MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141240/FH/2024
Date registered valid:	15 October 2024
Proposal:	Erection of single storey rear extension, First floor rear infill extension and second floor rear infill extension following the removal of the existing balcony to form additional living accommodation; and associated elevational alterations to host property.
Address:	5 Copeland Close, Manchester, M8 4HW
Ward(s):	Crumpsall Ward
Applicant:	Rubinstein
Agent (if any):	Sam Golding, Gold Sketch Studios Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**9 December 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 December 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 28 October 2024 Expired: 18 November 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 area

The application site relates to 5 Copeland Close within the north Manchester ward of Crumpsall. The application site relates to a 3 storey, light red brick, mid-terraced new build dwellinghouse. The property is contemporary in design, with design features including an angular roof formation, differing fenestration detailing and two balconies to the rear of the property- one sited above a single storey element and another on the third floor. The design across the site is not uniform- with differing style, massing, size and fenestration. This includes the two adjoining properties which are only two storeys in height, in comparison to the applicant site standing at three storeys. Amenity space for the property consists of a small open grassed area to the front and to the rear in the form of a grassed garden, looking onto Bury Old Road. This property does not benefit from a designated off street parking space within the curtilage of the dwelling.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension, First floor rear infill extension and second floor rear infill extension following the removal of the existing balcony to form additional living accommodation; and associated elevational alterations to host property.

The single storey rear extension would infill the existing space between no.4 and the applicant site and would then extend a further 1.5 metres beyond the neighbour's rear extension. As such, this element would have approximate dimensions of Height: 3.6 x Length: 4.7 x Width: 3.4 metres.

The first floor rear infill would involve enclosing the existing balcony on the first floor for use as an additional bedroom. This would involve the insertion of a sloped roof.

The second floor rear infill extension would again involve the removal of the balcony for an additional bedroom, by bricking up the space and continuing the existing roof design shown within the existing property.

Associated elevational alterations would involve the insertion of an additional set of patio doors within the existing rear elevation at ground floor level. Further fenestration to be inserted as a result of the proposal would involve the insertion of one window, two rooflights and a set of patio doors within the rear elevation and a larger rooflight to be inserted within the ground floor extension.

Materials to be used throughout the proposal would involve:
-bricks to match existing,
-tiles to match existing and rubber membrane for flat roof,
-windows to match existing,
-white UPVC roof light for ground floor,
-patio doors- anthracite grey uPVC to match existing.

Amended Plans

The initial plans submitted gave rise to the following concerns:
-Single storey rear: The addition of the window within the side elevation facing in the direction of no.6 Copeland Close. No.6 Copeland Close benefits from an existing patio door facing the direction of the applicant site and the two sets of fenestration could give rise to direct overlooking, to the detriment of residential amenity.
-1st floor rear infill: Concern was raised regarding the proposed built form. The proposed small dormer to infill the space gives rise to an incongruous feature and the use of dormer windows is not a feature within the new build development of Copeland Close. The proposal would therefore be considered unacceptable, contrary to Policy DC1 of the UDP and Core Strategies SP1 and DM1 of the Core Strategy, on the basis of design.

A revised scheme was provided which was considered to overcome issues raised. Given the restriction to be able to utilise PD rights for additional fenestration for the wider site, associated elevational alterations were added to the description of development.

Further information on the proposed materials to be used were provided by the agent.

Planning History

Although no planning history exists for no.5 Copeland Close itself, the following history can be found for the development of the wider site. This includes the original consent for the scheme:
107654/FO/2014/N1- Land At The Junction Of Bury Old Road & Middleton Road-Erection of 15 no. 2-3 storey dwellinghouses with associated car parking, landscaping and boundary treatment with vehicular access from Catherine Road.
Approved 28 July 2015.

Condition 17 within the decision notice restricts the following further development:
No windows or doors shall be inserted in the dwelling hereby approved other than those expressly authorised by the granting of planning permission.
Reason - In the interests of residential and visual amenity since any additions to the approved dwelling may adversely impact upon the neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective
b) a social objective
c) 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
ii. Chapter 12. Achieving well-designed and beautiful places

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:
Policy DM1 (Development Management)
Policy SP1 (Spatial Principles)
Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) 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).

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

The Guide 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 CABE 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. It advises that high quality design is a vital attribute of successful neighbourhoods.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
JP- S1- Sustainable development.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey rear extension, First floor rear infill extension and second floor rear infill extension following the removal of the existing balcony to form additional living accommodation; and associated elevational alterations to host property. This is considered acceptable in principle as many people prefer to alter and adapt homes rather than move, 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 car parking pressures.

Visual/ Residential Amenity

Erection of single storey rear extension:
The single storey rear extension would infill the existing space between no.4 and the applicant site and would then extend a further 1.5 metres beyond the neighbour's rear extension. Due to the existing orientation of properties in the streetscene and given the neighbour would only feel 1.5 metres of additional built form given the neighbour's extension, the proposal would not be considered to give rise to an unacceptable relationship in terms of loss of light. The proposal would consist of a flat roof and be of a single storey, and so the ground floor extension is not considered to create an overbearing impact to no.4. No windows would be inserted in the side elevation facing in the direction of no.4 and therefore, no adverse privacy implications would occur as a result of the proposal. In addition, a condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

The extension would extend beyond the existing rear building line of the host property and be sited approximately 3 metres from the boundary with no.6 Copeland Close. No.6 benefits from a 'L' shaped rear outrigger. Given the distance of the proposed extension from the boundary and the orientation of the properties, the proposal is not considered to create either an overbearing feature or give rise to loss of light implications. The initial scheme included the insertion of a window within the side elevation facing the direction of no.6. However given the existing patio doors of no.6 face the applicant site, the insertion of a window within the side elevation of the proposed ground floor extension could give rise to direct overlooking and therefore considered unacceptable.

Due to the rear of the property facing onto Bury Old Road, no neighbours to the rear would be impacted by the proposal.

First floor rear infill extension:
The first floor rear infill would involve enclosing the existing balcony on the first floor for use as an additional bedroom. This would involve the insertion of a sloped roof. This element of the scheme has been re-designed following concerns with the proposed form of a dormer window. Given the proposal would involve the creation of a sloped roof and would continue the existing roof element created by the existing balcony, the proposal would not cause an overbearing

feature or any loss of light implications to no.6's first floor rear window nor the applicant's other first floor window.

Second floor rear infill extension:
The second floor rear infill extension would again involve the removal of the balcony for an additional bedroom, by bricking up the space and continuing the existing roof design shown within the existing property. Given this element of the proposal would not extend beyond the existing rear building line, it would not give rise to any adverse amenity implications to no.4 Copeland Close.

Associated elevational alterations to host property:
Associated elevational alterations would involve the insertion of an additional set of patio doors within the existing rear elevation at ground floor level. Given the outlook of the properties onto Bury Old Road and given the doors would be at ground floor level, no adverse amenity implications would occur.

Overall, it is not considered that the proposal would have a significant adverse impact upon residential or visual amenity, and any harm has been mitigated within the revised drawings received. The condition restricting the further insertion of windows or doors would ensure no adverse privacy implications could occur as a result of the proposal. The proposal is therefore considered pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Copeland Close is characterised by a contemporary design, with the applicant property including features of an angular roof formation, differing fenestration detailing and two balconies to the rear of the property- one sitting above a single storey element and another on the third floor. The design across the site is not uniform- with differing style, massing, size and fenestration across Copeland Close. Although the proposal would alter the appearance of the applicant property seen from Bury Old Road, given the differing architectural form across the properties, the change to the applicant property is considered acceptable in design, pursuant to Policy DC1 of the UDP.

Erection of single storey rear extension:
At the largest point the rear extension would have a projection of 4.7 metres (at the ground floor). The maximum projection of 3.65 metres as outlined within Policy DC1.3 of the UDP would not be adhered to. However, Permitted Development rights, including the Larger Homes Extension route allow extensions longer in length. Albeit it is noted the original consent for the site (planning ref: 107654/FO/2014/N1) restricts the use of such PD rights. Given the existing built form and differing projections of the neighbouring properties, the additional length at ground floor can be achieved without causing undue harm to the neighbours. In this instance the projection of the extension is considered acceptable, given the existing form of properties along the street and the proposed extension in terms of size and form.

The ground floor extension would involve the insertion of a flat roof with a large roof light. Although this is not a design element within the original consent for the wider development, the introduction of flat roofs have been accepted within neighbouring properties, including the recent extension at no.4 Copeland Close (see planning ref: 125372/FH/2019). As such, the flat roof extension with large rooflight would mirror previous extensions and therefore be considered acceptable in size and form- pursuant to Policy DC1 of the UDP.

First floor and second floor rear infill extension:

The introduction of the first floor rear infill extension and the introduction of a sloped roof would mirror the existing sloped roof elements as seen at both the two adjoining properties. The second floor rear infill extension would follow the roof line of the property and therefore be considered sympathetic. Although the loss of such balcony features is regrettable given the difference of built form etc within the development, the loss of such balconies would not give rise to an incongruous feature and the applicant site would still have access to the external amenity space at ground floor level. As such, this element of works is considered to be sympathetic to the existing form of development, pursuant to Policy DC1 of the UDP.

Associated elevational alterations to host property:
No issues would arise in relation to design and appearance.

The materials would match the host property, except the use of the flat roof. As such, the materials are considered sympathetic and appropriate. A materials condition to that effect would be attached to any approval granted.

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.

Car Parking

No change to parking provision would occur as a result of the proposal.

Bin Storage

Bin storage provision would be unaffected by the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity, following the review of the revised scheme which overcomes issues raised. The design and appearance is in keeping with the character of the property and local area.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and a revised scheme considered to overcome issues raised has been provided in a timely manner. Appropriate conditions have been attached to any approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 15 October 2024.
-Drawing- Existing & Proposed- Block Plan of the Site, stamped as received by the City Council as Local Planning Authority on 15 October 2024.
-Drawing- Proposed- Plans and Elevations, numbered 003.4, stamped as received by the City Council as Local Planning Authority on 5 December 2024.
-Correspondence- Confirmation of Outstanding Emails, stamped as received by the City Council as Local Planning Authority on 5 December 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and ‘Correspondence-Confirmation of Outstanding Emails’, specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

4 Copeland Close, Manchester, M8 4HW
2 Copeland Close, Manchester, M8 4HW
1 Copeland Close, Manchester, M8 4HW
8 Copeland Close, Manchester, M8 4HW
7 Copeland Close, Manchester, M8 4HW
6 Copeland Close, Manchester, M8 4HW
3 Copeland Close, Manchester, M8 4HW
Flat 5, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Flat 3, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Fuldas Hotel, 144 Bury Old Road, Manchester, M7 4QY
Flat 6, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Flat 4, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Flat 2, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Flat 1, Catherine Court, 3 Catherine Road, Manchester, M8 4HA
Enfield House, Salford, M7 4QX
Broadhurst, Salford, M7 4QX

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
Area Team Boundary - Name: NORTH AREA