MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129977/FH/2021
Date registered valid:	9 April 2021
Proposal:	Installation of raised terrace to rear garden and associated elevation alterations
Address:	10 Salisbury Road, Manchester, M21 0SL
Ward(s):	Chorlton Ward
Applicant:	Mr Edward Warhurst Fraser 10 Salisbury Road, Manchester, M21 0SL
Agent (if any):	Mr James Darwent Darwent Architecture Ltd Trafalgar House, 5-7 High Lane, Manchester, M21 9DJ
Case officer:	Robert Griffin Tel: 0161 234 4527 Email: robert.griffin@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 03.06.2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27th May 2021

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 18 May 2021 Expired: 1 June 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:

Tree Preservation Order:

Description of area

The application property is a substantial red brick Victorian semi-detached property arranged over three floors with front bay windows over two floors. The rear of the property also contains a bay window over ground and first floor and small single storey outrigger which is replicated over the boundary with the adjoining property. The property contains a basement and there is a low level brick wall dividing the rear gardens which extend 14 metres from the rear wall of the outrigger.

Application property to the right

Description of development

The application proposals which have been amended since they were first submitted propose the installation of a raised rear decked area which would project between 2.8m and 2 m from the rear wall of the property, and extend 4 metres across the back of the property, it would have a height of approximately 90cm. The decked area would be set off the boundary with the adjoining property by 2.8 metres and 1.4 metres from the property to the east. The decked area would be accessed via steps positioned on the eastern side. A handrail would be installed around the raised area.

As part of the works the submitted drawings indicate the insertion of new bi fold doors to the rear which would open up onto the decked area and associated elevational alterations to the bay window structure at ground floor to enable the insertion of the doors, the existing window in the rear outrigger would be replaced with a smaller slot window. Materials for these works are to be matching brick and windows are to be of an aluminium powder coated finish.

Consultations & Notification Responses

The application was subject to 2 notification periods as a result of amended proposals. No responses were received in response to these.

Policy

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.
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:
i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Extant UDP 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:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs and the overall appearance of the proposal in the street-scene. Given the requirements of the resident it is considered that this policy is relevant, and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

Policy DC1.3 states that notwithstanding the generality of the above policies, 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 he 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).

DC1.4 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.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

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.
The following policies are relevant for this application:

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.
-Flood risk and drainage.

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.

Issues

Principle -The application is for the creation of a raised terrace area together with associated elevational alterations to a residential property in a residential area for which provision is made in saved UDP policy DC1, subject to satisfactory compliance with the impacts on residential and visual amenity.

Residential amenity - It is considered that the proposals will have acceptable impacts on residential amenity.

The raised decked area is 4.8m in width, between 2 and 2.8m deep and is raised 900mm above ground level and accessed either via external steps or the proposed bi-fold doors. Given that the property has a basement, the original internal floor levels are raised and windows on this and neighbouring properties are higher above ground level.

Given that the decked area is set off from the adjoining property boundary by 2.8m, whilst there may be some overlooking into the garden, the position and relationship to the existing outrigger, which has an existing large rear facing window, it is considered that the impacts of overlooking are not considered to be so significant as to warrant refusal of the proposals.

Rear outrigger with rear window and relationship to adjoining property and boundary

The decked area would be set off by 1.4 metres from the boundary with the property to the east. There is in situ a high boundary treatment and vegetation. There would be a rear stepped access on this side of the deck and given the remaining depth between the edge of steps and edge of the bay window there would be more limited opportunities to extensively use this section of the decked area. Given the height and orientation of the existing bay window which affords views across towards that property the positioning of the decked area is not considered to give rise to harmful impacts in terms of overlooking or loss of privacy to this property.

Rear view of left-hand side of existing bay and relationship with boundary to neighbour

Visual amenity -The raised terrace will be contained within the rear of the property with no views from within the street scene. The visual impacts are therefore negligible.

The small infill required between the western side of the bay and the existing outrigger to insert the bi folding doors would be finished in red brick and is again contained in the rear. It is not considered that these works would give rise to unacceptable visual impacts.

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 polices 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 application has been dealt with in a positive and proactive manner, no substantial issues have arisen during consideration of the proposals and suitably worded conditions are appended to this decision.

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:
   PL007 REV A Proposed basement plan
   PL008 REV A Proposed ground floor plan
   PL009 REV A Proposed first floor plan
   PL010 REV A Proposed elevations
   PL002 REV A Proposed site block plan
   All received on the 18th May 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 and as detailed on the approved drawings.

   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.

Appendix 1 – List of consultees & neighbours notified

12 Salisbury Road, Manchester, M21 0SL
9 Westfield Road, Manchester, M21 0SW
9 Salisbury Road, Manchester, M21 0SJ
11 Westfield Road, Manchester, M21 0SW
8 Salisbury Road, Manchester, M21 0SL

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