MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141219/FH/2024
Date registered valid:	14 October 2024
Proposal:	Erection of part single, part two storey rear extension to form additional living accommodation.
Address:	4 Freeland Walk, Manchester, M11 2LP
Ward(s):	Clayton & Openshaw Ward
Applicant:	A Hargreaves
Agent (if any):	Mr Andrew Brodie, AGB CAD Services Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 December 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 November 2024

Standard consultations:
Printed: 21 October 2024 Expired: 11 November 2024

Neighbour notifications
Printed: 2 December 2024 Expired: 9 December 2024

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: No

Tree Preservation Order: No

Description of site / building / area

The application relates to a 2 storey, pitched hip roof, end-terrace dwellinghouse along a residential housing estate, configured around various walk ways and footpaths. There is vehicular access from Parkhouse Street, Godley Close and Eccles Close highways.





(Officer's site visit, 04.11.2024)





The site benefits amenity space to the front and rear. There is an existing small lean-to single storey rear extension, rear conservatory, rear driveway along the rear; together with boundary treatment approximately 1.8 metres along the side and rear perimeter.

The application site, together with the immediate neighbouring houses - (specifically; nos. 2, 3, 5 and 7 Freeland Walk) are configured by an 'L' shaped terrace design, and therefore as a consequence of this pre-existing housing layout arrangement, the front elevations of nos. 5 and 7 Freeland Walk face the rear garden of the application site and that of no. 2 Freeland Walk.

Planning History

o 1F05181/LA - Application for Deemed Planning Permission Erection of 2 six-bedroom 9-person dwellinghouses, APPROVED 06.10.1976.

Description of development

The initially submitted plan related to a proposed two storey rear extension to form additional living accommodation. The submitted plan also proposes a minor elevational alteration along the first floor gable elevation of the original dwellinghouse involving 1no. new window.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 02/12/24). The title description of the proposal has been subsequently amended to reflect the latest set of plans which now relates to a proposed erection of a part single, part two storey rear extension to form additional living accommodation.

The revised plans would comprise of a ground floor rear extension which would serve as a combined kitchen a dining room. It would be site along the common shared boundary with no. 2 Freeland Walk, whilst leaving a small gap of approximately 100mm from this boundary. It would measure approximately (3000 deep x 6380mm wide x 3540mm maximum hight), whilst being flush with the gable elevation of the host building. It would incorporate a lean-to pitch roof design and would include 1no. window along the roof elevation, together with bi-fold doors and 1no. window along the rear elevation.

With regards to the first-floor element, this would serve as a bedroom. It would be set way from the first-floor common shared boundary with no. 2 Freeland Walk, whilst maintaining a separation distance of approximately 2700mm from this boundary and would measure approximately (3000 deep x 3757mm wide), whilst being flush with the gable elevation of the host building. It would incorporate a hip roof design with the proposed roof ridge set below that of the existing house and would include 1no. window along the rear elevation. It is intended to use external facing materials matching the primary dwellinghouse.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. The following objection, comment, or representation was received from one local resident. They wish to highlight the following area of concern: The light they get at the front their house is already restricted, and they consider that the submitted plan would further restrict their access to light.

Following revised plans, neighbours were re-notified. No objection, comment, or representations were received on this occasion.

2. Environmental Health

Environmental Health officers recommend the following informative in relation to a - Contaminated Land Watching Brief:

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

POLICY

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

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. 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 has been related to the proposed development, with particular emphasis given to the following:

o Chapter 12: Achieving well-designed places.

2. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning

consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following polices are considered to be relevant:

- JP-S1 - Sustainable development

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

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

- Chapter 2: Design

ISSUES

In this instance, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 02/12/24). The title description of the proposal has been subsequently amended to reflect the latest set of plans.

Principle

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

I**mpact of works (Erection of part single, part two storey rear extension; together with 1no. window along the first floor gable elevation of the original dwellinghouse)** - In this instance, in light of revised plans (dated, 02/12/24) and the existing site context, coupled with the Godley Close and Eccles Close highways along the side and rear elevation of the application site, the separation distance from those properties along these highways - combined with the fact that the revised plan would be significantly set way from the first-floor common shared boundary with no. 2 Freeland Walk and would maintain a separation distance of approximately 2700mm from this boundary; together with the sizable plot that would still be retained, and fact that the proposal would be contained within the curtilage of the application site, it is considered that the proposed development would be acceptable in this location in this instance. Moreover, the proposed rearward projection at approximately 3000mm deep is within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions; and therefore, for these reasons and on balance, and subject to planning conditions, the revised plan is considered to be acceptable in terms of its impact on residential amenity as there are no

overbearing, overshadowing, loss of light or loss of privacy impacts; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

Impact of works (design and appearance) - The proposed development is considered to be acceptable in design terms, and it is also intended to match materials with those of the existing building. However, a materials condition has been attached to ensure that materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

Impact of works (waste management) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Impact of works (car parking) - Off street car parking would still be maintained; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Objectors' comments - The comments raised by the local resident have been duly considered. However, in light of the revised plans, (dated, 02/12/24), coupled with the Godley Close and Eccles Close highways along the side and rear elevation of the application site, any adverse impact from undue overshadowing has been significantly overcome.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007); policy JP-S1 - Sustainable development of Places for Everyone (2022 - 2039), and no comments or objections have been received in response to this application from local residents.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 02/12/24). The title description of the proposal has been subsequently amended to reflect the latest set of plans. The local planning authority had no other issues to raise with the agent but has 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 form, received by the City Council as the Local Planning Authority on 14 October 2024.

o Location Plan with application site edged in red, DWG No. 2448-01, received by the City Council as the Local Planning Authority on 14 October 2024.

o Existing and Proposed Site Plan/ Block Plan, DWG No. 2448-04, received by the City Council as the Local Planning Authority on 14 October 2024.

o Existing Plans and Elevations, DWG No. 2448-02, received by the City Council as the Local Planning Authority on 14 October 2024.

o Proposed Plans and Elevations, DWG No. 2448-03, REV A, received by the City Council as the Local Planning Authority on 02 December 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans and submitted information; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policies SP1 and DM1 of the Core Strategy (2012).

3) The external facing materials to be used on the extension hereby approved 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 saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 2012).

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 stated on: Proposed Plans and Elevations, DWG No. 2448-03, REV A, received by the City Council as the Local Planning Authority on 02 December 2024.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informative

1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

76 Parkhouse Street, Manchester, M11 2FQ
2D Godley Close, Manchester, M11 2LN
2B Godley Close, Manchester, M11 2LN
2C Godley Close, Manchester, M11 2LN
2A Godley Close, Manchester, M11 2LN
7 Freeland Walk, Manchester, M11 2LP
2 Freeland Walk, Manchester, M11 2LP
5 Freeland Walk, Manchester, M11 2LP
3 Freeland Walk, Manchester, M11 2LP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA