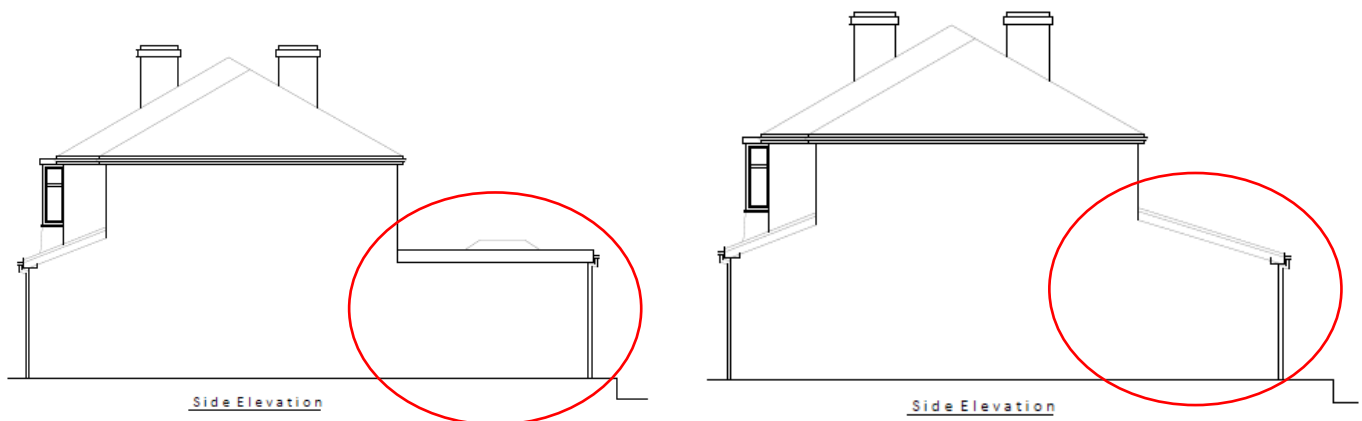
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Issues

Principle – Given the previous approval for a similar development on the site the principle of the proposal is considered acceptable.

Notwithstanding this, consideration must be given to the potential impact upon existing levels of residential and visual amenity enjoyed within the vicinity of the site.

Design – The first floor element of the two storey side extension would be setback from the front façade by 1 metre, while the single storey ground floor element would be set 0.8 metres forward of the main house. The proposed side extension would be sited adjacent to the shared boundary with no. 4 Tuscan Road. The two-storey element would have a hipped roof and the ground-floor element would have a mono-pitched roof. The proposed single-storey rear extension would run the full width of the property and would have a rearwards projection of 4.5 metres. The main difference between this application and the previous consent, i.e. the size of the rear extension, is shown below:



Current scheme

Previous approval

No. 4 Tuscan Road is set at an oblique angle to the application property and this combined with the proposed 1 metre setback at first-floor level are sufficient to overcome any potential for a terracing effect. It is also considered that the proposal would read as a subservient addition to the property.

The design and choice of materials for the proposal reflect the existing house and neighbouring properties. This is acceptable in this location and is not considered to be detrimental to the character of the property and would not form an incongruous feature within the street scene.

Visual Amenity – Given the design and siting of the proposal it is not considered that it would have a detrimental impact upon the existing levels of visual amenity enjoyed within the vicinity of the site.

Residential Amenity – It is not considered that the proposal would give rise to any significant loss of privacy or increase in the levels of overlooking of neighbouring properties as there are no windows proposed in the side elevation. In addition, given the limited height of the proposal and the relationship with neighbouring properties, it is not considered that the proposal would give rise to an unacceptable loss of light to those properties.

Bin Storage – As with the previous approval, the applicant is proposing to store the bins at the front of the property. Again, a condition requiring the design of the store to be submitted would be attached to any approval granted.

Car Parking – Sufficient space remains at the front of the property to park one vehicle off-street.

Flood Risk – The conditions suggested by the Flood Risk Management team would be attached to any approval granted.

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

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.

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:

a) Drawing nos. 1, 2, 3a, 4a, 5a and 6, stamped as received on 9 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) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Manchester Core Strategy.

4) 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 policies DM1 and EN18 of the Manchester Core Strategy.

5) Details of a bin store shall be submitted to and approved in writing by the City Council as local planning authority. The bin store shall be installed within 1 month of the completion of building works and shall remain there in perpetuity.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with policies SP1 and DM1 of the Manchester Core Strategy.

6) No development shall commence until the flood risk statement has been updated and submitted to and been approved in writing by the City Council as local planning authority.

Reason - To manage the risk of flooding and pollution, pursuant to Policies EN8 and EN14 in the Manchester Core Strategy.

7) The development shall not be occupied unless and until the following flood resilient measures have been implemented:

- The internal and external levels are set in accordance with Section 4 of the NPPF.
- Sockets, meters and other electrical equipment raised above the 0.1% AEP plus climate change level
- The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning.

Reason - To reduce the impacts of flooding, pursuant to national policies within the NPPF and policy EN14 of the Manchester Core Strategy.

Informatives

1) Informative for Condition no. 6 (Flood Risk Statement) -

For the avoidance of doubt, as per the government standing advice, the Flood Risk Statement must include the following:

- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.
- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.
- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

9 Tuscan Road, Manchester, M20 5GS
 3 Tuscan Road, Manchester, M20 5GS
 8 Tuscan Road, Manchester, M20 5GS
 7 Tuscan Road, Manchester, M20 5GS
 5 Tuscan Road, Manchester, M20 5GS
 4 Tuscan Road, Manchester, M20 5GS
 2 Tuscan Road, Manchester, M20 5GS

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
 Flood Zones Type 2 (low to medium risk) -
 Flood Zones Type 3 (high risk) -
 Benefitting From Flood Defences -
 Historic Landfill Site 250m Buffer -
 Area Team Boundary - Name: SOUTH