

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131881/FH/2021

Date registered valid: 2 November 2021

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

Address: 104 Birchfields Road, Manchester, M14 6PH

Ward(s): Rusholme Ward

Applicant: Mr M Rafiq 104 Birchfields Road, Manchester, M14 6PH

Agent (if any): Mr V Alyas Architek 916 Stockport Road, Manchester, M19 3AB

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 December 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: None – Photos sent by agent

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 18 November 2021

Expired: 9 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 application site is a red brick and render inter-war semi-detached situated on the western side of Birchfields Road in the Rusholme ward. There is an original single storey rear outrigger housing the kitchen on the outside of the rear elevation.

The bay-window fronted property has a red clay tile gable roof, paved front garden used for parking and a good-sized rear garden with detached garage.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The property is bounded by similar residential housing to the north and south, to the east, the site faces a mix of housing and the Fallowfield Retail Park whilst at the rear is a playing field associated with the University of Manchester Owens Park campus.

Description of development

Erection of a single storey rear extension to provide additional living accommodation.

The extension provides a ground floor en-suite bedroom for a disabled family member. The free-standing garage and outrigger will remain in situ in this application.

Consultations & Notification Responses

Neighbour notifications – 2no. neighbours were notified of the application. No comments were received.

Issues

The National Planning Policy Framework (NPPF)

The NPPF was revised and published in 2021 and replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government.

It states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Core Strategy 2012 - 2027 (adopted July 2012)

Manchester Core Strategy - 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.

Core Strategy Policy DM1 - Development Management

Policy DM1 provides specific guidance in the Development Management decision making process and provides that:

All development should have regard to the following issues relevant to this application:

- 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

Unitary Development Plan

The site is unallocated within the adopted Unitary Development Plan for Manchester but policy DC1 is taken into consideration:

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

DC1.2 Extension will be allowed subject to:

- a. They are not excessively large or bulky

- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 The Council will not normally approve:

- a. Rearward extensions greater than 3.65 metres 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 make exemptions in the case of people with disabilities who require adjustments to meet their day to day needs.

Principle

The application is for extensions to a residential property. Policy DC1 permits such extensions subject to satisfactory impacts on residential and visual amenity, parking, bin storage and flood risk.

Residential Amenity

The proposal is considered to have acceptable impacts on residential amenity. It is sited between the original outrigger and the common boundary with the adjoining neighbour at No.102 Birchfields Road. This property has an extended outrigger on the outside and so the extension would give rise to a tunnelling effect on the rear patio doors which serve a living room. Ordinarily this would not be acceptable but in this case, the owner of No.102 has



expressed his intention to apply for a similar extension and wishes to avoid any gaps between extensions which could give rise to damp forming between the two as well as maintenance difficulties.

The extension would lead to some shading of the patio doors but as the rear is west facing, this would not be for all of the day. Double patio doors serving the bedroom open into the garden and 2no. en-suite WC windows extend beyond the depth of the outrigger with one facing the garden boundary with No.106. As this would be obscurely glazed, there are no concerns this would lead to any harm from overlooking.

Visual amenity

The extension will have an acceptable impact on the appearance of the property. It is sited entirely within the rear elevation with no projection beyond the side and so has no impact on the appearance of the dwelling or character of the street scene.

It is sited in the most logical position to take advantage of internal constraints and circulation routes, giving the occupier direct access to the bedroom from the rear lounge. It extends to a depth of 4-metres which is only marginally above the guidance in saved UDP policy DC1.3a. Notwithstanding this, saved UDP policy DC1.5 makes allowances for extensions larger than those normally permitted in this guidance for people with disabilities which applies in this case, and the principle of deeper extensions, up to 6 metres is established in current Class A of the Permitted Development regulations. For comparison, a larger extension was recently approved at No.98 Birchfields Road (Ref: 121175/FH/2018).

The height, scale and massing are proportionate to the rear elevation and is in keeping with similar neighbouring extensions. It would have a height of 2.3 metres to eaves and 3.6 metres to a sloping monopitch roof with all materials to match. A condition is appended to this effect in the interests of visual amenity. Doubt was raised regarding the materials for the elevation to No.102 which appears to be breeze block on the submitted visuals. The applicant confirmed in writing that the material would be brick. This is reflected in the SPL condition.

Parking and Bin storage

Parking and bin storage are unaffected by the proposal.

On the basis of the above, the proposal is considered to have acceptable impacts on residential and visual amenity, car parking and bin storage in accordance with saved UDP policy DC1, Core Strategy policies SP1 and DM1 and with the general principles contained within the NPPF.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to the conditions below and for the reasons outlined in the delegated report. The application was notified by

letter to 2no. neighbouring occupiers; no comments were received, and the application has been determined in a timely manner.

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 received on the 11th of October 2021 or as stated:

Application Form

Location Plan A101

Existing Plans and Elevations A102

Proposed Plans and Elevations A103

3D Views

Boundary Consent letter from neighbour received on the 2nd of November 2021

Medical supporting information received on the 11th of October 2021 and on the 2nd of November 2021

Certificate B received on the 2nd of November 2021

Site photos received by email on the 16th of December 2021

Email received from the applicant on the 22nd of December 2021 confirming brick elevation to No.102

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

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 - In the interests of visual amenity pursuant to policy DM1 of the Manchester Core Strategy and saved UDP policy DC1.

4) The 2no. ground floor en-suite WC windows on the side and rear elevation of the extension hereby approved, 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 residential properties from overlooking or perceived overlooking in accordance with policy DM1 of the Core Strategy and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

102 Birchfields Road, Manchester, M14 6PH

106 Birchfields Road, Manchester, M14 6PH

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

Area Team Boundary - Name: SOUTH