

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139653/FH/2024
Date registered valid: 28 March 2024
Proposal: Erection of single storey rear extension to form additional living accommodation
Address: 9 Rowarth Road, Manchester, M23 2UQ
Ward(s): Baguley Ward

Applicant: Ms L Davies Wythenshawe Community Housing Group
Agent (if any): Mr Ian Perry Heaton Design Ltd
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15th April 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 April 2024

Standard consultations:

Printed: 9 April 2024 Expired: 30 April 2024

Neighbour notifications

Printed: 9 April 2024 Expired: 30 April 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

The site/building relates to a two storey mid terrace property in the Baguley ward area of Manchester. Gardens are to the front and rear of the property with a ginnel running between no. 7 and 9 Rowarth Road. The properties within this area are characterised by cream coloured render with tiled roofs. Off street car parking is taken on the front driveway.



Listed building: Not applicable

Conservation area: Not applicable

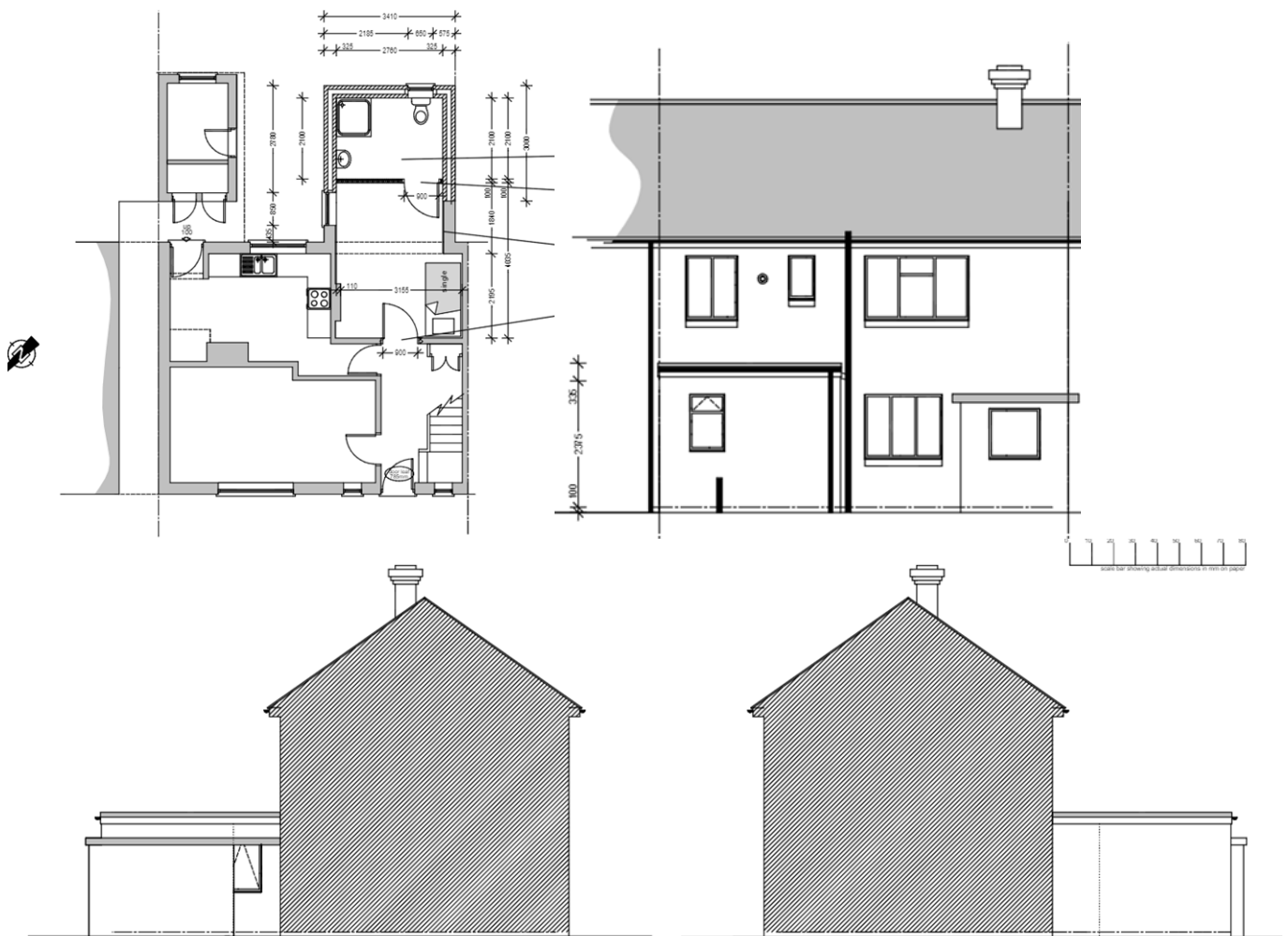
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension to form additional living accommodation.



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. There have been no comments received in respect of this application.

High Speed Two (HS2) Limited - Can confirm that the application red line location plan boundary falls within limits of land currently subject to formal sub-surface safeguarding directions for Phase 2b of HS2. However, as you are aware, on 4 October 2023 the Prime Minister announced the cancellation of this section of high-speed rail between Crewe - Manchester. The accompanying Network North: Transforming British Transport Command Paper also states that safeguarding throughout Phase 2b is to be amended by summer 2024 to allow for safeguarding needed for Northern Powerhouse Rail, and at this time it is not fully understood what land will remain in safeguarding.

Given the nature of the proposed householder development HS2 Ltd have no objections in planning terms but in light of the above, should the Council be minded to grant consent it is requested that an informative is included on the decision notice for awareness:

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.
- o 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 EN 19 - Waste Management
- o Policy SP1 - Spatial Principles
- o The National Planning Policy Framework (NPPF)

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development 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 Places for Everyone plan. 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

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. 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. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

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.

History

No previous planning applications relating to this site.

Residential Amenity

The applicant is seeking planning permission for the erection of a single storey rear extension to form additional living accommodation. The additional space would accommodate an accessible bedroom and bathroom for a disabled occupant at the property. The application has been submitted by the Wythenshawe Community Housing Group on behalf of the applicant.

The proposed extension would be sited across the back wall measuring 4.0m in projection with a width across the rear measuring 3.4m close to the boundary with no. 11 Rowarth Road. The height would measure approximately 2.8m and would have a flat roof. Windows are proposed on the rear and side facing towards no. 7 Rowarth Road, however, given that there is a small structure opposite the window within the curtilage of the application site along the shared boundary, there would be no overlooking or loss of privacy given by this window.

Although the proposal exceeds City Council's saved Policy DC1 of 3.65 metres, there has been no objection from the adjoining properties. In addition, should the applicant build a single storey extension under the Larger Homes scheme in the same materials independently and receive no objection and comply with all other relevant limitation, this would be allowed to be built under permitted development.

It is not anticipated that the introduction of a single storey extension in this location would provide any undue harm on the occupiers of properties either side of the application site particularly as the presence of a structure along the boundary has already been established by the existing extension.

The extension is required for the use by a disabled resident to allow additional living accommodation and therefore complies with DC1.5 of the UDP. It is felt that the proposal can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

The extension would not be visible from the public highway and therefore would not feature within the street scene, however, the character of the area has been retained, the appearance is considered to be acceptable and its impact upon visual amenity is considered negligible.

In this instance the proposal is considered acceptable and therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 (in particular policy DC1.5).and accords with Core Strategy policies DM1 of the Core Strategy.

Design

The proposal is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching materials as specified in the application form. It is believed that the proposed works would not detract from the character and appearance of the property and the design of the works would complement host dwelling.

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.

Waste management

The storage of bins is not affected by this proposal as adequate space to the rear is retained. In addition, access along the ginnel for the movement of refuse bins is still in place. Therefore, the bins would accord with policy EN19 of the Core Strategy.

Conclusion

The proposal complies with the above policies; it received no objections, and the City Council recognises the importance of adapting homes to suit changing household needs and accommodate disabled residents. The single storey rear extension would improve the safety and comfort of the dwelling for the resident, allowing them to remain independent in their own home, therefore development may commence in accordance with the following conditions.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy.

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

Positive and proactive working - 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.

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:

Received 28th March 2024 numbered 2 Proposed Floor Plans, Sections and Elevations

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 hereby permitted shall match those of the existing dwelling house as specified on the application form 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

Informatives

1) The applicant is advised that application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at:

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fnetwork-north.%25E2%2580%259D&data=05%7C02%7Ctracie.simpson%40manchester.gov.uk%7Ca2e18a668a4c4ebcecb108dc59579335%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C0%7C638483479871485108%7CUnknown%7CTWfpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=7ZVx1fSQ76zHAbdptC8nzkvgnJCp65ePWPcinQDpbhg%3D&reserved=0>

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

17 Rowarth Road, Manchester, M23 2WU
268 Greenbrow Road, Manchester, M23 2UF
19 Rowarth Road, Manchester, M23 2WU
15 Rowarth Road, Manchester, M23 2WU
13 Rowarth Road, Manchester, M23 2WU
7 Rowarth Road, Manchester, M23 2UQ
5 Rowarth Road, Manchester, M23 2UQ
3 Rowarth Road, Manchester, M23 2UQ
11 Rowarth Road, Manchester, M23 2UQ
270 Greenbrow Road, Manchester, M23 2UF
266 Greenbrow Road, Manchester, M23 2UF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 15M
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH AREA