

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131035/FH/2021

Date registered valid: 12 July 2021

Proposal: Erection of a single storey side and rear extension

Address: 40 Spinney Road, Manchester, M23 1AB

Ward(s): Baguley Ward

Applicant: Joseph & Laura Brannan 40 Spinney Road, Manchester, M23 1AB

Agent (if any): Tomislav Flocc Studio Ltd 157 Harcourt Street, Stockport, SK5 6UP

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 September 2021



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 26 July 2021
Standard consultations: Printed: 19 July 2021 Expired: 9 August 2021
Neighbour notifications Printed: 19 July 2021 Expired: 9 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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site is an inter-war semi-detached dwelling situated on the south side of Spinney Road in the Baguley ward. The red brick property is situated on a rectangular plot that slopes up from the front boundary. There is a driveway on the right-hand side with a detached garage behind on the boundary with No. 38 to the west and an original 2 storey outrigger with glazed-roof first floor sunroom at the rear.



The property has a concrete tile hipped roof and bay window to the side.

There is a 16.6-metre long rear garden beyond the garage.

Description of area

The site lies to the west of junction 3A of the M56 / A560 in a small residential estate of bay-fronted semi's and bungalows all having similar bay window features.

To the south is the Stockport to Altrincham railway line, Baguley Brook lies 105 metres to the west at the end of the Spinney Road cul-de-sac which is entered off Hall Lane further west.

Description of development

Erection of a single storey side and rear extension.

Following a site visit, the Council queried with the agent whether the proposal was to support the needs of a wheelchair using disabled resident who was being attended to by visiting carers at the time of the visit. The agent confirmed that this was the case and that a downstairs bedroom with WC were to support the disabled applicant, with the remainder of the extensions – an extended kitchen, lounge, dining and utility rooms enabling family members to move in and provide full-time care on site.

The Council advised the agent that the application could be considered on medical grounds on production of supporting documentation. As extensions come to the side, the agent was also

asked to provide a bin store. A revised site plan and documents supporting the medical case were provided.

Consultations & Notification Responses

Neighbour notifications – No comments received.

Network Rail – Comments:

There are requirements which must be met as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary - therefore undertaking the with the agreement and supervision of Network Rail is required.

Issues

The National Planning Policy Framework (NPPF)

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

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 consider applications from residents who wish to make adaptations to accommodate disabilities.

Principle

The application is for extensions to a residential property. Policy DC1 permits such extensions provided that the criteria of this policy are satisfied. Whilst the proposal is acceptable in principle, consideration should be given as to whether there are any unacceptable impacts on residential amenity, together with the siting, design and materials are acceptable.

Residential amenity

The proposal is for a single storey wraparound extension at the side and rear. It will be sited on a paved patio area at the rear that is sunk below the level of the lawned rear garden, and on the gap at the side which is used for access, bin storage and parking.

In considering the rear element first, this comes 4.4 metres off the rear elevation of the original outrigger and is sited 2.72 metres off the boundary with the adjoining semi No.42 to the east. It extends west over the footprint of the garage to the boundary with No.38 which is a bungalow sited further back off the building line of the site.

The extension has a height of 2.8 metres to a flat roof and proposes both a 2.4-metre high picture window and same height glazed patio doors in the kitchen / dining room. These face the intervening fence with No.42. A glazed door and window are also proposed on the rear elevation serving these rooms and another window for the downstairs bedroom at the front.

The distance to the boundary with No.42, combined with the fencing and lower ground level of the patio area would be adequate to mitigate any intrusive overlooking into this property. Any concerns that the windows could present overlooking opportunities need to be considered against the potential to erect 2 metre-high fencing which means that only the top 0.4 metre section of glazing on this elevation would extend over the fence line, and off-set by 2.72 metres. Given this potential, the opportunities for actual or perceived overlooking is very limited.

No windows are proposed on the side facing No.38 as development sits on the garage footprint on this boundary. The rear elevation of the extension would approximately align with the rear

elevation of this property which has a small outrigger on the facing corner. As the roof is flat and all rear gardens are south facing, there are no concerns that the extension will overshadow either property to the side.

The side extension enables the ground floor bedroom with bathroom and a utility room alongside to be accommodated in the curtilage. It has a width of 2.5 metres and height of 2.3 metres to the eaves and 3.2 metres to a hipped roof.



This element faces several small windows on the side of No.38 and a similar width gap to the boundary which is used as a parking space.

This elevation is east-facing and whilst it may be subject to a degree of overshadowing, the side windows are secondary and off-set from the boundary to ensure that no significant loss of amenity due to overshadowing would result from any approval.

Based on the above, the proposal is considered to have acceptable residential amenity impacts.

Visual Amenity

The extensions have an acceptable impact on the character of the dwelling and its appearance in the street scene.

It is sited to enable the existing internal space and constraints to only undergo small modification whilst not compromising features that the applicant wishes to retain such as the full plan-depth living room which can be used as an independent living space for the elderly and disabled owner-occupier.

Development on the garage footprint makes best use of the precedent set by this structure on the boundary and which has not functioned as a garage for several years. It also reduces the amount of new built form on the site; the extensions effectively being side and rear infills either side of the garage.

The depth of the rear extension is in excess of that normally permitted by saved UDP policy DC1.3 but is not excessively so and is justified on the grounds of need which is supported in saved UDP policy DC1.5, without any adverse impact on residential or visual amenity. A 12.4 metre length rear garden would still be retained on any approval and implementation of the proposal, which is an adequate level of amenity space.

In design terms, the section of extension visible in the street scene is a typical design solution which responds to the characteristics of this house type. From the street, the side extension is subservient to the main dwelling and is proportionate in width with a hipped roof and materials to match. Whilst building to the side boundary will close the characteristic gap seen from the street, being single storey only alongside the bungalow at No.38, will mitigate any terracing effect and is justified to provide the identified space needed.

The rear section will have little visibility in the street scene. It adopts a contemporary design language with a simple rectangular footprint and flat roof. This follows the form of development established by the garage in situ on this and neighbouring dwellings to the east. Extensive

glazing takes advantage of the south-facing elevation to bring more light into the shared family spaces.

On balance, it is considered that the siting, scale, design and materials are in character with the original dwelling and are appropriate for this house type within the street scene, thus the application is considered to comply with saved UDP policies DC1.1 and 1.2.

Car Parking

The parking opportunities at the site will be compromised to some extent by the extension at the side where 1 of 2 cars currently park. The driveway forward of the front elevation is 7.7 metres in length so one vehicle would need to be parked on street where parking is unrestricted. Alternatively, the front garden area could be adapted in part to accommodate a second parking space if needed without significant loss of front garden amenity space.

Bin storage

Bin storage will not be possible off the front elevation following any approval. The agent has amended the site plan to accommodate a bin store within the front curtilage, avoiding any conflict with the parking potential of the site. The bin store will be to the benefit of the appearance of the dwelling in the street scene.

Based on 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 and Core Strategy policies DM1, SP1 and T2, subject to the conditions as recommended at the end of this report.

Other matters

Network Rail have responded to the consultation given the presence of the railway line to the rear. Development would be in excess of 10 metres from the railway. No specific conditions are required to be appended to any approval. However, the agent has been notified of the guidance issued by Network Rail and their recommendations. These require that the applicant enters into a dialogue with them at an early stage prior to development to ensure that adequate mitigation is in place to safeguard the authority's assets.

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 appropriate conditions and for the reasons outlined in the delegated report. The application received no objections on notification and has been approved with appropriate conditions as set out below, in the interests of residential and visual amenity.

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 12th of July 2021 or as stated:

Application form

Site Plan & Location Plan - Proposed WD2.1 Rev A received by email on the 13th of September 2021

Plans - Existing Ground Floor Plan WD3.1

Plans - Existing First Floor Plan WD3.2

Plans - Proposed Ground Floor WD3.3

Plans - Proposed First Floor WD3.4

Section A - A WD4.1

Elevations - Existing WD5.1

Elevations - Existing WD5.2

Elevations - Proposed WD5.3

Elevations - Proposed WD5.4

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, as stated on the Householder Application Form.

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, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Network Rail

41 Spinney Road, Manchester, M23 1AD
45 Spinney Road, Manchester, M23 1AD
43 Spinney Road, Manchester, M23 1AD
42 Spinney Road, Manchester, M23 1AB
38 Spinney Road, Manchester, M23 1AB

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 45M
Area Team Boundary - Name: SOUTH