

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140127/JO/2024
Date registered valid:	28 May 2024
Proposal:	Variation of condition number 2 (specified plans) from planning approval reference 134465/FH/2022 to allow an amendment to the approved roof pitch and an increase in its height together with the installation of roof mounted solar panels
Address:	255 Brooklands Road, Brooklands, Manchester, M23 9HF
Ward(s):	Brooklands Ward
Applicant:	Dr H. Sheikh
Agent (if any):	Mr Thomas Bedford TJB Architects Ltd.
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	9 July 2024



Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: 8 July 2024

Standard consultations:

Printed: 6 June 2024 Expired: 27 June 2024

Neighbour notifications

Printed: 6 June 2024 Expired: 27 June 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/area

255 Brooklands Road is a large two storey detached dwellinghouse, with hardsurfaced area and raised planters to the front and a large garden and outbuilding to the rear. The property is contemporary in design. It is finished in render, with timber panels in the front elevation and it is topped with a flat roof. The area is predominantly residential in nature.

Listed building: no

Conservation area: no

Tree Preservation Order: Trees at the front of the site

Description of development

Variation of condition number 2 (specified plans) from planning approval reference 134465/FH/2022 to allow an amendment to the approved roof pitch and an increase in its height together with the installation of roof mounted solar panels

Consultations & Notification Responses

Local Residents – Correspondence has been received from one local resident, the comments are as follows:

- With the height of this roof increasing and the windows in the roof space at the rear of the property therefore being higher, I am concerned around privacy into my home and my garden.

Policies

The National Planning Policy Framework (December 2023) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The Places for Everyone Plan – This plan was adopted on 21 March 2024, as such 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 significant weight in the planning balance. The relevant policy is set out below:

Policy JP-Strat9 (Southern Areas) – This policy states that the economic competitiveness, distinctive local neighbourhood character and environmental attractiveness of the southern areas will be protected and enhanced. There will be a strong emphasis on making as much use as possible of suitable previously developed (brownfield) land and promoting the roles of the areas' town centres and its other key assets.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below

Policy SP1, *Spatial Principles*, - Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, of which the following are of most relevance for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Community safety and crime prevention.
- Design for health.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Saved UDP Policy DC1, Residential Extensions – Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- the general character of the property;
- the effect upon the amenity of neighbouring occupiers;
- the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- the overall appearance of the proposal in the street-scene;
- the effect of the loss of any on-site carparking.

Issues

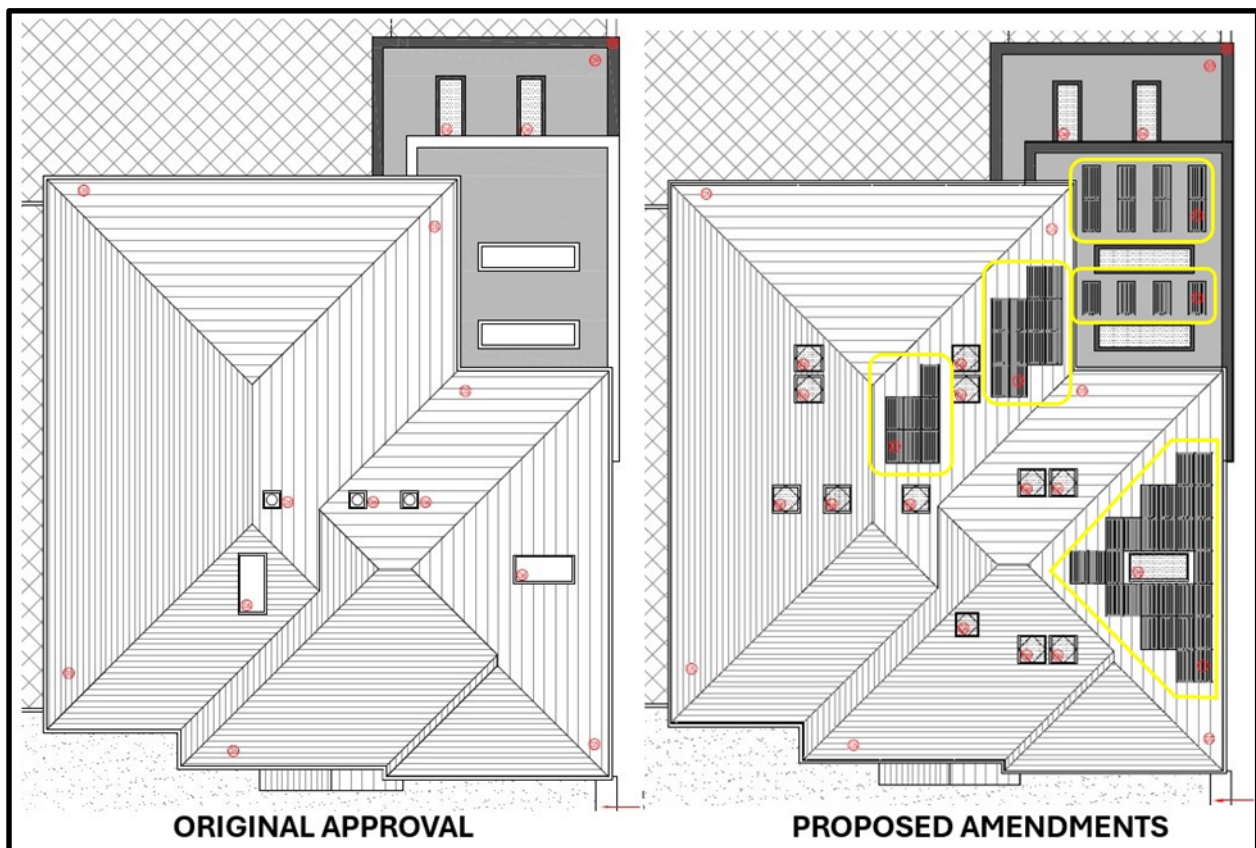
Principle of the Proposal – Given the previous approval the principle of the proposal is still considered acceptable. Notwithstanding this, the potential impact upon existing levels of residential and visual amenity must be assessed.

Design and Siting – The design and siting of the 2 storey front extension, the single storey rear extension, as well as the extension to the outbuilding and associated elevational alterations are in keeping with the overall character of the dwelling and as such are considered acceptable. The extensions would still be rendered and limestone tiles would be used to form a frame around the front entrance.

In terms of the pitched roof, the applicant is proposing to increase the pitch and in doing so increase the ridge height. The image below shows the comparison between the originally approved scheme and the one now proposed. Given the presence of pitched roofs along Brooklands Road, the addition of a pitched roof to this property, at the height now proposed, is considered acceptable.



As well as proposing amendments to the roof height, the applicant is also proposing to vary the location and number of rooflights and install a series of PV panels, the latter of which are annotated in yellow below. The introduction of these elements are considered acceptable and do not diminish the overall appearance of the dwelling.



Residential Amenity – Given the design and siting of the proposed extensions it is not considered that it would lead to a loss of privacy or excessive levels of overshadowing. As a result, it is not considered that the proposal would lead to an undue reduction in the current levels of residential amenity enjoyed by neighbouring residents.

It is not considered that the introduction of the additional rooflights would impact on the levels of privacy currently enjoyed by the residents of the adjoining dwellings.

Visual Amenity – Given the design and siting of the extensions and elevational alterations it is not considered that the proposal would have an unduly detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the property and especially along Brooklands Road.

Pedestrian and Highway Safety – The proposal would not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Drainage – The applicant is proposing to reduce in size the raised planter beds at the front of the property to increase the amount of off-street parking. These planters would be replaced by a permeable hard standing and as such drainage for the proposal is considered acceptable.

Trees – The protected trees along the front perimeter would remain.

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 to resolve any matters arising in relation to dealing with the planning 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 the original planning permission, 134465/FH/2022, i.e. 7 October 2022.

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:

- a) PL-101, PL-102, PL-105 and PL107 received on 25 July 2022
- b) PL-106B, received on 9 July 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) The development hereby approved shall be constructed and thereafter maintained using the materials detailed on the drawings and application forms stamped as received on 25 July 2022, 13 September 2022 and 9 July 2024.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Brooklands Residents Action Group

29 New Forest Road, Manchester, M23 9JT
257 Brooklands Road, Brooklands, Manchester, M23 9HF
264 Brooklands Road, Manchester, M23 9HD
262 Brooklands Road, Manchester, M23 9HD
253 Brooklands Road, Brooklands, Manchester, M23 9HF
33 New Forest Road, Manchester, M23 9JT
31 New Forest Road, Manchester, M23 9JT
266 Brookland Road, Sale, M23 9HD

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 90M
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA