

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140260/FH/2024
Date registered valid: 11 June 2024
Proposal: Erection of first floor side and single storey front and rear extensions
Address: 3 New Forest Road, Manchester, M23 9JT
Ward(s): Brooklands Ward

Applicant: Jim Whitley
Agent (if any): Mr Lewis MacDonald Local Conservatory Specialists
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 6 August 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06.08.24

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

This site relates to a brick built large gable fronted two storey detached dwelling house in the Brooklands ward area of Manchester. The property benefits from a flat roofed attached garage to the side. There is a large hardstanding front garden with access along both sides and large landscaped garden to the rear. Boundary treatment is made up of a low brick boundary wall to the front and timber fencing with hedging and some soft landscaping to the rear. Properties on both sides of the application site appear to have undergone several extensions to increase the footprint of the sites.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature comprising of similar family sized residential properties to the proposal site. Sandilands Primary school is located to the east of the site.

Description of development

The application is for the erection of a first floor side extension and a single storey extension to the front and rear. The accommodation created would be in the form of:

Open plan kitchen dining room to the ground floor bringing the double garage forward, and a further two ensuite bedrooms to the first floor side extension, giving a 5 bedroom detached house in total.

Planning History:

123275/FH/2019- Erection of a part single part two storey front/side extension and single storey rear extension and elevational alterations

Refused 26.06.2019

127141/FH/2020- Erection of a part single, part two storey side extension and single storey rear extension to form additional living accommodation.
Approved 11.08.2020

Consultations & Notification Responses

Local residents were informed- no representations have been received.

Issues

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

Places for everyone GM Spatial Plan

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity

The applicant proposes to erect a first floor side extension and single storey front and rear extension to form additional living accommodation.

Following raised concerns by the City Council on previous applications, the scheme currently under consideration is a reduced proposal which has been amended to provide a larger gap to the shared boundary with no. 5 New Forest Road.

It is perhaps the front elevation of a dwelling house that makes the most important contribution to the appearance of the street-scene. The ground floor side element of the proposal would be a small infill to the front projecting forward of the existing footprint of the garage however it would still achieve a small setback from the front wall of the house. It would extend along the side and project beyond the rear wall of the house by approximately 4.6 metres retaining a small gap to the shared boundary with no. 5 New Forest Road. The first floor side element of the proposal would be setback considerably from the front wall of the house and is set in from the ground floor roof edge and retains a gap to the shared boundary with no. 5 New Forest Road of 2m with the first floor extension extending along the side upto the rear wall of the property and not beyond.

It is considered that the proportions of the extension are acceptable. The hipped roof projects out at the side but sits over the original ground floor footprint which does not create a bulky or discordant addition to the property. The scale is also contained on account of the deep hip which minimises the bulk. It is acknowledged that there would be some form of impact given by the proposed first floor side extension, however given the retained gap to the shared boundary of 2 m together with the set in from the front wall of the property it is considered that the harm caused would be minimal and therefore would not warrant refusal of the application.

The application property has the same architectural style as numbers 1 and 5 New Forest Road which sit either side of the application site. The siting of this first floor addition will mark a change in the appearance and style of this property and its relationship with those on the opposite side of the road, however, given the changes to the properties either side and against other properties within the area would not be out of character with the original or extended properties in the area.

The retained roof pitch which is not set down is appropriate in this house type design as any set down of the roof would be visually incongruous in the context of the street scene and neighbouring properties.

The impression of subservience is otherwise achieved by the setback from the front gabled elevation that is maintained as in the original design, albeit with the small extension to the garage at ground floor bringing it forward slightly.

Fenestration would be present on the front, side and rear, the window to the ground floor would serve the kitchen, and the window on the side is to serve the bathroom and it would be obscurely glazed. Notwithstanding this, a condition for obscure glazing has been attached to ensure that there is not overlooking or loss of privacy. A roof light is proposed in the flat roof element of the first floor roof space.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials it is intended to use matching bricks and tiles as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear, it is of a hipped design with a flat roof, which considerably reduces the bulk and massing as it approached the common boundary with number 5 New Forest Road, and is considered acceptable and is typical of many of the designed extensions within the immediate and wider.

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.

Disabled access

Not applicable

Bins

Bins storage is not affected by this proposal as space is retained along the side of the property on both sides and therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Off street car parking together with a double garage would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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 / Agent in a positive and proactive manner in order to guide the Application through all stages of the Planning process, in this instance no issues have arisen and the application has been determined in accordance with both national and local policies, and in a timely manner.

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:

02- Proposed floor and roof plan received 11th June 2024

03- Proposed Elevations and Section received 11th June 2024

05- Proposed Block Plan received 11th 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 Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted, including patching in and mortar, shall match those of the existing building 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 window in the first floor northern (side) elevation 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 2015 (or any order 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 drawings.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

299 Brooklands Road, Brooklands, Manchester, M23 9HE
297 Brooklands Road, Brooklands, Manchester, M23 9HE
295 Brooklands Road, Brooklands, Manchester, M23 9HE
1 New Forest Road, Manchester, M23 9JT
6 New Forest Road, Manchester, M23 9JU
5 New Forest Road, Manchester, M23 9JT
4 New Forest Road, Manchester, M23 9JU
2 New Forest Road, Manchester, M23 9JU

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