MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

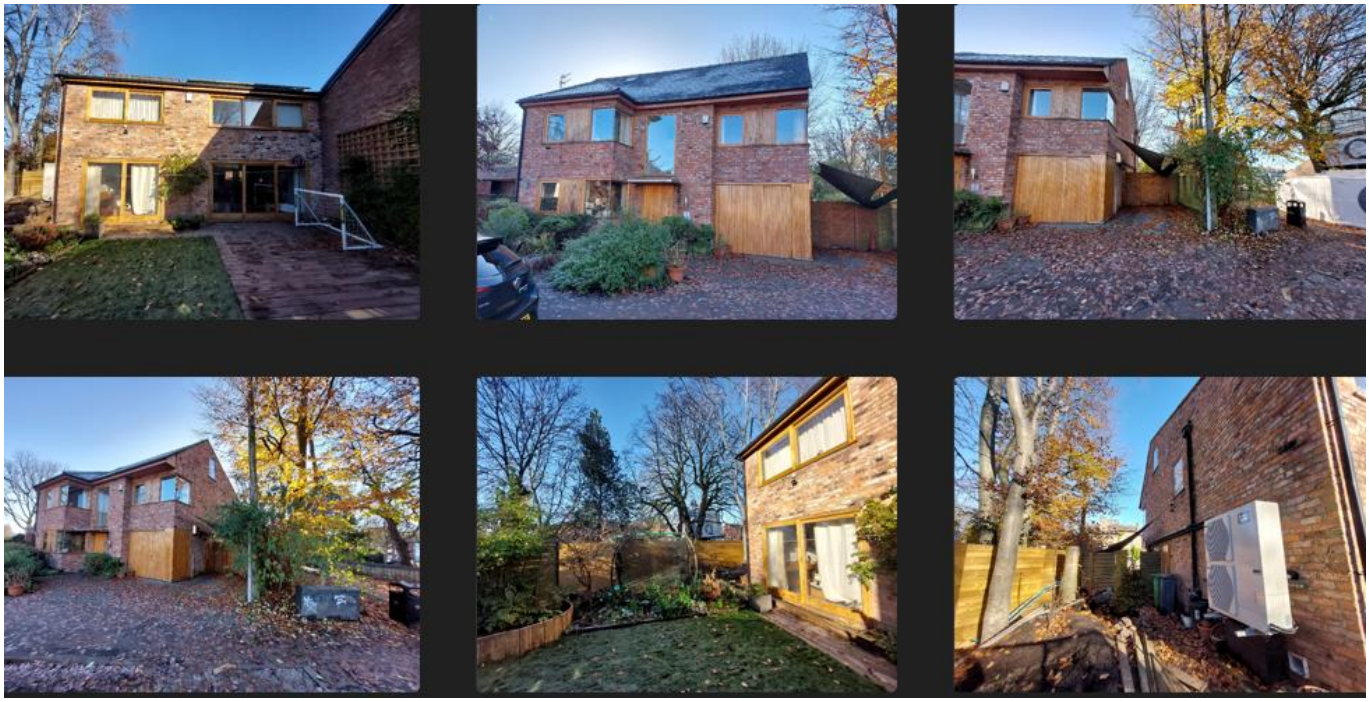
Application no.	141503/FH/2024
Date registered valid:	13 November 2024
Proposal:	Erection of ground and first floor bay windows, two storey side extension, front garage extension, wrap around canopy roof and elevational alterations
Address:	2 Finney Drive, Manchester, M21 9DS
Ward(s):	Chorlton Ward
Applicant:	Mr Mark Thorp
Agent (if any):	Miss Robyne Marsden, Plans 2 Extend Ltd
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**14th January 2025**



Application details
Type of application: Full Householder Application
Development type: Householder
Date of site visit: 20 November 2024
Standard consultations: Printed: 14 November 2024 Expired: 5 December 2024
Neighbour notifications Printed: 14 November 2024 Expired: 5 December 2024
Site notice Posted: 20 November 2024 Expired: 11 December 2024
Press advert Published: 19 November 2024 Expired: 10 December 2024
Departure from Development Plan: No
Environmental Statement: Not required

Description of site/building

The site relates to a modern two storey semi-detached property in the Chorlton ward area of Manchester. The site is located within the Chorlton Green Conservation Area. The property benefits previous enlargements to the front, side and rear. The site features open landscaping to the front, access along the side and garden to the rear. Timber cladding is shown between windows on the ground and first floor levels to the front and rear with timber garage doors on the attached garage at the side. The land adjoins a public alley/walkway along the side featuring mature trees adjacent to an historic graveyard.



Listed building: Not applicable
Conservation area: Chorlton Green Conservation Area 1970
Tree Preservation Order: Not applicable

Description of area

This is primarily a residential area in nature

Description of development

The applicant is seeking planning permission for the erection of two storey extensions to the side and rear together with the installation of a single storey front extension and installation of canopy roof to the front.



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal.

There have been one letter of objection in respect of this proposal from a local resident. Summary of comments below:

- Would like to object to this application due to its impact on the character and appearance of the area. The property faces a conservation area on two sides and is being significantly enlarged.
- The proposal is overbearing on the character of the listed Lychgate and area
- The proposal shows the extended structure at the front going outside the property boundary and being built onto the public footpath.

Chorlton Civic Society - Chorlton Civic Society object to this application.

- Challenge the accuracy of the submitted article 14 certificate. The claimed site curtilage has been extended to the west. This additional land has never previously formed part of the domestic curtilage.

- 2 metre high fencing, encroaching on the passageway and narrowing it. Planning permission has not been sought for the change of use from public passageway to private garden or for the erection of the fence (which is over 1 metre in height adjacent to a highway).

- Object to the extension of the private garden onto public space, which is a significant loss of public amenity. The loss of the original alignment and width of House Yard Road detracts from the history and character of the Conservation Area. The proposed side extension encroaches onto the land outside the original house curtilage and we accordingly object to that element of the proposal.

- The cumulative addition of further side extensions to this property detracts from the character and amenity of the Conservation Area.

Chorlton Voice – No comments or representations received as a result of this proposal.

Local Councillor – raised concerns on behalf of Chorlton Civic society and sought clarification of the land ownership of the applicants. A response was sent to the Councillor no further comments received.

Highways response

The site is located adjacent of the junction of adopted highways Crossland Road and Finney Drive. There is a footpath to the rear of the site, which has a legal closure and is protected by fixed bollards. In the ward of Chorlton. Traffic restrictions of no waiting at anytime and no loading at anytime are in place on Crossland Road adjacent to the site. Traffic restrictions of no waiting at anytime are in place on Finney Drive.

CANOPY ROOF

Clarification is sought to confirm that the new canopy roof is not being extended outwards, to provide assurance that it will not overhang the adopted footway. Observation shows a telecommunications pole, adjacent to the site, on the Crossland Road footway, this may require removal/ relocation, the applicant should be advised to discuss this with the relevant telecoms provider.

PARKING AND ACCESS

Further clarification is required in terms of driveway parking. It has been observed that an existing dropped kerb is in place for access to the driveway on the Crossland Road elevation. It is requested that the applicant demonstrates, with a suitable swept path, that vehicles can access/egress the driveway space suitably via the existing dropped kerb. Whilst the principle of in-curtilage parking is acceptable, the applicant should verify that the length of the driveway is sufficient so that the vehicle does not overhang on the footway. Each driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

BOUNDARY TREATMENT

There are no boundary treatments are noted in the application. The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.

REFUSE AND SERVICING

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

CONSTRUCTION AND DEMOLITION MANAGEMENT

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. This should detail the types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider contractor parking and ongoing construction works in the locality, the proposed site layout, access arrangements for pedestrians and vehicles, material storage, loading and delivery management details and the times of site working. It is recommended that the above is conditioned and attached to any planning permission that may be granted.

The applicant is required to discuss and agree any requirements for licensing, hoarding /scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Suggested Conditions - -CMP

Policy and Issues

The following policies are considered relevant in the consideration of this application.

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy 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.
o DC18 for Conservation Areas
o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
o Policy DM 1 - Development Management
o Policy SP1 - Spatial Principles
o Policy EN1 – Design Principles
o Policy EN 3 Heritage
o Policy EN19 Waste
o The National Planning Policy Framework (NPPF)

Places for Everyone Plan (2022 - 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

JP-S1: Sustainable Development
JP-P1 Sustainable Places

This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to accord with the principles of this policy.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

The City 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.

History relating to 2 Finney Drive

133284/FH/2022 - Recv: 05.04.2022 - Application Approved - 19.08.2022 Erection of two storey extensions to the side and rear together with the installation of a single storey front extension and installation of canopy roof to the front.

092818/FH/2010/S1 - Recv: 21.04.2010 - Application Approved - 10.06.2010 Erection of a two storey front, side and rear extension to existing dwelling including alterations to the elevations and creation of a terrace at second floor level

Residential Amenity

The applicant is seeking planning permission for the erection of two storey extensions to the side and rear together with the installation of a single storey front extension and installation of canopy roof to the front. Concerns have been raised by objectors with regards to the scale of the development, the visual appearance, impact on the Conservation Area, intrusive impact on the character of the area, impact on the graveyard and trees removed.

Canopy/front extension

The applicant proposes to erect a single storey front extension with the installation of a canopy across the front and side. The extension would project forward slightly of the existing garage with the canopy above and around the side. Given that the extension would not project forward of the existing front wall of the property, this is considered to be acceptable reflecting the current characteristics of the front of the property. The canopy would measure 2.4m above ground level with a supporting pole set back approximately 800mm from the edge of the canopy overhang which is approximately

Side

The applicant proposes to extend out from the side wall by 3.0m towards the site boundary to a length along the side of 5.3m on the ground floor and 7.2m on the first floor providing an overhang at the front and a gap to the rear wall measuring approximately 500mm. There would be a setback

from the front wall of the property measuring approximately 3.0m. The roof would be set down significantly with a hipped roof. Windows are situated on the first floor on the front, side and rear with timber cladding adjacent to the first floor side window. Timber garage doors are proposed on the ground floor front, with a door on the side and rear elevations. Given that there are no properties within close proximity on the side elevation, the introduction of a first floor window would not lead to overlooking or loss of privacy.

Rear

The proposal would see the introduction of a storey projecting bay to the rear measuring 1.2m from the back wall. Given the minimal projection together with the staggered projection of the adjoining property, this addition would be considered to be acceptable and would not impact on the occupiers of the adjoining property.

Overall the proposal would be visible from the public highway and therefore would feature within the street scene, however, the character of the area has been retained although houses in the immediate vicinity are themselves altered and extended. The appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Impact on the Chorlton Green Conservation Area

The proposal is considered to provide less than substantial harm that is outweighed by the benefits of the scheme.

The proposal would be located in a suitable position and would not interfere with the existing characteristics of the conservation area. Material choice would be an acceptable selection for the conservation area.

On balance, it is believed that the proposal would enhance the character of the Conservation Area which is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Trees

Concerns were raised in relation to the impact on trees. The impact assessment has concluded that the development will have minimal encroachment into the tree's root protection area.

The applicant has proposed to use construction methods which reduce the impact on any trees within the vicinity of the development.

A condition has been attached so that the trees are adequately protected during the construction phase and is strictly adhered to with reference to the AIA submitted with the application.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use materials which will match the existing property, face brick and cladding as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable
Disabled access

Highways

Following consultation with highways a response was received outlining some concerns. In response to the comments raised, the applicant submitted an amended certificate B and served notice on the landowners (Manchester City Council Highways). In terms of parking and highways, the applicants have demonstrated that an off street car parking space is retained at the front of the property.

Highways commented against the slight overhang onto the public highway, however, the fallback position would be that the applicants can implement a previous approval which allowed for a similar scheme including an overhang which was approved on 5th April 2022.

Refuse

The storage of refuse bins are not affected by the proposal, as there would be space to the side which accords with policy EN19 of the Core Strategy.

Parking

There is off street parking provided by the driveway at the front of the property, which accords with the principles for residential extensions set out in policy DM1 of the Core Strategy.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Positive and proactive working - 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. The application has been determined in a timely manner and in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy 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:

Received 21st November 2024 numbered P2E020824 Revision A Proposed Plans and Elevations

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 hereby permitted shall match those as specified on the application form 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) During the the construction works, all work within the rooting zone should be supervised by an Independent Arboriculturalist. All works should be carried out adhering to the AIA as submitted by Lally Tree Management particularly section 7.1, 7.2 and 7.3, detailing how this development is possible whilst ensuring the trees are not adversely impacted upon.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Informatives

1) Observation shows a telecommunications pole, adjacent to the site, on the Crossland Road footway, this may require removal/ relocation, the applicant should be advised to discuss this with the relevant telecoms provider.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Chorlton Voice

31D Chorlton Green, Manchester, M21 9FQ
33 Chorlton Green, Manchester, M21 9FQ
1 Crossland Road, Manchester, M21 9GU
6 Finney Drive, Manchester, M21 9DS
4 Finney Drive, Manchester, M21 9DS
3 Finney Drive, Manchester, M21 9DR
1 Finney Drive, Manchester, M21 9DR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Chorlton Green Conservation Area 1970
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA