MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140254/FH/2024
Date registered valid:	11 June 2024
Proposal:	Erection of single storey side and rear extension
Address:	21 Yewtree Lane, Manchester, M22 4DX
Ward(s):	Northenden Ward
Applicant:	Lindsay Grime
Agent (if any):	Mr Peter Entwistle, PCE Designs Ltd
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 detached dwellinghouse of redbrick with a red concrete tile hipped roof. The property features white uPVC windows, including a two-storey bay to the front, a paved driveway to the front and side, a front garden bordered by a low-level redbrick wall, a front porch, a single storey rear outrigger, a conservatory extension 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 Shandon Avenue Woodland, Princess Parkway (A5103), 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 side and rear extension to provide additional living accommodation.

Planning history

No previous history.

Consultations & Notification Responses

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

- The extension would be located in close proximity to a large oak located on site.
- Concerns relating to potential damage caused to the oak's rooting system as a result of the works, making the tree unsafe.

Policies

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

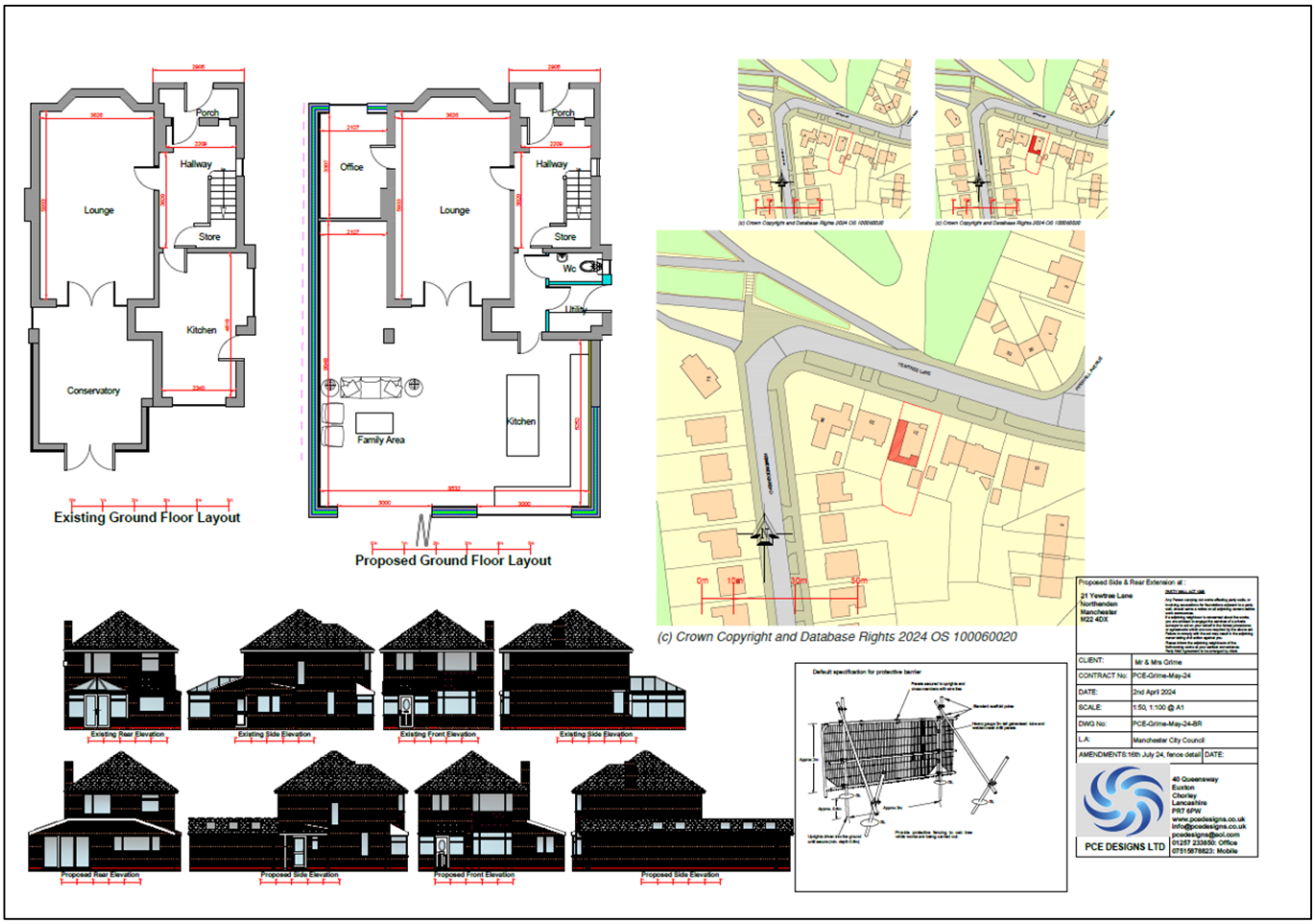
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

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 EN15 – Biodiversity and Geological Conservation
- 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
- Policy JP-G7 – Trees and Woodland



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 extension would be sited at the side and rear of the property, wrapping around its northwest and southwest elevations, replacing the existing conservatory extension and outrigger. It would project 3.499m rearward from the property's existing outrigger, with an overall length/depth of 13.143m, a sideward projection of 2.456m, a width of 9.231m, a pitched roof height of 3.302m with eaves of 2.218m to the front, and a part-pitched/part-flat roof height of 3.345m with eaves of 2.218m to the rear. A gap of 0.197m would be maintained to the boundary shared with No.23 Yewtree Lane with a considerable gap maintained to the boundary shared with No.19 Yewtree Lane.

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 extension would be built of brickwork and roof tiles to match the existing in addition to membrane roofing for its part-flat roof form, and uPVC windows/doors. It would feature one window the front and one window and a set of bi-folding doors to the rear. Its side elevations would be blank and featureless, whilst its southeast-facing roof slope would feature three flat skylights and its northwest-facing roof slope would feature five 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 side and rear of the property, elements of the proposal would be visible within the street scene/public realm, however the extension's use of matching materials should provide a blended appearance with the host dwellinghouse, thereby ensuring that 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 roof height of 3.345, 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. Its blank side elevations should also ensure that the privacy of neighbouring occupiers is not compromised as a result of the works.

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.

Trees – concerns were raised in relation to the proposal's potential to impact and cause damage to a mature oak tree present within the confines of the application site.

These concerns were relayed to the agent of the application, who confirmed that the proposed extension would be located away from the aforementioned tree. In their email correspondence dating to the 16th July 2024, the agent also confirmed that protective fencing would be utilised during construction works to safeguard the tree from harm. This has been included on the amended plans/elevations and has been conditioned accordingly.

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

- The ground floor window in the host dwellinghouse's southeastern side elevation would be replaced with one inward-opening door and one window. These arrangements/conditions are considered to be similar to the existing window featured, therefore an obscure glazing condition has not been attached.
- Front, northwestern and rear elevations – no elevational alterations proposed.

These alterations are considered acceptable given their minimal impact upon the visual and residential amenity of the area.

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 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 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:

-'Householder Application for Planning Permission for works or extension to a dwelling', numbered 'PP-13139792', stamped as received by the City Council as Local Planning Authority on the 11th June 2024.

-‘Proposed Side & Rear Extension at: 21 Yewtree Lane’, stamped as received by the City Council as Local Planning Authority on the 16th July 2024.
- Agent email correspondence, stamped as received by the City Council as Local Planning Authority on the 16th 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 proposal hereby permitted shall match those specified on the submitted application form and approved documents, including brickwork and roof tiles to match the existing dwellinghouse.

Reason - To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the developments, 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) 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 policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework. The Manchester Core Strategy policy SP1 and DM1.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

17 Yewtree Lane, Manchester, M22 4DX
15 Yewtree Lane, Manchester, M22 4DX
90 Homewood Road, Manchester, M22 4DQ
32 Yewtree Lane, Manchester, M22 4DY
23 Yewtree Lane, Manchester, M22 4DX
94 Homewood Road, Manchester, M22 4DQ
92 Homewood Road, Manchester, M22 4DQ
88 Homewood Road, Manchester, M22 4DQ
19 Yewtree Lane, Manchester, M22 4DX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: SOUTH AREA