

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140391/JO/2024

Date registered valid: 28 June 2024

Proposal: Variation of conditions 2 (specified plans) and 4 (materials) from planning approval reference 134879/FH/2022 to allow amendments to roof design and materials

Address: 60 Nina Drive, Manchester, M40 5SB

Ward(s): Charlestown Ward

Applicant: Mrs Florence Percival

Agent (if any): Mr Dave Trudgeon, Conway Architectural Design

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **21 August 2024**

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 July 2024 Expired: 1 August 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 60 Nina Drive within the north Manchester ward of Charlestown. The property is a two storey, detached, red brick dwellinghouse with bay windows, black window and door detailing and an existing front porch. An attached single storey garage is sited to the east of the site. The property benefits from amenity space in the form of a paved driveway and grassed area to the front and to the rear the property benefits from a large, paved garden. A single storey extension is sited to the rear of the property, spanning the width of the host dwellinghouse.

The surrounding area is residential in context, with the M60 sited to the north.

Description of development

The submitted application seeks planning permission for the variation of conditions 2 (specified plans) and 4 (materials) from planning approval reference 134879/FH/2022 to allow amendments to roof design and materials.

The application of 134879/FH/2022 sought consent for the erection of single storey side and rear extension following demolition of existing garage to form additional living accommodation- approved 31 October 2022.

The approved works involved:

The existing garage would be demolished, and a single storey side extension would be constructed with approximate dimensions (at the largest point) of Height: 3.3 x Length: 6.6 x Width: 2.8 metres. The side extension would wrap into the rear extension. The rear extension would be sited off the existing single storey rear extension and as such, measured from the existing extension, would have approximate dimensions of Height: 2.4 (to the eaves)/ 3.6 (to the highest point) x Length: 3.4 x Width: 5.7 metres. The proposed rear extension as measured from the rear building line of the host property would result in the proposal having an approximate rearward projection of 5.6 metres.

The proposal would involve the insertion of a bay window within the front elevation of the side extension, a set of new bi-folding doors within the rear elevation, a window within the side elevation and two skylights within the roof plane. Materials to be used would match the host property and include brickwork, roof tiles, uPVC windows and doors.

Through the current variation application, the applicant wishes to change the pitched roof extension to a flat roof extension, due to the personal preferences of the applicant. Condition 2 (specified plans) needs to be updated to reflect the flat roof instead of the pitched and condition 4 (materials) needs to be amended for the roof finish/ material to be a flat roof membrane rather than a tiled roof.

The number of windows throughout the proposal would not alter as a result of the amendment, however, the number and arrangement of roof lights would be amended. The placement of the 2 no. rooflights within the dining/ living space would have a different placement and would be larger in size. A further rooflight would be inserted above the utility room.

Further Planning History

No further planning history exists for this site. The existing rear extension could have been achieved through the route of Permitted Development.

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 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 CABI 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

The current application seeks permission for the variation of conditions 2 (specified plans) and 4 (materials) from planning approval reference 134879/FH/2022 to allow amendments to roof design and materials. This is required as the applicant wishes to change the previously approved pitched roof to a flat roof, for personal preferences.

Variation of conditions 2 (specified plans)

The roof form of the proposal would change from a hipped roof to a flat roof. In terms of the impact to the neighbouring properties, the loss of the roof with gable element to the rear extension would result in a lower roof form. As such, the height of built form close to the neighbours would decrease and as such, would result in better implications in terms of any overbearing impacts than was previously approved.

The number of windows throughout the proposal would not alter as a result of the amendment, however, the number and arrangement of roof lights would be amended. The placement of the 2 no. rooflights within the dining/ living space would have a different placement and would be larger in size. A further rooflight would be inserted above the utility room. Given the flat roof of the extension and the position of the amended lights within the roof, it would not give rise to any adverse implications to the neighbouring properties in respect of overlooking/ adverse privacy implications.

Further, the flat roof would utilise the form of the existing parapet flat roof element to the side extension as existing and so would be more in keeping with the existing form of development at the property. This element is therefore acceptable in design and appearance.

Variation of conditions 4 (materials)

The application of 134879/FH/2022 was approved with a condition stating all materials to be used must match the host property in terms of external materials. With the proposed variation, the use of a flat roof would be used and so the need to vary the condition. Drawings supplied state the flat roof would be a flat roof with grey membrane which is appropriate for the amended roof form. All other materials were supplied for re-consideration and apart from the roof would match the host property where possible. This is considered acceptable and the condition would be amended as such.

Conclusion

The variation of the specified plans is acceptable. The change, which is client led, would change the approved pitched roof to a flat roof with a grey membrane. This change is considered appropriate in terms of design. The variation would not adversely impact neighbouring properties as the height of the built form would reduce from the previously approved scheme. The varied proposal is considered pursuant to Policy DC1 of the UDP and Core Strategy (2012) policies DM1 and SP1.

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

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 31 October 2025.

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 28 June 2024.

-Drawing- Proposed- GF Plan, numbered 634-06E, stamped as received by the City Council as Local Planning Authority on 28 June 2024.

-Drawing- Proposed- Roof Plan, numbered 634-07D, stamped as received by the City Council as Local Planning Authority on 28 June 2024.

-Drawing- Proposed- Elevations, numbered 634-08C, stamped as received by the City Council as Local Planning Authority on 28 June 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 'Drawing- Proposed- Elevations, numbered 634-08C', 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

24 Carville Road, Manchester, M9 7FE
33 Nina Drive, Manchester, M40 5SA
31 Nina Drive, Manchester, M40 5SA
29 Nina Drive, Manchester, M40 5SA
62 Nina Drive, Manchester, M40 5SB
58 Nina Drive, Manchester, M40 5SB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA