

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130564/FH/2021

Date registered valid: 22 July 2021

Proposal: Erection of single-storey extensions to the side and rear and erection of first floor side extension

Address: 6 Tuscan Road, Manchester, M20 5GS

Ward(s): Didsbury East Ward

Applicant: Mr & Mrs Vaughan, 6 Tuscan Road, Manchester, M20 5GS

Agent (if any): Ian Grainger, Blu Room Architecture, 5 Uplands Road, Darlington, DL3 7SZ

Case officer: Melanie Tann
Tel: 0161 234 4538
Email: melanie.tann@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **8th October 2021**

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

Printed: 3 August 2021 Expired: 24 August 2021

Neighbour notifications

Printed: 3 August 2021 Expired: 24 August 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character

Description of development

Erection of single-storey extensions to the side and rear and erection of first floor side extension

Consultations & Notification Responses

Neighbours – One letter of objection has been received. The main comments are:

- I would like more confirmation of the size of the intended extension. By looking at the plans it seems to me that it would be coming to the boundary fence.
- The present fence is into my land and so if it intends on coming to the fence it would be on my land.
- Also I have explained I will not be allowing builders access to my property to build or maintain the property now or in the future so maybe he needs to re think the size of his intended extension.

Flood Risk Management - Condition 1: No development shall commence until the submitted flood risk assessment has been updated and re-submitted to and approved in writing by the

local planning authority. For the avoidance of doubt, as per the government standing advice, the assessment must be updated to include the following additional information:

- A description of your development.
- 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.
- 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.
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- As the site is located within a Flood Zone 3 (and identified to be protected by flood defences), the Environment Agency should be consulted about the level of flood protection at the location of the development and request a Flood Defence Breach Hazard Map (You can email the Environment Agency at: enquiries@environment-agency.gov.uk)

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required.

Cadent – no objection.

Policies

Unitary Development Plan

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.

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).

DC1.4 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.

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.

Policy SP1 identifies the City Council's Core Development Principles and states that 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
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- 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 states that 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 and 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.
- Existing or proposed hazardous installations.

The National Planning Policy Framework 2021 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.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

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.

Issues

Principle

As the proposal seeks to extend a residential property policy DM1 and saved policy DC1 are applicable. Consideration has, however, been given as to whether the scale, massing, design and appearance of the extension is acceptable. In addition, consideration has been given to any impact the proposed development may have on the residential and visual amenity of neighbouring occupiers and the residential area.

Scale, Massing and Design

The proposed two-storey side extension would have a setback from the front at first-floor level of 1 metre and the ground-floor 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 approximately 3 metres

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 considered to be 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 considered to be 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.

Residential amenity/loss of light/visual 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 to the side elevation.

The proposed side extension would be to the north elevation and the proposed rear extension would be to the west elevation. However, given the limited height and relationship with neighbouring properties it is not considered that the proposal would give rise to an unacceptable loss of light to neighbouring properties.

Other issues

The property would still be capable of providing at least one off road parking space.

A condition has been added requesting details of a bin store to screen bins from the street as these would not be capable of being stored to the rear.

The granting of planning permission does not override any other legal obligations with regards the Party Wall Act, or confer any rights to trespass onto neighbouring property's land. These issues are dealt with under separate pieces of legislation.

The applicant has indicated that all building works would be undertaken solely on land within their ownership by signing Certificate A, furthermore, the revised drawings do not indicate any encroachment.

Conclusion

It is therefore considered that the proposals are in accordance with City Council saved policies DC1.1, DC1.2, DC1.3, DC1.4 of the Unitary Development Plan and policies DM1, SP1 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 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:

Proposed ground-floor plan 03 rev A, received by email 7th October 2021;

Proposed first-floor plan 04 rev A, received by email 7th October 2021;

Proposed elevations 05 rev A, received by email 7th October 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 building in type, size, colour and texture.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

4) 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 Core Strategy.

5) Within 1 month of the date of this permission the submitted flood risk assessment shall be updated and re-submitted to and approved in writing by the local planning authority. For the avoidance of doubt, as per the government standing advice, the assessment must be updated to include the following additional information:

- A description of your development.
- 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.
- 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.
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- As the site is located within a Flood Zone 3 (and identified to be protected by flood defences), the Environment Agency should be consulted about the level of flood protection at the location of the development and request a Flood Defence Breach Hazard Map (You can email the Environment Agency at: enquiries@environment-agency.gov.uk)

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required pursuant to policies EN14 and DM1 of the Core Strategy for Manchester.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

9 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

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