

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139096/FH/2024

Date registered valid: 26 January 2024

Proposal: Erection of single storey extension to front, side and rear of dwelling with installation of dormer to rear and hip to gable roof extension to provide additional living accommodation.

Address: 169 Birchfields Road, Manchester, M14 6PJ

Ward(s): Rusholme Ward

Applicant: Mr Naveed Hussain

Agent (if any): Mr Mohammed Taghlebi

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 February 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 January 2024 Expired: 20 February 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 site / building / area

The application relates to a two-storey, hip roof, bay-fronted, semi-detached dwellinghouse of red brick construction. The site benefits from amenity space along the front, side, and rear, including boundary treatment - incorporating a gated access along the side elevation. The rear garden is substantially large, measuring approximately 26.9 metres deep x 8.3 metres wide. There is an existing front porch, single storey rear extensions and hard surfaced front driveway. Immediately along the rear boundary is Manchester Enterprise Academy Central Secondary School (MEA). Birchfields Road (the A34) is a busy radial route into Manchester city centre which is mixed-use in character.

Site Planning History:

o No record.

Description of development

The submitted application relates to the proposed erection of a single storey extension to front, side and rear of dwelling with installation of dormer to rear and hip to gable roof extension to provide additional living accommodation.

Following negotiations, the initially submitted plan has been slightly revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated 06/03/24). The revised plan has provided:

- o Clarification regarding the proposed materials for the dormer. It has been confirmed that the dormer would be clad in materials matching those on the existing roof; and,
- o Clarification has also been provided in terms of refuse management arrangements, including the storage location of a covered wheeled bin store, (both, correspondence from agent, dated 04/03/24)

The proposed single storey front, side and rear extension element would be sited along the side elevation of the existing front porch whilst being flush with its front building line and being stepped away from the common shared boundary with no. 171 Birchfields Road approximately 88mm to leave a small gap from this boundary. It would then project approximately 14,013mm along the common boundary, then forward of the common shared with no. 167 Birchfields Road approximately 8271mm wide, then forward of the rear building line of the original dwellinghouse approximately 4000mm deep, whilst retaining a gap of 266mm from this boundary. It would incorporate a combined hip, lean-to pitched (maximum height approximately 3358mm) and flat roof design (maximum height approximately 3160mm), with a door and 1no.window along the front elevation, 1no. window along the side roof plane, 1no. roof lantern centrally placed along the rear roof plane, including windows and bi-fold doors along the rear elevation. It is intended to use matching materials.

The proposed development would also include elevational alterations proposing the conversion of side hipped roof to gable end with pitched roof to increase the height of the existing roof to facilitate the proposed dormer; including, an elevational alteration along the front roof plane involving the installation of 2no. windows.

With regards to the proposed rear roof dormer element, it would measure approximately, (6058mm wide x 3797mm deep x 2590mm maximum height) and would be centrally placed along the rear roof plane whilst being set away from the boundaries approximately 219mm. It would be set below the original roof ridge and above the eaves, with windows along rear elevation. In terms of external facing materials, the dormer wall would be clad in matching tiles.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. Places for Everyone

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 will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

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.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- o Policy DM1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- o Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- o Chapter 2: Design

ISSUES

In this instance, the initially submitted plan has been slightly revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated 06/03/24).

Principle

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and visual amenity

Impact of works (single storey front, side and rear extension) - In light of the sizable rear garden at the application site and the existing contextual relationship along the boundaries, and the revised plans - (dated 06/03/24), and the resultant context of the proposed development, and due to the fact that a significant separation distance would still be retained from the rear boundary, it is considered that this element of the proposed development can be accommodated in this location in this instance. Moreover, the proposed depth of the front extension at approximately 1200mm would be consistent with the existing front porch, and although the proposed rearward projection at approximately 4000mm would be (350mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it would be within the limitations for a larger homes extension application, and therefore, on balance, and subject to planning conditions, it is considered that the proposed extension would not unduly impact on the residential or visual amenity of the neighbouring occupiers and the wider neighbourhood.

Impact of works (rear roof dormer extension) - The rear roof dormer extension would generally constitute householder general permitted development for the nature of the property and therefore an application for planning permission would not usually be required. Therefore, given this fallback position, it is not considered that the proposed rear roof dormer would create an undue impact on the character of the property or general area in terms of visual amenity. The dormer has been positioned centrally within the rear roof plane, set-away from the boundaries and it is also set below the original roof ridge and above the eaves level. It is also intended to clad the dormer wall with matching hung tiles, and therefore, for these reasons, it is considered to be acceptable. It is however recommended that the proposed dormer window to serve the (annotated "Bathroom") is conditioned requiring it to be obscurely glazed, including a materials condition to ensure materials are adhered to.

Impact of works (elevational alterations, proposed conversion of side hipped roof to gable end with pitched roof, including 2no. windows along the front roof plane) - In terms of the proposed elevational alterations, involving conversion of the hipped roof to a gable end, it is not considered that this element would present any significant adverse impacts to residential or visual amenity, or the character of the property. Additionally, in design terms, it would mirror

the immediate neighbouring dwellinghouse - no.167 Birchfieds Road and various other properties along the Birchfieds Road street scene - which is characterised by a mix of pitched and hip roofs.

In terms of the proposed 2no. windows along the front roof plane; given the fact that such works would generally fall within householder general permitted development and an application for planning permission would not be usually required for the nature of the property, given this fall back position, it is considered that this element of the submitted plan would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity.

Impact of works (Design and appearance) - In design terms the proposed development would reflect the characteristics of development in the area, and in terms of proposed materials, it is intended to use external facing materials in keeping with the existing house, including the walls of the proposed dormer, being clad in matching hung tiles. For the reasons stated above and given the resultant contextual relationship with the surrounding houses and the wider neighbourhood, it is considered that the proposed development would be acceptable in design terms. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. However, a condition has been attached to ensure that materials are adhered to.

Impact of works (Car parking) - The existing arrangement would in-part be affected. The existing depth of the front driveway at approximately 5195mm deep would not conform to the Council's current minimum standards when a vehicle is parked vertically. However, given the sizable width of front driveway that would still be retained, on-site car parking would still be achievable for a small car without any overhang onto the public right of way; or, when parked at an angle for a larger vehicle; and therefore, this shortfall would not warrant the refusal of planning permission.

Impact of works (Waste management) - The existing arrangement would be affected, as the existing gated side access would be lost to accommodate the proposed side extension element. It is therefore intended to provide a covered timber frame bin store (approximately 800mm deep x 2200mm wide x 1200mm maximum height) along the front driveway - (correspondence from agent, and revised plans dated 04/03/24, 06/03/24). Bins would be stored in this location and brought to the back of pavement on collection days.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development, (dated 04/03/24) responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, following negotiations, the initially submitted plan has been slightly revised in the interest of residential and visual amenity, and revised plans subsequently submitted - (correspondence from agent, and revised plans dated 04/03/24, 06/03/24). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 26 January 2024.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 26 January 2024.
- o Existing Floor Plans and Elevations, Drawing No: A101, received by the City Council as the Local Planning Authority on 26 January 2024.
- o Email correspondence from agent, dated 04/03/2024.
- o Proposed Floor Plans and Block Plan, Drawing No: A100, V2, received by the City Council as the Local Planning Authority on 06 March 2024.
- o Proposed Elevations, Drawing No: A102, V2, received by the City Council as the Local Planning Authority on 06 March 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1, DM1 of Manchester's Local Development Framework: The Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) The rear roof dormer extension hereby approved shall be clad in hung tiles matching those on the existing roof and as stated in correspondence from agent dated 04/03/2024, and revised plans dated, 06/03/2024.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

5) Before first occupation of the development thereby approved, the proposed dormer window along the rear elevation to serve the (annotated "Bathroom") and as shown on: Proposed Floor Plans and Block Plan, Drawing No: A100, V2 and Proposed Elevations, Drawing No: A102, V2, both received by the City Council as the Local Planning Authority on 06 March 2024, shall be obscurely 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 - In the interest of privacy and in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Core Strategy (2012).

6) 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 development hereby approved other than those shown on: Proposed Floor Plans and Block Plan, Drawing No: A100, V2 and Proposed Elevations, Drawing No: A102, V2, both received by the City Council as the Local Planning Authority on 06 March 2024.

Reason - In the interests 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).

7) Wheeled bins shall be stored along the front garden, in the specified location and enclosed bin store and as stated in correspondence from agent, dated 04/03/2024, and as shown on: Proposed Floor Plans and Block Plan, Drawing No: A100, V2, received by the City Council as the Local Planning Authority on 06 March 2024 and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity.

Reason - In the interests of residential and visual amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19 and DM1 of the Core Strategy (2012).

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through

provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Manchester Enterprise Academy Central, 60A Lytham Road, Manchester, M14 6PL
167 Birchfields Road, Manchester, M14 6PJ
96 Birchfields Road, Manchester, M14 6PH
92 Birchfields Road, Manchester, M14 6PH
171 Birchfields Road, Manchester, M14 6PJ
94 Birchfields Road, Manchester, M14 6PH

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA