MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139350/FH/2024
Date registered valid:	22 February 2024
Proposal:	Erection of ground and first floor rear extension and rear roof dormer to form additional living accommodation
Address:	15 Molyneux Road, Manchester, M19 3WB
Ward(s):	Levenshulme Ward
Applicant:	Mr. Jatinder Singh
Agent (if any):	Mr. Niamat Ali, NA Design
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**17 April 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 March 2024

Standard consultations:
Printed: 7 March 2024 Expired: 28 March 2024

Neighbour notifications
Printed: 7 March 2024 Expired: 28 March 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 15 Molyneux Road within the north Manchester ward of Levenshulme. The application site relates to a mid-terraced, two storey dwellinghouse with painted brick in a white and red colouration. The property benefits from an existing single storey rear extension and an existing single storey rear outbuilding along the rear boundary. Amenity space to the rear of the dwellinghouse is characterised by a courtyard, bounded by 1.8m post and panel fencing to boundaries with adjacent houses and a brick wall forming the rear boundary to the alleyway.

The property is located within a residential area comprising predominantly terraced housing.

Description of development

The application seeks planning permission for the erection of ground and first floor rear extension and rear roof dormer to form additional living accommodation.

The ground floor extension would extend the width of the host property (beyond the parameter of the existing rear extension) and create an enlarged kitchen, using the existing built form to build the new extension. In total, the ground floor area would have approximate dimensions in

total of Height: 3.9 x Length: 4 x Width: 4 metres. The first floor rear extension would be smaller in scale, sited against the shared boundary with no.13, with approximate dimensions of Height: 5.9 x Length: 2.1 x Width: 3 metres.

The rear roof dormer would create a bedroom and study and have approximate dimensions of Height: 2.1 x Length: 4.2 x Width: 3.9 metres.

The proposal would involve the insertion of four windows within the rear elevation.

Materials to be used throughout the proposal would involve:
-red brick walls for the extension, dormer walls- hung tiles to match with roof tiles
-same roof grey slate tiles for extension and flat roof to dormer
-uPVC double glaze windows to match existing.

The existing rear window at first floor level would be re-located as a result of the proposal which could be achieved using the route of Permitted Development.

Planning History

The current application seeks to increase the amount of built form approved under 135409/FH/2022- Erection of first floor rear extension and rear roof dormer to form additional living accommodation.
Approved 19 January 2023.



Figure 1, Built form approved under 135409/FH/2022

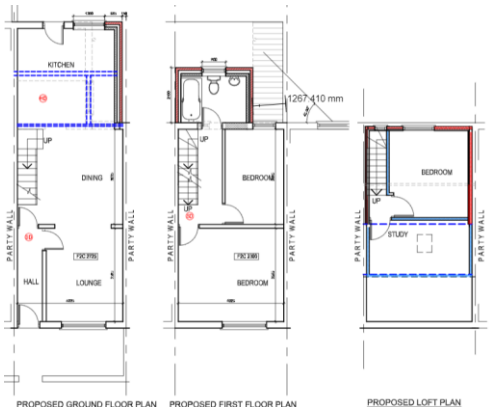


Figure 2, Built form currently applied for

122959/FH/2019- Proposed erection of a single storey outbuilding within rear garden.
Approved 12 April 2019.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and responded stating they had no comments to make.

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 CABE 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 significant weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of ground and first floor rear extension and rear roof dormer to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. The current application seeks to increase the amount of built form approved under 135409/FH/2022. However, consideration must be given to

the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Ground and first floor rear extension:
The proposal would involve infilling the existing space from the existing single storey rear extension up to the shared boundary with no.17 Molyneux Road and as such, retains the same projection as the existing extension on the site, measuring 4 metres in length. A first floor rear bathroom extension would be created with a projection of 2.1 metres and be sited 1.3 metres from the shared boundary with no.17 Molyneux Road.

Although the ground floor extension could lead to some tunnelling to no.17, given the existing relationship with the neighbour's rear conservatory, the level of harm proposed is not considered to be wholly different to the amount of harm as existing on the site. This neighbour would not experience any loss of light implications. At first floor level, the built form would be sited 1.3 metres from the shared boundary with no.17. Given the gap between the development and neighbouring property, plus the position of the neighbour's rear window, the level of tunnelling or level of overbearing, given the projection is 2.1 metres, is not considered to be severe. This neighbour would not be impacted by any adverse privacy implications given no windows would be placed in the side elevations of the proposal. A condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

The other adjoining neighbour, no.13 Molyneux Road would not be impacted by the proposal at ground floor level but could be at first floor level. The additional 2.1 metre extension at first floor level would be sited against the shared boundary. The built form against the boundary in this instance is considered acceptable given the neighbouring property does not benefit from a rear window close to the shared boundary. As such, the neighbour's rear window would be sited 3.1 metres from the proposal and as such, any tunnelling is not considered to be severe, as neither is any loss of light implications.

A window would be inserted within the proposed first floor bathroom and the window would be conditioned within any approval granted as being obscure glazed and top opening only, to protect the privacy of the applicant.

Due to the nature of the proposal, no neighbours to the rear along Fairbourne Road would be impacted by the proposal.

Rear roof dormer:
The dormer would sit on the roof of the host property and would encompass much of the existing roof. The dormer due to its nature would not give rise to any overbearing or loss of light implications.

Two windows would be inserted within the rear elevation of the dormer. Any overlooking opportunities to the immediate neighbours would not be different to the existing opportunities for overlooking for the first floor rear windows within the applicant property. The properties along Fairbourne Road would not be impacted by any adverse privacy implications given the 16 metre gap between the dormer windows and the rear boundary line of the neighbouring properties.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental and overpowering feature and would not be visible from the streetscene.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Ground and first floor rear extension:
Whilst the projection of the ground floor rear extension would have a projection of 4 metres and as such exceed Permitted Development rights and Policy DC1.3 of the UDP, the built form to the rear responds well to the existing rear outrigger at the site and does not extend further beyond the existing rear building line. As such, the additional projection beyond policy is considered acceptable.

The extension at first floor level with a projection of 2.1 metres responds well to the constraints of the site by having a reduced projection and having a set in against the neighbouring property with no.17 Molyneux Road. As such, the first floor rear extension is considered acceptable in size and form, pursuant with Policy DC1 of the UDP.

Rear roof dormer:
Permitted Development rights allow rear dormers to be obtained through the route of Permitted Development, and as the dormer has a volume of 17.2 cubic metres, the size would be considered Permitted Development.

The dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

Materials:
Materials to be used throughout the proposal have been listed previously and would where possible match those used within the host property. This is considered acceptable and a materials condition to this effect would be attached to any approval granted.

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.

Car Parking

No change to car parking arrangements would occur as a result of the proposal.

Bin Storage

No changes to bin store arrangements would occur as a result of the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The additional built form beyond that approved under planning reference 135409/FH/2022 is considered appropriate at the site.

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

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 a revised scheme overcoming concerns has been supplied for consideration. Appropriate conditions have been attached to the 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 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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 22 February 2024.
-Drawing- Existing & Proposed- Floor Plan, numbered NA-P01, stamped as received by the City Council as Local Planning Authority on 27 March 2024.
-Drawing- Existing & Proposed- Elevation, numbered NA-P02, stamped as received by the City Council as Local Planning Authority on 27 March 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) Before first occupation, the first floor bathroom rear window as shown within the approved ‘Drawing- Existing & Proposed- Floor Plan, numbered NA-P01’, stamped as received by the City Council as Local Planning Authority on 27 March 2024, 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.

In addition, the window shall be top opening only and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out within the Application Form, 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

Environmental Health

18 Fairbourne Road, Manchester, M19 3HU
26 Cumbrae Road, Manchester, M19 3NF
13 Molyneux Road, Manchester, M19 3WB
17 Molyneux Road, Manchester, M19 3WB

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA