

Planning**Strategic Development****Delegated officer report for planning application**

Application no. 131748/FH/2021

Date registered: 28 September 2021

Proposal: Erection of first floor rear extension to form additional living accommodation, together with elevational alterations.

Address: 29 Larch Gardens Manchester M8 8BJ

Ward(s): Cheetham Ward

Applicant: Mrs Shabana Yasin

Agent (if any): Mr Muhammad Farooq

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adammitchell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23/11/2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 November 2021

Standard consultations:

Neighbour notifications: Printed: 29 September 2021 Expired: 20 October 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: Not applicable

Tree Preservation Order: Not applicable

Description of Site

This application relates to a red brick 2-storey detached property located at the end of the cul-de-sac on a modern estate which is located off Queens Road within the highly residential Cheetham Ward. The property incorporates hard landscaping and off road parking to the front, an outbuilding along the rear boundary and a small rear garden area. The boundary treatment to the rear and side elevations are either 2 metre high timber panel fence, or 2 metre high brick wall.

The remainder of the area is predominately residential in nature and are houses of a similar style and size of the proposal site.

Description of Development

The application seeks consent for the erection of a first floor rear extension to form additional living accommodation, together with elevational alterations. The property already benefits from a single storey rear extension with the proposed first floor

extension constructed over the rear of the property. This extension will consist of an additional bedroom.

The agent was advised early on in the planning application process surrounding concerns relating to the subservience and terracing of the development in relation to the original property creating a detrimental impact upon the overall residential and visual impact upon the existing property, adjoining property and the overall surrounding area.

The revised drawings (Email dated 18 November 2021 and attached revised plans) address the original concerns relating to this application, the extension is set-in 1.5m from the side elevation and has reduced its rearward projection to 3.4m, incorporating a 0.6m setback from the rear elevation. Additionally, the extension consists of the following dimensions: Height 3.9m x Width 4.3m x Depth 3.4m. The elevational alterations involve the extension's roof profile which is hipped and set down considerably from the existing ridge.

These measures were required to lessen the overly large and dominant impacts neighbouring occupiers would experience with the original application. The revised proposal is consistent and accords with DC1 of the Saved Unitary Development Plan Policy.

Consultations Response

Local residents were notified however no responses were received.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are:

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 a well-designed and safe built

environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve 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:

Chapter 8. Promoting healthy and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

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.

UNITARY DEVELOPMENT PLAN SAVED POLICIES

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to 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 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.

DC1.3 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)

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

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

- 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;
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

-Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

-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.

-Design for health.

-Adequacy of internal accommodation and external amenity space.

-Refuse storage and collection.

-Vehicular access and car parking.

-Effects relating to biodiversity, landscape, archaeological or built heritage.

- Green Infrastructure including open space, both public and private.

-Flood risk and drainage.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Principle

The proposed development is a first-floor rear extension with elevational alterations to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order 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.

Residential Amenity

Revised drawings were received 18 November 2021, the revised proposal incorporates a setback from the rear elevation and a set-in distance from the side elevations. The revised proposal addresses concerns relating to over development within a residential neighbourhood and preventing an overly large and bulky built structure visible within the street scene for neighbouring residents. Whilst the original application was deemed unacceptable against DC1.3:

- i) *The council will not normally approve rearward extensions greater than 3.65m (12ft) in length*

The revised plans mitigate against these concerns with the proposed rearward projection of 3.4m not considered to have an overbearing effect or contribute to overshadowing or overlooking on neighbouring properties. One first floor window is proposed situated along the original side elevation overlooking the northern shared boundary with 31 Larch Garden, obscured glass will be installed to minimise any potential intrusive effects which would be unlikely given the positioning and sight lines accessible from this fenestration element. However, a condition shall be applied to any approval regarding no further windows along the proposed first floor rear extension's side elevations.

Visual Amenity

The design of the proposals are typical of extensions within the area, the extensions would remain subservient to the host property, and with the materials being proposed the same as the existing property there would be no detrimental impact upon the house itself or upon the character of the area within which it is located.

On balance this is deemed acceptable in terms of residential and visual amenity upon the existing property and adjoining properties due to the mitigating factors mentioned above. The proposed first floor rear extension is considered to be subservient to the existing property and therefore consistent with principles for residential extensions set out in saved UDP policy DC1, and policies SP1 and DM1 of the Core Strategy.

Design and Appearance

The design is similar in appearance to other properties that have had the benefit of extensions within the vicinity of the site. It remains subservient to the host property, being set back from the rear elevation, as such there is no issue with a terracing effect, and with the lower height of the extension ridge. The materials to be used would match those of the existing property. It is considered that the proposal would be in keeping with the character of the original dwelling house and the area within which it is located.

The design is sympathetic to the general character of the building and therefore the proposal is acceptable with both policies SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Height, Scale and Massing

The rear extension comprises of construction over the existing single storey with a first floor erected above, being set in (1.5m) from the side elevation well off the common boundaries with number 27 and 31 Larch Gardens. The rear extension only projects at first floor 3.4m. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

Parking

There is off street parking provided by the driveway at the front of the property, accords with the principles for residential extensions set out in policy DM1 of the Core Strategy.

Waste Management

There is sufficient land to the rear and side of the property to store the bins without causing any additional residential amenity.

Negotiations

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 agent in a positive and proactive manner by requesting further information relating to the scheme and appropriate conditions to the approval have also been attached.

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 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 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 documents and drawings. Location Plan and drawings numbers X2 DRAWINGS- 1807/1 and 1807/2 received by the City Council as Local Planning Authority as City Council on 18 November 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 materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

Reason- To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of 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 drawings numbered 1807/2 by the City Council as Local Planning Authority on 9 November 2021.

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

- 5) The proposed first floor window along the original side elevation on: X2 DRAWINGS- 1807/2 received by the City Council as the Local Planning Authority on 18 November 2021, shall be obscurely 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 Manchester Core Strategy (2012).