

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132909/FH/2022

Date registered valid: 10 February 2022

Proposal: Erection of single storey side and rear extension, to form additional living accommodation and creation of a new driveway access to front of house with boundary treatment

Address: 26 Windsor Road, Manchester, M19 2EB

Ward(s): Levenshulme Ward

Applicant: Mr Trond Bolianatz 26 Windsor Road, Manchester, M19 2EB

Agent (if any): Mr Dave Trudgeon Conway Architectural Design 6 Conway Close, Middleton, Manchester, M24 1EW

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 March 2022

Standard consultations:

Printed: 17 February 2022 Expired: 10 March 2022

Neighbour notifications

Printed: 17 February 2022 Expired: 10 March 2022

Site notice

Posted: Expired:

Press advert

Published: 22 February 2022 Expired: 15 March 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Rushford Park Conservation Area 1986

Tree Preservation Order:

Description of site / building / area

This application relates to a traditional, bay fronted, 2 storey semi-detached dwellinghouse to the south of the Rushford Park Conservation Area, and a predominantly residential area of the Levenshulme ward of Manchester. The front and side garden of the site have significant areas of hard landscaping. There is a gated side access leading to the rear garden which in-part comprises of a decked area and lawn, including boundary treatment approximately 1.8 metres. The small, decked area projects from the rear building line of the dwellinghouse, whilst incorporating a stepped access to the rear external door to the existing dining room. There is also a stepped access from the rear garden into a basement. The existing boundary treatment along the frontage, comprises of a low brick wall, approximately 1 metre high and dense privet hedge, in excess of 1.8 metres high. The existing depth of rear garden is approximately 11 metres.

Description of development

Consent is sought a proposed single storey side and rear extension, to form additional living accommodation, together with the creation of a new driveway access to front of house, and associated boundary treatment to the curtilage of the front garden area.

In terms of the proposed single storey side and rear "L-shape" extension, it would project from the rear building line of the existing kitchen approximately 6195mm, whilst flush with side building line of the dwellinghouse - (gable end elevation) and would achieve a proposed width of approximately 5380mm along the rear elevation. It would project approximately 2925mm along the common boundary with no. 24 Windsor Road, whilst retaining a small gap of approximately 150mm. The proposed maximum height would not exceed 4372mm, and the extension would incorporate a pitched roof configuration, with 4no. windows within the roof slope, and further high level windows and bi-fold doors along the rear elevation. The proposal would also incorporate steps which would be placed centrally and in front of the proposed bi-fold doors, and would measure approximately 525mm high x 4033mm wide. It is intended to use external facing materials to match the original dwellinghouse.

With regards to the creation of a new driveway access in front of the house, revised plans and supporting information were subsequently submitted following correspondence between the agent and highways officers (dated, 30/03/2022), which shows the existing neighbouring drop kerb on the existing site plan and a proposed drop kerb on the proposed site plan. It has been annotated on the proposed site plan that the new double drop kerb is to be no greater than 6 metres in width. It has also been noted on the revised plans that the proposed boundary treatment would comprise of low brickwork, not greater than 600mm high, with the remaining 500mm to be wrought iron balustrading.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

2. Environmental Health

No comments regarding the application on this occasion.

3. Highways

Highways comments are as follows:

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The site currently has no parking on-site. The plans proposed to construct a driveway and install a dropped kerb. Should the planning application be approved, the applicant will be required to enter into a Section 184 agreement.

Highways would not support any greater than a double dropped kerb and therefore the driveway should be positioned at an appropriate point away from the neighbouring driveway.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. Section 72 of the Listed Building Act - Provides that in the exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was subsequently amended and updated February 2019 and July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 14 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh

the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 7: Requiring good design - It is considered that the style of the extension and the use of matching materials, in conjunction with the proposed boundary treatment, will ensure that the development is suitably related to the existing building and its context.

Chapter 12. Conserving and enhancing the historic environment - Sets out the requirements to assessing new development with a potential impact on the historic environment. In the case consideration has been given to the potential impact of the development on the setting of the Rushford Park Conservation Area. This assessment has been related to the acknowledgment to its impact on appearance of the built environment and the streetscene.

The core principles and policy guidance contained within the NPPF have been directly related to the assessment of the potential impact of the development on residential amenity. Particular consideration has also been given to the impact of the proposed new driveway access to the front of the house and the impact on the character of the streetscene. Taking these factors into consideration and for the reasons set out below it is considered that the development accords with the NPPF.

3. Manchester's Local Development Framework: 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. 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.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. 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;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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 EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Policy EN1 has been related to the assessment of the impact

of the proposed single storey side and rear extension and the new driveway access to the front of the house.

Policy EN3 (Heritage) - Is relevant to the consideration of the proposed development its location within the Rushford Park Conservation Area. In such circumstances, policy EN3 requires that new developments are designed to enhance the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance. Policy EN3 has been related to the relationship of the proposed single storey side and rear extension and the new driveway access to the front of the house in the context of the Rushford Park Conservation Area, which lies to the north of the site.

Policy DM1 (Development Management) - 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. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Accessibility: buildings and neighbourhoods should be fully accessible to disabled people with new development providing access to all via sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health.

4. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Of relevance are the following saved policies:

- o Saved Policy DC1 (Residential Extensions) is considered relevant.
- o Saved Policy DC18 (Conservation Areas) - States that the City Council will give particularly careful consideration to development proposals within conservation areas. It states that:
 - a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. The relationship of new structures to neighbouring buildings and spaces;
 - ii. The effect of major changes to the appearance of existing buildings;
 - iii. The desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees).

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

In addition to the above policy documents, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods.

The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context,

continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following: A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods. Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well-designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Following correspondence between the agent and Highways officers, revised plans and supporting information was subsequently submitted, (dated, 30/03/2022) providing further details in relation to the proposed driveway access and boundary treatment to the front of the house.

Principle

The principle of the proposal to create additional living accommodation, and creation of a new driveway access to the front of the house is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey side and rear extension) - In light of the existing context and due to the fact that the proposed development would be single storey, and it would be contained

within the rear curtilage of the application site, it is considered that the proposal would be acceptable in this location in this instance in regard to potential impacts to residential and visual amenity. A rear depth of garden of approximately 11 metres would be retained beyond the rear extension, which would reduce the potential for overlooking to neighbouring properties to the rear. It is however recommended that a condition is attached limiting any further window/door openings to safeguard the residential amenity. For these reasons and on balance, the proposed extension is considered to be acceptable in terms of its impact on residential amenity as it is considered that the proposed development would not give rise to significant impacts in regard to overbearing, overshadowing or privacy.

Impact of works (new driveway surface) - The revised plans (dated 30/03/2022) indicates: "new driveway surface to be confirmed". Therefore, as it is unclear what materials are intended for the driveway surface, and the proposal seeks to cover all of the front garden area, it is recommended a condition is attached requiring details to be provided for further assessment.

Impact of works (boundary treatment involving low brick wall and metal railings) - The proposed front boundary treatment would involve the retention of a low brick wall, not greater than 600mm in height, with a 500mm metal railing above, which is considered acceptable in terms of visibility splays, and to ensure adequate visual permeability, for pedestrians. The side boundaries with the front garden area would comprise a 1100mm wrought iron railing fence.

Impact of works (design and appearance) - It is not considered that the proposed development would unduly harm the character of the building or the general area as the proposed extension would not be visible along the immediate highway and can only be seen by the occupiers of the immediate site, specifically those at nos. 24 and 28 Windsor Road and by the occupiers of those properties along the side and rear elevations along Sylvandale Avenue and Central Avenue. In addition, it is also intended to match materials with that of the existing house, although a materials condition has been attached to ensure that the materials are acceptable.

Impact of works (waste management) - The existing arrangement would be unaffected. The existing gated side access would be retained.

Impact of works (car parking) - The site currently has no parking on-site. The plans proposed to construct a driveway and install a dropped kerb is considered acceptable to remove the demand for on-street car parking.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to Section 72 of the Listed Building Act; The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2, and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- o Householder Application for Planning Permission for works or extension to a dwelling received by the city council as the local planning authority on 10 February 2022.
- o Existing Site, Block And Location Plan, DWG NO. 539-01A, received by the city council as the local planning authority on 30 March February 2022.

- o Proposed Site, Block And Location Plan, DWG NO. 539-06A, received by the City Council as the local planning authority on 30 March 2022.
- o Correspondence dated 30 March 2022.
- o Existing Elevations, DWG NO. 539-05, received by the city council as the local planning authority on 10 February 2022.
- o Existing First Floor Plan, DWG NO. 539-03, received by the city council as the local planning authority on 10 February 2022.
- o Existing Ground Floor Plan, DWG NO. 539-02, received by the city council as the local planning authority on 10 February 2022.
- o Proposed Elevations, DWG NO. 539-10, received by the city council as the local planning authority on 10 February 2022.
- o Proposed First Floor Plan, DWG NO. 539-08, received by the city council as the local planning authority on 10 February 2022.
- o Proposed Ground Floor Plan, DWG NO. 539-07, received by the city council as the local planning authority on 10 February 2022.

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 (July 2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved 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 development hereby approved other than those shown on: Proposed Elevations, DWG NO. 539-10, Proposed First Floor Plan, DWG NO. 539-08, and Proposed Ground Floor Plan, DWG NO. 539-07, all received by the city council as the local planning authority on 10 February 2022.

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

5) Before first occupation of the extension hereby approved, details of the surfacing of the proposed driveway, together with drainage arrangements shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

Reason -To reduce the risk of flooding from surface water, to promote sustainable development, and secure appropriate drainage pursuant to policies EN8, EN14, EN17 and DM1 of the Core Strategy for Manchester

6) The metal railing fencing to be erected above the retained front garden boundary wall and to the side boundaries of the front garden area shall be implemented in accordance with the details shown on plan ref: Proposed Site, Block And Location Plan, DWG NO. 539-06A, received by the City Council as the local planning authority on 30 March 2022.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Informatives

1) Should the planning application be approved, the applicant will be required to enter into a Section 184 agreement. This will need discussion and agreement with the council's Highways Maintenance Team via Contact Manchester (Tel. 0161 234

5004), further information can be found on the MCC internet pages:

https://secure.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

3 Sylvandale Avenue, Manchester, M19 2FB
24 Windsor Road, Levenshulme, Manchester, M19 2EB
19 Windsor Road, Levenshulme, Manchester, M19 2FA
21 Windsor Road, Levenshulme, Manchester, M19 2FA
17 Windsor Road, Levenshulme, Manchester, M19 2FA
1 Sylvandale Avenue, Manchester, M19 2FB
30 Windsor Road, Levenshulme, Manchester, M19 2EB
28 Windsor Road, Levenshulme, Manchester, M19 2EB
5 Sylvandale Avenue, Manchester, M19 2FB

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
Conservation Area - Rushford Park Conservation Area 1986
Area Team Boundary - Name: NORTH2