

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140273/FH/2024
Date registered valid: 12 June 2024
Proposal: Erection of single storey rear extension
Address: 61 Yewtree Lane, Manchester, M23 0DU
Ward(s): Northenden Ward

Applicant: Mr Patrick Ward
Agent (if any): Mr Brian Taylor Manchester Equipment and Adaptations Partnership
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **24th July 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 28 June 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 20 June 2024 Expired: 11 July 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 C3 end-terraced dwellinghouse of red/brown brick with a red concrete tile hipped roof with gable end detailing to the front. The property features white uPVC windows, a front porch canopy, a paved front driveway bordered by mature hedging and black iron railings/gates, and a detached outbuilding situated within the rear garden.





Description of area

Yewtree Lane is a residential street situated within the Northenden ward of Manchester, close to Princess Parkway (A5103), Manchester Outer Ring Road (M60), and Kenworthy Lane Woods. The area is predominantly residential in terms of its character, consisting of a mixture of terraced, semi-detached, and 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 extension.

Planning history

138165/FH/2023 - Erection of a single storey rear extension – **APPROVED** (09.11.2023).

Consultations & Notification Responses

Environmental Health made no objection to the proposal, requesting a contaminated land watching brief condition be attached to the permission.

Local residents, as per appendix 1 – no comments or objections received.

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:

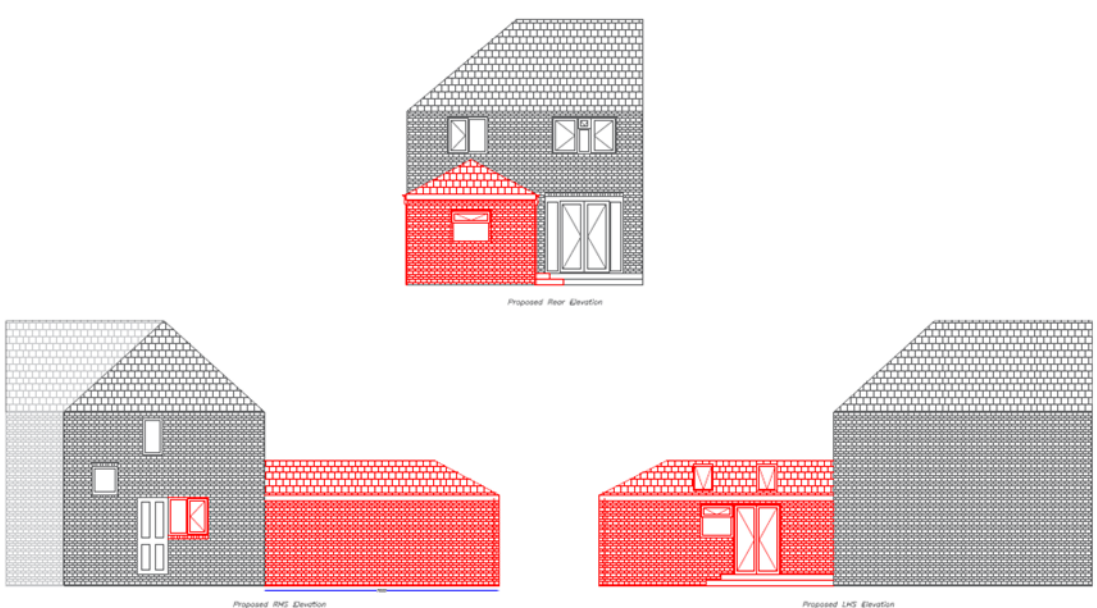
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN18 – Contaminated Land and Ground Stability
- Policy EN19 - Waste

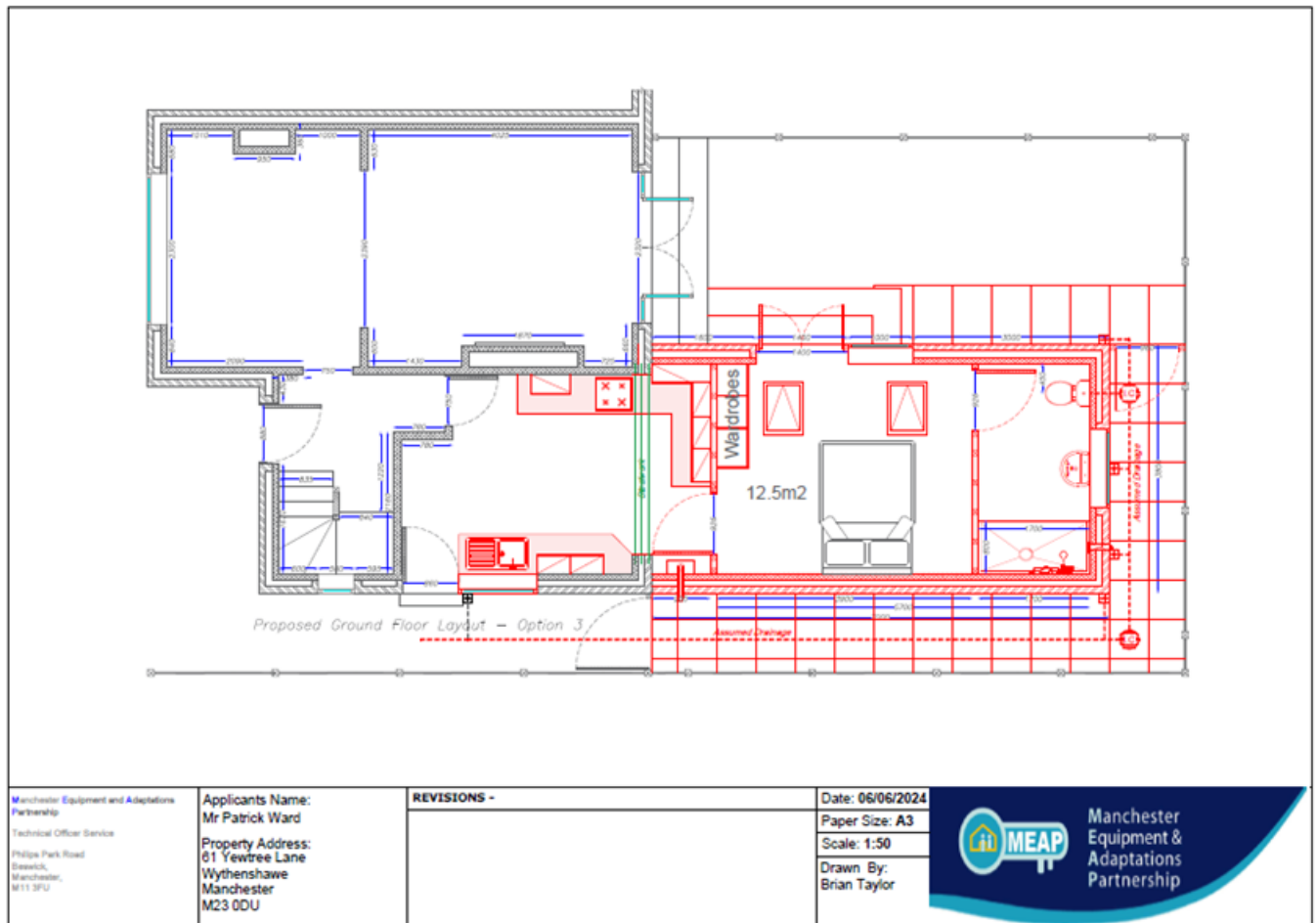
The National Planning Policy Framework (NPPF, 2021)

- 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

			
Manchester Equipment and Adaptations Partnership Technical Officer Service Philips Park Road Besswick, Manchester, M11 3FU	Applicants Name: Mr Patrick Ward Property Address: 61 Yewtree Lane Wythenshawe Manchester M23 0DU	REVISIONS -	Date: 06/06/2024
			Paper Size: A3
			Scale: 1:100
			Drawn By: Brian Taylor
			 Manchester Equipment & Adaptations Partnership



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 rear extension together with elevational alterations 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 back of the property, facing south. It would project 7m rearwards from the host dwellinghouse, with a width of 3.8m, hipped roof height of 3.74m, and an eaves height of 2.548m. A gap of 3.159m would be maintained to the boundary shared with No.59 Yewtree Lane, a gap of 1.207m would be maintained to the boundary shared with No.63 Yewtree Lane, and a gap of 1.183m would be maintained to the boundary shared with No.15 and No.17 Hollyhey Drive.

The overall siting, scale, and massing of the proposal is relatively substantial when considered in comparison to the dimensions of the existing dwellinghouse with the extension featuring a considerable rearward projection of 7m. However, this is considered acceptable in these circumstances given that the extension would significantly improve the daily life and wellbeing of a disabled resident through the provision of a ground-floor bedroom and bathroom, which would incur considerable benefits, pursuant to policy DC1 of the UDP. Sufficient private outdoor amenity space for the property's occupiers would also be retained to the rear, pursuant to policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the extension would be built of brickwork, roof tiles, windows and doors to match the existing. Its eastern side elevation, facing No.59 Yewtree Lane, would feature 1no. set of outward-opening doors and 1no. window, whilst its western side elevation, facing No.63 Yewtree Lane, would be blank and featureless. Its rear elevation would feature 1no. window, conditioned to be obscurely glazed to protect the residential amenity of neighbouring occupiers. Its east-facing roof slope would feature 2no. flat skylights.

The proposal is considered to be relatively standard in terms of its scale and design and would be in-keeping with the overall precedent of residential extensions in this area. Sited at the rear of the property, the extension would not be visible within the street scene/public realm and should therefore have a minimal effect upon the visual amenity of the area. This is further supported by the extension's use of matching materials which would provide a blended appearance with the host dwellinghouse, ensuring the proposal does not form a prominent visual feature within this locale. The overall character of the dwellinghouse and its surrounding area should therefore not be significantly harmed by these works.

The design and appearance of the proposal therefore accords with Core Strategy policies SP1 and DM1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be single storey, with a maximum hipped roof height of 3.74m (shifting the extension's mass away from neighbouring residential plots) and with the existing plot featuring high-level boundary treatment, it is considered that the proposal should avoid causing issues associated with overshadowing, loss of light, and loss of outlook, nor should it introduce an overbearing feature into the area.

Moreover, the extension's rear-facing window, sited 1.183m away from the shared boundary, has been conditioned to be obscurely glazed so as to safeguard the privacy of neighbouring occupiers. An obscure-glazing condition has not been attached to the doors and window in the eastern side elevation, facing No.59 Yewtree Lane, as these would be adequately sited away from the plot's shared boundary (3.159m) and, as such, should avoid infringing upon the privacy of neighbouring occupiers.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the storage of bins would be unaffected by this proposal.

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

Other matters – the proposal also includes the following elevational alterations:

- A new ground-floor window installed in the western side elevation of the host dwellinghouse. This has been conditioned to be obscurely glazed to safeguard the privacy of neighbouring occupiers.

Subject to the attachment and adherence to the aforementioned condition, this alteration is considered acceptable given its minimal impact upon the visual and residential amenity of the area.

Contaminated land - Environmental Health made no objection to the proposal, requesting a contaminated land watching brief condition be attached to the permission. This condition seeks 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 Core Strategy.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1, EN18 and EN19 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 policies 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:

- 'Householder Application for Planning Permission for works or extension to a dwelling', numbered 'PP-13149374', stamped as received by the City Council as Local Planning Authority on the 12th June 2024.

-‘Proposed Ground Floor Layout – Option 3’, stamped as received by the City Council as Local Planning Authority on the 12th June 2024.

-‘Proposed Rear Elevation. Proposed RHS Elevation. Proposed LHS Elevation’, stamped as received by the City Council as Local Planning Authority on the 1st July 2024.

Reason - To ensure 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 of the extension hereby permitted shall match those of the existing dwellinghouse 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 extension, pursuant to saved policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the proposed windows in the side elevation of the host dwellinghouse, facing No.63 Yewtree Lane, and the proposed windows in the rear elevation of the extension, facing No.15 and No.17 Hollyhey Drive, 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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 developments 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.

6) 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. If no contamination is found, then a post-completion report shall be submitted to evidence this.

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.

Appendix 1 – List of consultees & neighbours notified

15 Hollyhey Drive, Manchester, M23 0DX
13 Hollyhey Drive, Manchester, M23 0DX
63 Yewtree Lane, Manchester, M23 0DU
59 Yewtree Lane, Manchester, M23 0DU
19 Hollyhey Drive, Manchester, M23 0DX
17 Hollyhey Drive, Manchester, M23 0DX
57 Yewtree Lane, Manchester, M23 0DU
55 Yewtree Lane, Manchester, M23 0DU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA