Planning

Growth & Development

Delegated officer report for planning application

Application no.	140779/FH/2024
Date registered valid:	15 August 2024
Proposal:	Erection of single storey rear and side extension.
Address:	18 Nicolas Road, Manchester, M21 9LR
Ward(s):	Chorlton Ward
Applicant:	Mr Feroz Zafar
Agent (if any):	Material Studio Architects
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**03 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 August 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 22 August 2024 Expired: 13 September 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey slate dual pitch roof. The property features white uPVC windows, including a two-storey bay with a gable end roof form to the front, a front porch canopy/overhang, a paved driveway and modest garden to the front bordered by a mid-level redbrick wall, a part-single / part-two storey rear outrigger, a rear dormer extension, and a rear garden.









Description of area

Nicolas Road is a residential street situated within the Chorlton ward of Manchester, close to Wilbraham Road (A6010), Chorlton Metrolink tram station, and Ryebank Fields. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached dwellinghouses, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a single storey rear and side extension.

Planning history

081045/VO/2006/S1 - CITY COUNCIL DEVELOPMENT Erection of 2.4-metre-high alley gates with side panels – **APPROVED** (08.12.2006).

Consultations & Notification Responses

One letter of objection was received from one local resident in response to this application. Their concerns are summarised as follows:

- The extension would heavily impact the usability of neighbouring gardens, causing a loss of light, overshadowing, and reducing the enjoyment of such spaces.
- The extension would be an eyesore.
- The extension would detrimentally impact the privacy of neighbouring occupiers.
- Noise pollution from such a build would be a disturbance.

Policies

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

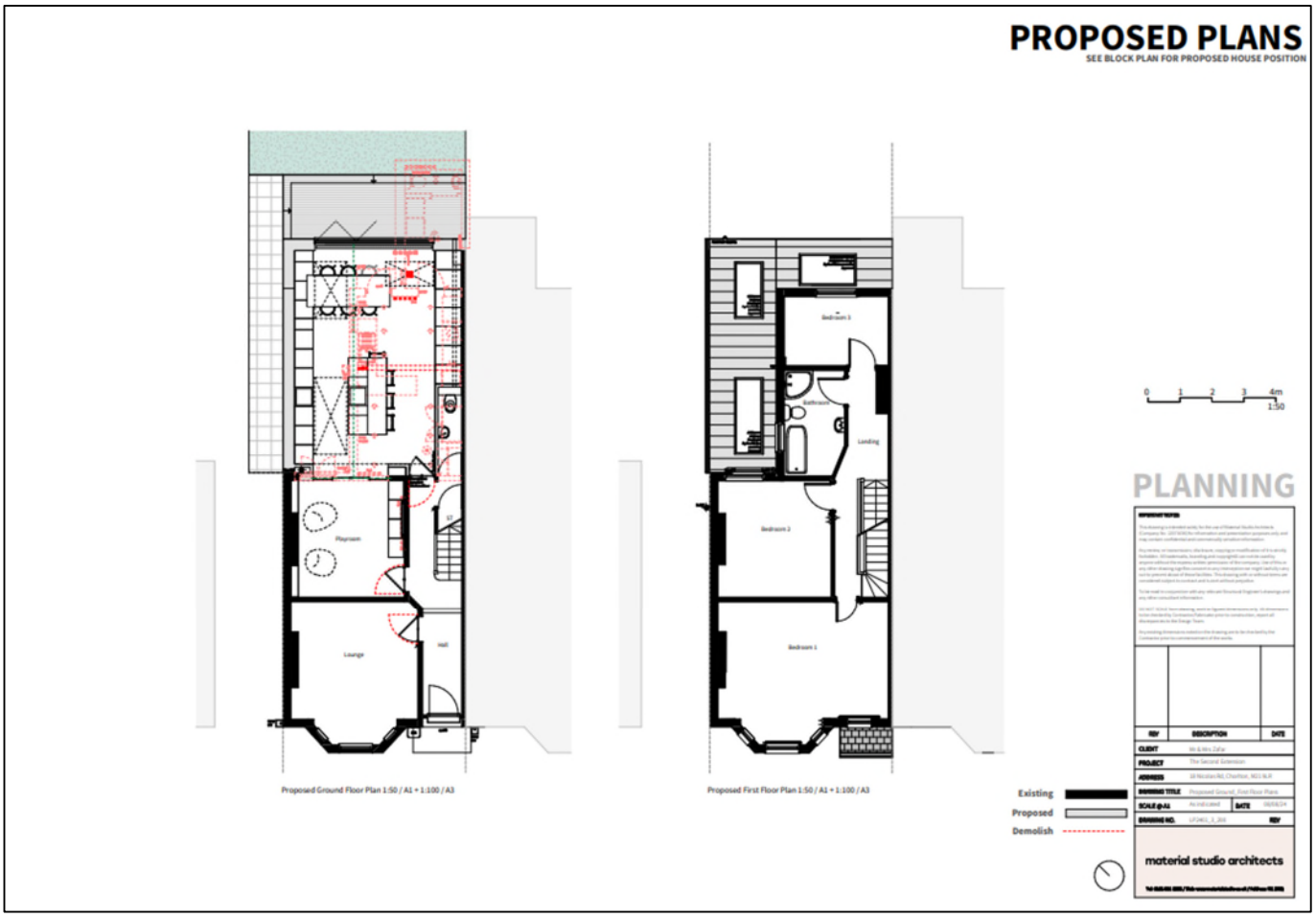
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy")
was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 – Waste

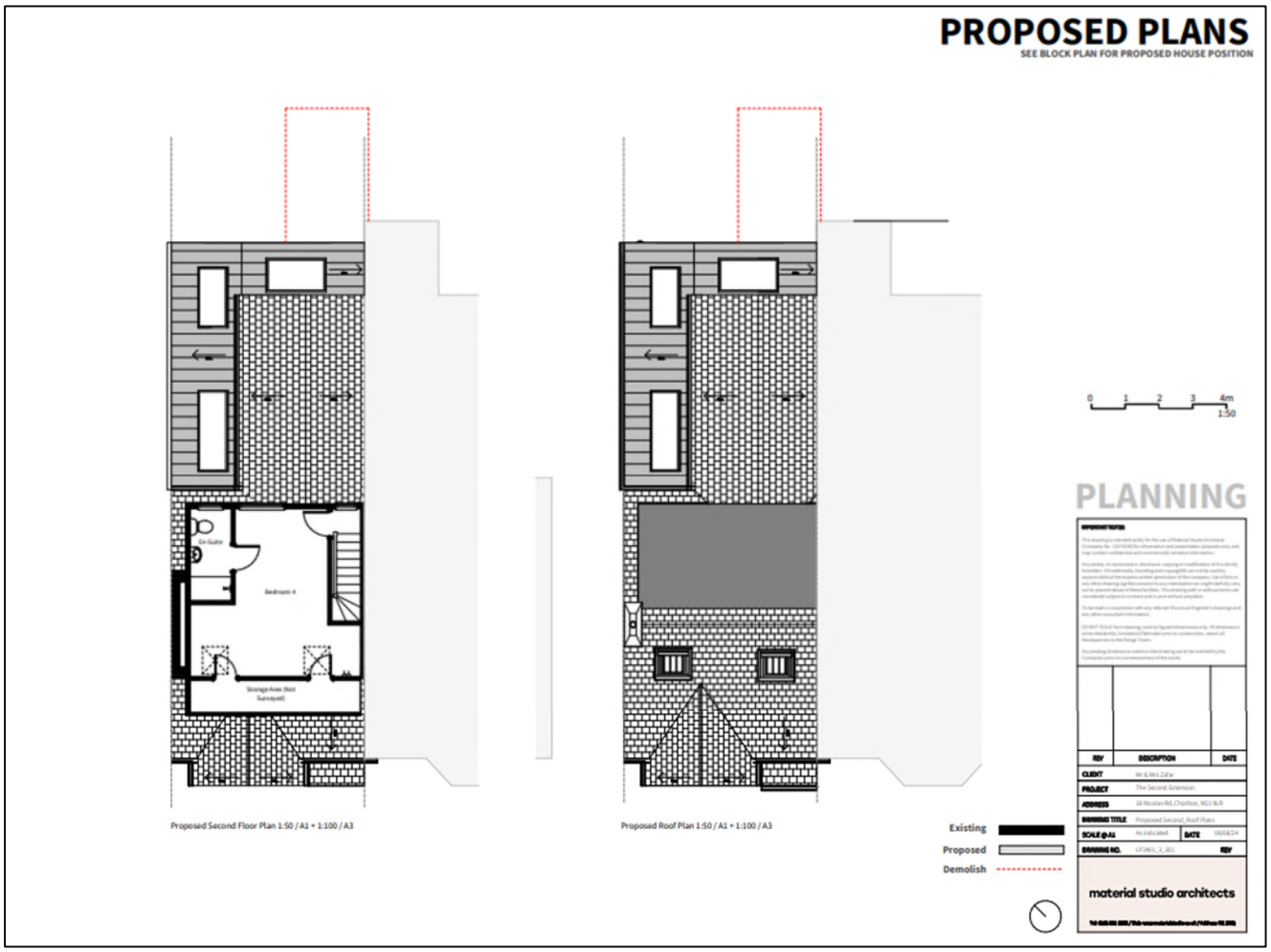
The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

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.

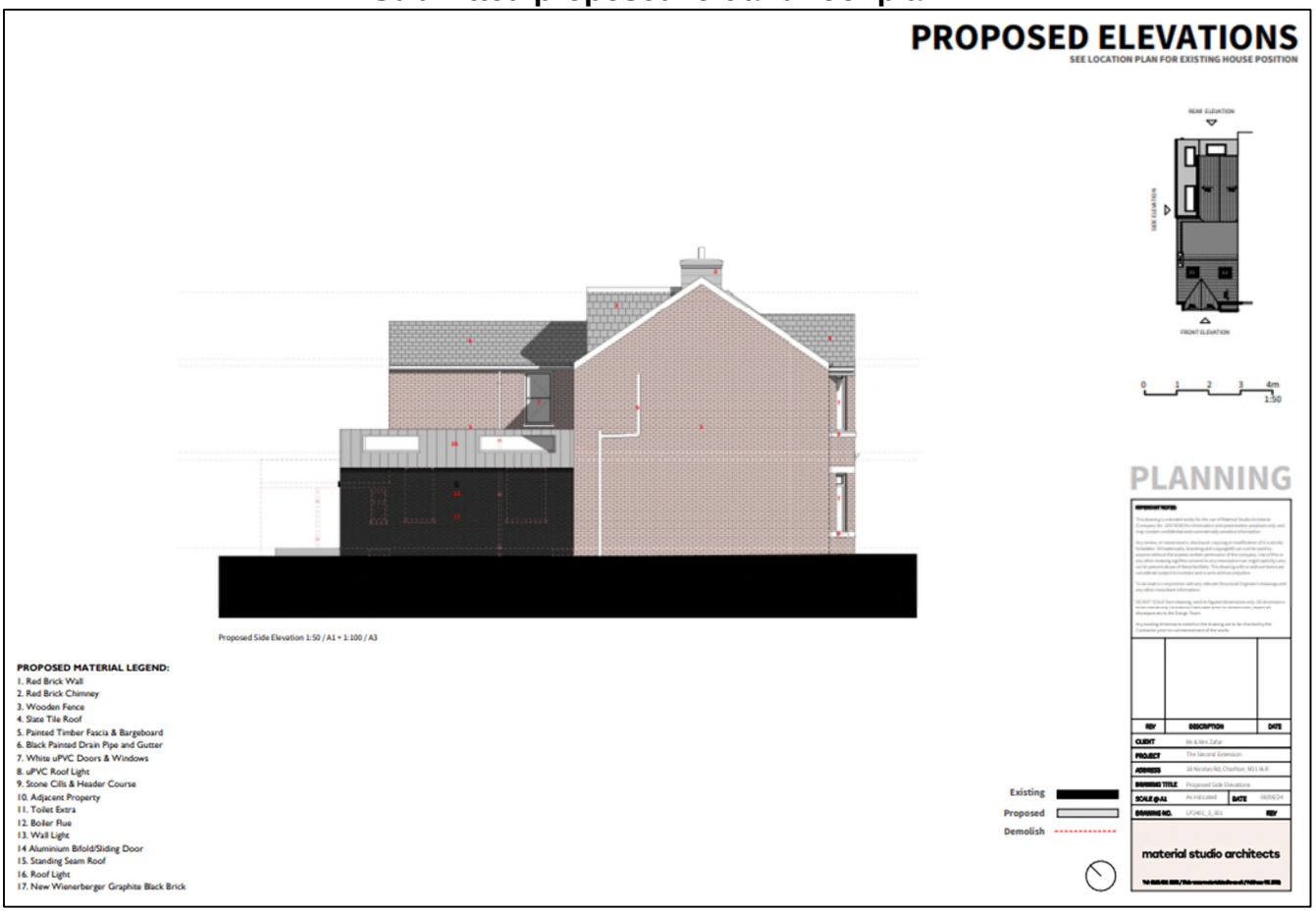
- Policy JP-P1 – Sustainable Places



Submitted proposed GF and FF plan



Submitted proposed loft and roof plan



Submitted proposed side elevation, as viewed from No.20 Nicolas Road



Submitted amended proposed front and rear elevation

Issues

Policies SP1 and DM1 of the Manchester 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 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 which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey side and rear extension to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the single storey extension would be sited at the side and rear of the property, wrapping around its northeastern and northwestern elevations. It would project 1.562m rearwards, with a length/depth of 7.349m, width of 5.719m, dual pitch roof height of 3.955m, and an eaves height of 3m at its southeastern edge, 2.55m at its northwestern edge. It would be sited along the boundary shared with No.16 Nicolas Road and would maintain a gap of 0.955m to the boundary shared with No.20 Nicolas Road.

The overall siting, scale, and massing of the proposal is considered to be acceptable as the extension is understood as being subservient to the host dwellinghouse in terms of its dimensions, would avoid resulting in an 'excessively large or bulky' addition to the property, and would not cause undue harm to the residential amenity of neighbouring occupiers in terms of

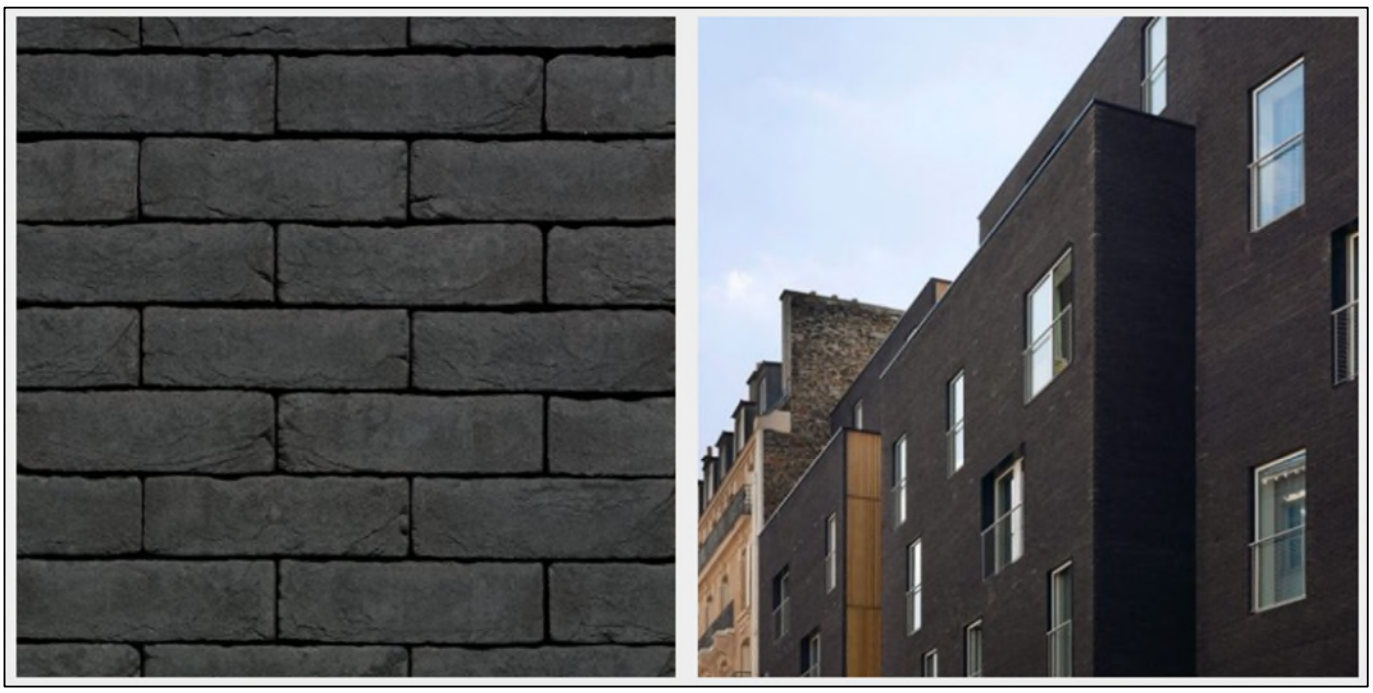
introducing an overbearing feature into the area. Sufficient private outdoor amenity space would also be retained to the rear.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the submitted application form indicates that the extension would be built of Wienerberger graphite black brickwork, with a standing seam metal roof, and aluminium-framed windows. In terms of its elevational features, the extension would feature blank side elevations, a set of bi-folding doors to the rear, and three skylights to its roof.

It is acknowledged that concerns were raised in relation to the proposal's potential to harm the visual amenity of the area. However, due to its siting at the rear of the property, the proposal would not be highly within the street scene and public realm. Therefore, despite introducing new materials to the property (i.e., black brickwork and standing seam metal), the extension should avoid forming a prominent visual feature within this locale. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the extension therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF.



Wienerberger graphite black brickwork

Residential amenity – it is acknowledged that concerns were raised in relation to the proposal's potential to affect the residential amenity of neighbouring occupiers, in terms of causing a loss of light, loss of privacy, overshadowing, and reducing the usability and enjoyment of neighbouring gardens.

However, given that the extension would be single storey with a maximum roof height of 3.955m, sited to the north of the host dwellinghouse (predominantly within its existing shadow), with a gap of 0.955m maintained to the shared boundary with No.20 Nicolas Road, it is considered that it should not cause issues associated overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. This is further supported by the permitted development fallback position, whereby, subject to a number of other conditions and limitations, the applicant would be able to a erect single storey rear extension with a maximum overall height of 4m and eaves height of 3m without the need to apply for

planning permission. The extension's blank side elevations should ensure that the privacy of neighbouring occupiers is not infringed upon.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

Noise – it is acknowledged that concerns were raised in relation to the proposal's potential to cause noise pollution and disturbance, particularly during construction works. However, any impacts associated with construction would be short lived and would not be material considerations which could be used to refuse planning permission. If there are any issues relating to noise or pollution associated with the construction phase or thereafter, then these would be controlled through separate legislation such as the Environmental Pollution Act.

Other matters – the submitted plans and elevations also depict a raised decking area to the rear of the proposed extension. This would measure to a maximum of 0.215m in height and is therefore able to be installed under permitted development rights without the need for an application for planning permission. It is therefore considered acceptable.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, standard of accommodation, siting, scale and massing, appearance, impact upon visual and residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

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

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

'Proposed Ground_First Floor Plans', numbered 'LP2401_3_200', stamped as received by the City Council as Local Planning Authority on the 15th August 2024.
'Proposed Second_Roof Plans', numbered 'LP2401_3_201', stamped as received by the City Council as Local Planning Authority on the 15th August 2024.

‘Proposed Side Elevations’, numbered ‘LP2401_3_301’, stamped as received by the City Council as Local Planning Authority on the 15th August 2024.
‘Proposed Front_Rear Elevations’, numbered ‘LP2401_3_300 REV A’, stamped as received by the City Council as Local Planning Authority on the 12th September 2024.

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

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those specified on the submitted application form and approved plans.

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 extension, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any revoking and re-enacting that Order with or without modification), no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 1, 21 Oswald Road, Manchester, M21 9NL
Flat 2, 21 Oswald Road, Manchester, M21 9NL
25 Oswald Road, Manchester, M21 9NL
19 Oswald Road, Manchester, M21 9NL
27 Oswald Road, Manchester, M21 9NL
15 Oswald Road, Manchester, M21 9NL
7 Newport Road, Manchester, M21 9WL
5 Newport Road, Manchester, M21 9WL
3 Newport Road, Manchester, M21 9WL
20 Nicolas Road, Manchester, M21 9LR
16 Nicolas Road, Manchester, M21 9LR
23 Oswald Road, Manchester, M21 9NL
17 Oswald Road, Manchester, M21 9NL
22 Nicolas Road, Manchester, M21 9LR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA