

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129779/FH/2021

Date registered valid: 19 March 2021

Proposal: Erection of a two storey rear extension to form additional living accommodation

Address: 37 Nina Drive, Manchester, M40 5SA

Ward(s): Charlestown Ward

Applicant: James Eckersley 37 Nina Drive, Manchester, M40 5SA

Agent (if any): Mr Chris Lawson CK Architectural 13 Hessle Road, Hull, HU3 2AA

Case officer: Eve Woolstencroft
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Recommendation: Approve

Date of recommendation: 24 May 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 12 May 2021 Expired: 19 May 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:

Tree Preservation Order:

Description of Site/Area

The application site relates to a 2 storey brick built semi-detached dwelling that sits at the corner of Nina Drive, a culdesac in the Moston area of North Manchester. The property benefits from a large front and side garden with associated off street car parking.

Description of Development

The submitted application seeks planning permission for the erection of a two storey rear extension to form additional living accommodation. The single storey element of the rear extension would have a rear projection of approximately 3.2 metres and a width of approx. 5.5 metres, a height to the eaves of approx. 2.6 metres and maximum height of approx. 3.2 metres. The two storey element of the rear extension would be set away from the shared boundary with no. 39 Nina drive by 1.7 metres and would have a rear projection of approx. 2.7 metres.

Consultations & Notification Responses

Local residents were notified for 21 days however no responses were received.

A further 7 day notification was carried out following the receipt of revised plans and no responses were received.

Policy

NPPF (2019)

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: an economic objective, a social and an environmental objective

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 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).

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.
- Flood risk and drainage.
- Vehicular access and car parking.

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;

Issues

Principle

The proposed development is an extension 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. As the property is to remain a single family dwelling house it is not considered that the proposed extension would give rise to any significant additional waste or parking pressures.

Residential Amenity/Visual Amenity

The proposal has been revised from the original submission due to concerns with the first floor element of the rear extension. The proposed first floor element was sited up to the boundary with a projection of 3.2 metres, it was considered that due to its scale and massing, rear projection and relationship to the property would form an overly bulky, structure with an overbearing impact on the rear window of no. 39 Nina Drive and as such, is contrary to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.

Furthermore, the proposed flat roof design of the proposed first floor extension was considered to be out of character with the pattern of development found within the immediate context and

would result in an incongruous and visually obtrusive feature on the rear elevation of the property, to the detriment of the general character of the existing property and the visual amenity of the area within which it is situated. The proposal is therefore contrary to Policies SP1 and DM1 of the Core Strategy and saved Policy DC1 Unitary Development Plan for the City of Manchester (1995).

The proposed two storey element of the extension has been revised and is now is sited approximately 1.7 metres away from the shared boundary with the adjoining property, and reduced to a rear projection of 2.7 metres. There are therefore not considered to be any detrimental impacts with regards overbearing or overshadowing associated with the extension.

The proposed roof design had been revised from a flat roof to a hipped roof, the roof is now considered to be in keeping with the character of the original property and this reduces the bulk and massing of the extension and therefore impacts on the neighbouring property.

There would be no windows on the side elevation facing the adjoining property and therefore there are no significant impacts associated with the extension on the adjoining property in terms of overlooking and loss of privacy.

The extensions will allow the occupiers of 37 Nina Drive to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of neighbouring properties in accordance with UDP policy DC1 and Core Strategy 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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework

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:

-Location Plan and Site Plan ref. 002 Rev A received by the City Council as Local Planning Authority on 19 March 2021.

-Existing and Proposed Plans and Elevations ref. 001 Rev C received by the City Council as Local Planning Authority on 12 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.

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 'Existing and Proposed Plans and Elevations ref. 001 Rev C' received by the City Council as Local Planning Authority on 12 May 2021.

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

Appendix 1 – List of consultees & neighbours notified

78 Nina Drive, Manchester, M40 5SB
39 Nina Drive, Manchester, M40 5SA
35 Nina Drive, Manchester, M40 5SA
80 Nina Drive, Manchester, M40 5SB
74 Nina Drive, Manchester, M40 5SB
2 Westcraig Avenue, Manchester, M40 5SE
76 Nina Drive, Manchester, M40 5SB
72 Nina Drive, Manchester, M40 5SB
70 Nina Drive, Manchester, M40 5SB
4 Westcraig Avenue, Manchester, M40 5SE

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 - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1