MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141066/FH/2024
Date registered valid:	20 September 2024
Proposal:	Erection of front roof dormer and single storey rear extension to form additional living accommodation
Address:	7 Filton Walk, Manchester, M9 5TB
Ward(s):	Crumpsall Ward
Applicant:	Mr Asif Nayir
Agent (if any):	Mr Rashid Mehmood, I. Planning Services
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 October 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 3 October 2024 Expired: 24 October 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

The application site relates to 7 Filton Walk within the north Manchester ward of Crumpsall. The application site sits within a Radburn style layout estate to the east of Hendham Vale. Due to the Radburn layout of the properties, the property's primary elevation faces in the direction of Queens Park, away from the immediate road of Denbury Walk. Amenity space to the front of the property is constrained in nature consisting of an out house and small hard landscaped area and amenity space to the rear takes the form of hard landscaping with an Air Source Heat Pump with associated enclosure, and a further outhouse. At the time of the site visit, solar panels had been removed from the rear roof plane of the property.

Description of area

The surrounding area is mixed. The immediate area is residential however to the north is commercial in nature with the Hendham Vale Industrial Park and Queens Park sits to the east and south of the applicant site.

Description of development

The submitted application seeks planning permission for the erection of front roof dormer and single storey rear extension to form additional living accommodation.

The front roof dormer would face in the direction of Queens Park and away from Denbury Walk and have approximate dimensions of Height: 1.6 x Length: 4.6 x Width: 3.3 metres. The dormer would have a setback of approximately 1 metre from the eaves of the host property roof and involve the insertion of two windows- one to be obscure glazed.

The rear extension would expand the width of the host property and would have approximate dimensions of Height: 3.8 x Length: 3.65 x Width: 4.8 metres. The proposal would involve the insertion of a set of windows and a door within the rear elevation.

Materials to be used would match those within the host property, and the agent provided a further plan showing the material for the flat roof of the dormer which would be made of built up felt or single ply membrane or EPDM rubber roof – firestone or similar colour to match existing.

Negotiations during the Course of the Application

Revised plans were supplied during the course of the application which referenced the correct address and a further plan was provided supplying information on the dormer roof detail to be used.

Planning History

096390/FO/2011/N1- Properties Bound By Hendham Vale, Ashmill Walk, Fitton Walk And Thorpe Avenue- External alterations to include re-rendering of dwellinghouses.
Approved 11.08.2011

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Although not consulted, Environmental Health made contact during the course of the application and requested the following conditions be attached to any approval granted:

GAS01 New applications for extensions:
Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to occupation as part of the development.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

CLAND* (Watching brief condition)

In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy (2012).

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 and
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) and 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.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of front roof dormer and single storey rear extension to form additional living accommodation. The scheme is considered acceptable as many people prefer to alter or extend 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

Front roof dormer:
The proposed dormer would sit on the front roof plane of the existing property and would face in a north easterly direction towards Queens Park. Due to the nature of the proposal, the dormer would not create an overbearing feature nor give rise to any loss of light implications to the adjoining properties. Two windows would be proposed in the dormer. One window would relate to a bathroom window. To protect the privacy of the applicant, a condition would be placed on any approval granted for the window to be obscure glazed. A further condition would be placed on any approval granted to restrict the number of windows and doors approved within this consent. The other window would relate to a bedroom window. Although there may be an opportunity for the applicant to look into the rear amenity space connected with properties to the north of the applicant site, given this would be an oblique angle, any overlooking implications would not be considered severe. Further, it is noted the applicant site has an existing level of overlooking into the neighbouring rear gardens due to the view provided by the applicant's existing first floor rear windows. As such, the proposal is not considered to give rise to significant adverse privacy implications and so the proposal is considered pursuant to Policy DC1 of the UDP.

Single storey rear extension:
The existing ASHP would be removed at the rear of the property and a 3.65 metre rear extension would be erected against the common boundaries with both adjoining properties. The property benefits from high boundary treatment against the boundaries with both properties. Although it is noted the extension would exceed the height of the existing boundary treatment, given the proposal is single storey and has a projection compliant with Policy DC1.3 of the UDP, the extension is not considered to give rise to an overbearing feature to the applicant site.

Due to the orientations of the properties, no.9 Filton Road would sit due north of the applicant site. However, given the proposal is only single storey, any loss of light caused to no.9 or to no.5 Filton Road is considered to be so severe to warrant a refusal on the scheme.

Windows and a door would be inserted within the rear elevation of the proposal and so neither of the adjoining neighbours would be impacted by adverse privacy implications. The windows would be single storey and look onto the applicant's amenity space and then onto the shared car park off Denbury Walk. As such, no adverse privacy implications would occur as a result of the proposal.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, as such the proposal is considered compliant to policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Front roof dormer:
The dormer would be inserted on the front roof plane of the host property. As such, there would be no Permitted Development right fallback to consider for dormer extensions on primary roof planes. However, in this instance, due to the Radburn layout of the estate, the built form would be sited away from the surrounding roads and it would not be easy to see the proposal from Denbury Walk or other surrounding properties. As such, it is not considered to create a visually intrusive feature to the streetscene and therefore considered acceptable in setting, pursuant to Policy DC1 of the UDP and Core Strategy policies DM1 and SP1.

The dormer is set above eaves level by 1 metre and set below the ridge height of the host property. As such, the form of the dormer is acceptable as it is not considered to create an overly large and over-encompassing feature. As such, this element of the proposal is considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Single storey rear extension:
The proposed rear extension would have a projection of 3.65 metres and therefore be considered pursuant with Policy DC1.3 of the UDP. Although it is noted limited rear amenity space would remain for the applicant's use, the extension would allow an extended living room to meet the needs of the family. As such, the proposal is considered acceptable in size and form, pursuant with Policy DC1 of the UDP.

Materials:
Materials to be used have been listed in the report previously and are considered acceptable and would in the most case match the host property. A materials condition to this 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 car parking provision would occur as a result of the proposal.

Bin Storage

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

ASHP and Solar Panels

It is noted the ASHP to the rear of the proposal would be lost as a result of the proposal. On site, the solar panels on the rear roof plane had been removed. Whilst the loss of the renewable

technology is regrettable, the loss of such elements cannot be controlled within the remit of this application.

Environmental Considerations

Environmental Health made contact during the course of the application and requested two contaminated land conditions be attached to any approval granted. One condition is pre-commencement and the agent was sent the condition for review on 24 October 2024. The agent responded via email on 24 October 2024 confirming agreement to the condition.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. 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 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 20 September 2024.
-Drawing- Proposed- Floor Plans and Elevations, numbered Sht 2 of 3, Rev A, stamped as received by the City Council as Local Planning Authority on 24 October 2024.
-Drawing- Proposed- Dormer Construction Detail, numbered Sht 3 of 3, stamped as received by the City Council as Local Planning Authority on 24 October 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) Before first occupation, the bathroom window within the proposed dormer as shown on the approved ‘Drawing- Proposed- Floor Plans and Elevations, numbered Sht 2 of 3, Rev A’, stamped as received by the City Council as Local Planning Authority on 24 October 2024, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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 ‘Drawing- Proposed- Dormer Construction Detail, numbered Sht 3 of 3’ 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.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented prior to occupation as part of the development.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policy EN18 of the Manchester Core Strategy (2012).

7) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

5 Filton Walk, Manchester, M9 5TB
9 Ansford Walk, Manchester, M9 5TD
8 Dunmere Walk, Manchester, M9 5TL
9 Filton Walk, Manchester, M9 5TB
3 Filton Walk, Manchester, M9 5TB
1 Filton Walk, Manchester, M9 5TB
11 Ansford Walk, Manchester, M9 5TD

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA