

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131813/FH/2021
Date registered valid: 8 October 2021
Proposal: Erection of a first-floor rear extension and associated alteration to roof of existing rear extension to form additional living accommodation
Address: 36 Finchley Road, Manchester, M14 6FH
Ward(s): Old Moat Ward

Applicant: Mr Akbar Ali, 36 Finchley Road, Manchester, M14 6FH
Agent (if any): Mr Rashid Mehmood, I. Planning Services, 6B Cook Street, Bury, BL9 0RP
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 25 November 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 November 2021

Standard consultations:

Printed: 19 October 2021 Expired: 9 November 2021

Neighbour notifications

Printed: 19 October 2021 Expired: 9 November 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, inter-war semi-detached dwelling situated on the northern side of Finchley Road in the Old Moat ward. The property has a tarmac front garden access along the side and lawned rear garden.

At the rear of the property is an existing single-storey rear extension that is 6 metres in length. It was erected following approval of a Larger Home Extension Permitted Development scheme (Ref: 116133/PDE/2017).

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is within a residential area comprising a similar housing typology and situated between Withington Road to the east and Yew Tree Road to the west. The rear garden boundary is shared with the Fallowfield Loop leisure route, beyond which are the Fallowfield Allotments.

Description of development

Erection of a first-floor rear extension and associated alteration to roof of existing rear extension to form additional living accommodation.

The extension provides 2no. first floor rear bedrooms under a hipped roof and has been amended to reduce the depth of the bedroom on the party wall with the adjoining property.

Consultations & Notification Responses

A total of 3no. neighbours on Finchley Road and Brocklebank Road were notified of the proposal; no comments were received in response.

Sustrans were notified of the proposal; no comments were received in response.

Policy

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 – Waste
- o The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Issues

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable subject to satisfactory impacts on residential and visual amenity.

Development in this application proposes a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity and make adequate arrangements for car parking and bin storage.

Residential Amenity

The proposal as amended will have an acceptable impact on residential amenity. The proposal is to extend 2no. existing bedrooms rather than creating two new ones.

Development comes off the original rear elevation at first floor by 3.175 metres with a hipped roof which is set down by 1.3 metres off the original. During negotiations, the bedroom on the party line shared with No.34, has been reduced by approximately half to mitigate the overbearing impact on the occupiers of this property. This keeps the development at the rear in line with the approval at No.76 Finchley Road (Ref: 103036/FH/2013/S1) which is the only other example locally of a first-floor rear extension on the party line.



As amended, the proposal accords with saved UDP policy DC1, with little impacts in terms of overshadowing and no overlooking opportunities.

Visual Amenity

The proposal will have an acceptable impact on visual amenity. It is designed to be subservient to the main dwelling and is of a relatively modest scale which does not amount to an overdevelopment when seen in the context of the ground floor larger home extension.

The elevations and roof profile alteration will change the existing ground floor flat roof to a sloping monopitch. This is an acceptable and common roof profile for this type of domestic extension with several examples seen in Finchley Road. The monopitch roof extends to 3.6 metres at its highest point which is a 0.7 metre increase on the existing. The eaves height is however the same.

None of the extensions will be visible from the front elevation but are nonetheless designed to form a seamless relationship with the original. This will be achieved by completing the development in the proposed matching brick and tile which are conditioned to match on any approval of the scheme.

On the basis of the above, the proposal accords with saved UDP policy DC1 and with Core Strategy policies SP1 and DM1.

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 received no comments on public notification and 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 1st of October 2021 or as stated:

The Application Form

Location Plan received on the 8th of October 2021

Existing Plans and Elevations Ref: 1 of 2

Proposed Plans and Elevations Ref: 2 of 2 Rev A received by email on the 10th of November 2021

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.

Appendix 1 – List of consultees & neighbours notified

Sustrans

34 Finchley Road, Manchester, M14 6FH

38 Finchley Road, Manchester, M14 6FH

51 Brocklebank Road, Manchester, M14 6EL

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