

Delegated officer report for planning application

Date of recommendation: 11 August 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 14 June 2021 Expired: 5 July 2021

Neighbour notifications

Printed: 14 June 2021 Expired: 5 July 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application seeks planning permission to erection of a single storey rear extension together with the installation of rear dormer to form additional living accommodation and subdivision of an existing dwellinghouse to form two dwellinghouse's (Use Class C3a) with associated elevational alterations. The single storey rear and the dormer extension have been previously agreed under previous submissions the detail are below. However, the previous consent and lawful development certificate have not been implemented and these developments will be considered as part of the overall proposal.

The application site lies in the Miles Platting area of Manchester and is predominantly residential. No 36 Winstanley Road lies within a row of terraced properties. The property comprises of a front and rear garden and space for off streetcar parking to the front and refuse provision.

The proposal has been modified from one x 3 bedroom and one x 5 bedroom property to one x 2 bed and one x 5 bed and the single storey rear extension has been reduced to 4 metres from 6 metres to lessen the impact on the adjoining properties.

Previous Planning History

130136/LP/2021 Certificate of Lawful Proposed Development for the installation of a rear dormer to form additional living accommodation Approved 2021.

129555/PDE/2021 Prior notification of proposed larger home extension projecting 6m to the rear with a maximum height of 3.6m and a height at eaves of 2.5m Approved 2021.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Environmental Health were consulted and requested the following condition relating to contaminated land: environmental health confirmed that in the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures can be taken. A further condition relating to refuse and a hour of construction informative has been added to the consent.

The Highway Team raised no objection to the proposal and request that boundary details and bike storage provision and a construction Management Plan be provided by means of a condition

The Flood Team requested details of the design and construct of a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system and a condition has been attached.

Greater Manchester Police were consulted, and recommended security provisions be implemented as part of the proposal. An informative has been added to the proposal.

Issues

Policies

NATIONAL PLANNING POLICY FRAMEWORK
Chapter 12. Achieving well-designed places

124. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of

Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

Policy H1 - Housing - Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Saved UDP Policies DC1.1 to DC1.6 set out the guidance on household extensions.

Policy DC1.1 sets out the criteria for assessing residential extensions including the general character of the property, impact on the amenity of neighbouring occupiers and the appearance in the street scene.

Policy DC1.2 states that extensions to residential properties will not be allowed if they are excessively large or bulky and result in structures which are not subservient to the original house, or which create undue loss of sunlight, daylight or privacy.

Policy DC1.3 states that the Council will not normally approve rearward extensions greater 3.65m in length, or two-storey extensions with a flat roof.

Policy DC1.6 states that in addition to domestic houses the above policies apply to flats, houses in multiple occupation, nursing homes rest homes and hotels.

Principle

Certificate 130136/LP/2021 and Larger Home Extension 129555/PDE/2021 are material to the determination of this planning application. Therefore, the main consideration relates to the subdivision of the dwelling house. The additional space created by these developments intrinsic to enabling adequate floor space to comply with the required space standards for a conversation of this type of large house, which incidentally is considered an anomaly in terms of its size, in comparison to the neighbouring properties within the same row. Therefore, the proposal is considered to be acceptable as the proposal allows the conversation of a larger home into two dwelling without having a negative impact on car parking, amenity space and residential amenity. Furthermore, Policy H1 - Housing states that proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population and the design and density of the proposal contributes to the character of the local area.

Residential amenity

The proposed rear extension has been reduced in projection from 6 metres to 3.65 metres to lessen the impact on the neighbouring properties and the roof slope diminishes in height by over a 1m, on balance it is considered that the proposal does not appear to pose a significant impact in terms of visual amenity.

No windows or opening are proposed in the side elevations of the new extension, Patio doors and 5 no. roof lights will provide additional lighting to the extension. The proposed openings do not pose issues in terms of residential amenity; overlooking or privacy. A condition shall be applied to any approval regarding no further windows in any of the elevations.

The proposed extension poses minimum impact upon loss of light and overshadowing as the orientation of the property north east(front) facing with the proposed extension to the south west (rear) elevation. However due to the proposed size, scale and height of the extension, there appears to be no significant issues relating to visual or residential amenity, overshadowing or loss of light on the adjacent properties.

Overall, the proposed extension is considered to be subservient to the existing property and therefore does not create any significant impact in terms of visual and residential amenity or within the local surrounding area.

The proposed dormer is not considered to give rise to any significant overlooking impacts to the rear or overbearing impacts to any neighbouring properties. The dormer would be built within the existing roof and set back from the existing eaves and ridge and therefore similar to a development that could be carried out under permitted development.

Design and Appearance

The proposed extensions are in keeping with the original property and the applicant intends to match the existing materials with that of the house, therefore it is considered that the proposal is acceptable in design terms.

Space Standards

The floor plans that accompany the application provide measurements of the internal floor area of each dwelling house. The proposed dwellings consist of one x 2 bedroom property that sleeps up to 3 occupants and has an overall floor area 76 m² and the other is a 5 bedroom property that sleeps up to 6 occupants with an overall floor area of 120m². The proposal is in accordance with the national space standards.

Flood

The Flood Team requested details of the design and construct of a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system and a condition has been attached. To allow compliance with policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

Parking and highways

Given that the proposed development is resultant in one additional residential dwelling, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns. There is no on-site car parking associated with the development and as such, all vehicular demands associated with the site are anticipated to contribute to the level of vehicles parked on-street. Despite the current layout, there is scope to allow for car parking within the curtilage of the site which would require modification to the current boundary treatment. However, highways are satisfied that the current proposal is satisfactory due to its sustainable location.

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit and a condition has been attached to the consent.

No details have been submitted about any proposed boundary treatment. It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a

distance of 600mm upwards to ensure adequate visual permeability for child pedestrians and gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway. A condition has been attached to the consent to ensure with policy SP1, T1 and DM1 of the Core Strategy.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

Refuse

Environmental Health have requested a refuse condition to ensure appropriate recycling provision to take at both sites and a further condition requesting that details of the design of the bin shrouds should they be stored at the front of the property as indicated on the drawings and to ensure adequate refuse arrangements are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy. Furthermore, highways confirmed that a designated refuse storage has been accommodated for each individual dwelling with kerbside collection noted from Winstanley Road. Bins will be taken to/from the bin store to the collection point by residents on collection day. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.

Contaminated Land

Environmental health have requested a condition be attached to the consent in the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site, to ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Boundary Treatment

No details have been submitted regarding the proposed boundary treatment and highways have recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway. A condition has been attached to the consent 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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Cycle Provision

Highways have requested cycle provision be implemented as part of the scheme and a condition has been attached to ensure compliance with policies SP1, T1 and DM1 of the Core Strategy.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Further information was sought from officers during the application and amendments were made to the proposal.

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:

PL-005 Rev B, PL-006 Rev A and PL-007 Rev A and PL-008, stamped as received on the 30 July 2021 and the Location Plan, stamped as received on the 3 June 2021.

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

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1

of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawing number PL-005 Rev B, PL-006 Rev A and PL-007 Rev A and PL-008, stamped as received on the 30 July 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

Phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including a satisfactory routing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality.

The development shall only be carried out in accordance with the approved Construction Management Plan.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

6) No part of the development shall be occupied until space and facilities for bicycle parking for both dwellings has been provided in accordance with details to be submitted to and approved in writing by the City Council as local planning authority. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

7) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To ensure adequate refuse arrangement are put in place for the development pursuant to policies EN19 and DM1 of the Manchester Core Strategy.

8) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed within 2 months

of occupation of the development and shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

9) Prior to the occupation of the development hereby approved, full details of a secure and ventilated bin storage area, including location and any elevations, shall be submitted to the City Council as local planning authority for prior approval in writing. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

10) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

Reason - The application site is located within a critical drainage area and in line with requirements in relation to sustainable urban drainage systems, further consideration should be given to the control of surface water at the site prior to works commencing in order to minimise localised flood risk pursuant to policies SP1, EN14 and DM1 of the Manchester Core Strategy (2012).

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

12) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

13) Prior to the first occupation of the development, the first floor rear en-suite window shown on drawing numbers PL-005 Rev B, PL-006 Rev A and PL-007 Rev A and PL-008, stamped as received on the 30 July 2021, 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.

Informatives

1) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

2) It is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

3) o If any new external fittings are to be installed (i.e. shutters, windows or doors) then they should be certified to Secured by Design standards.

o An intruder alarm should be installed with contacts on all external doors and with movement detectors. The alarm should be monitored by an appropriate body.

o Dusk 'til Dawn lighting should be installed on all external doors

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

35 Winstanley Road, Manchester, M40 7WJ
15 Kingsland Close, Manchester, M40 7NB
34 Winstanley Road, Manchester, M40 7WN
37 Winstanley Road, Manchester, M40 7WJ
38 Winstanley Road, Manchester, M40 7WN
19 Kingsland Close, Manchester, M40 7NB
17 Kingsland Close, Manchester, M40 7NB

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1