MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139367/FH/2024
Date registered valid:	26 February 2024
Proposal:	Erection of single storey rear extension to provide additional living accommodation
Address:	47 Dudley Road, Manchester, M16 8FW
Ward(s):	Whalley Range Ward
Applicant:	Mr Fazeel Barber
Agent (if any):	
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**18th April 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 March 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 7 March 2024 Expired: 28 March 2024

Site notice: Posted: 22 March 2024 Expired: 14 April 2024

Press advert: Published: 12 March 2024 Expired: 26 March 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey slate dual pitch roof. The property features white uPVC windows, including a two-storey bay to the front and rear, a tarmac front driveway and garden bordered by a mid-level redbrick wall with black iron railings, a front porch extension, a single storey rear outrigger, a raised terrace / decking area, and a detached outbuilding situated within a spacious rear garden.



Figure 1. Front view.



Figure 2. View of boundary shared with No.45 Dudley Road.

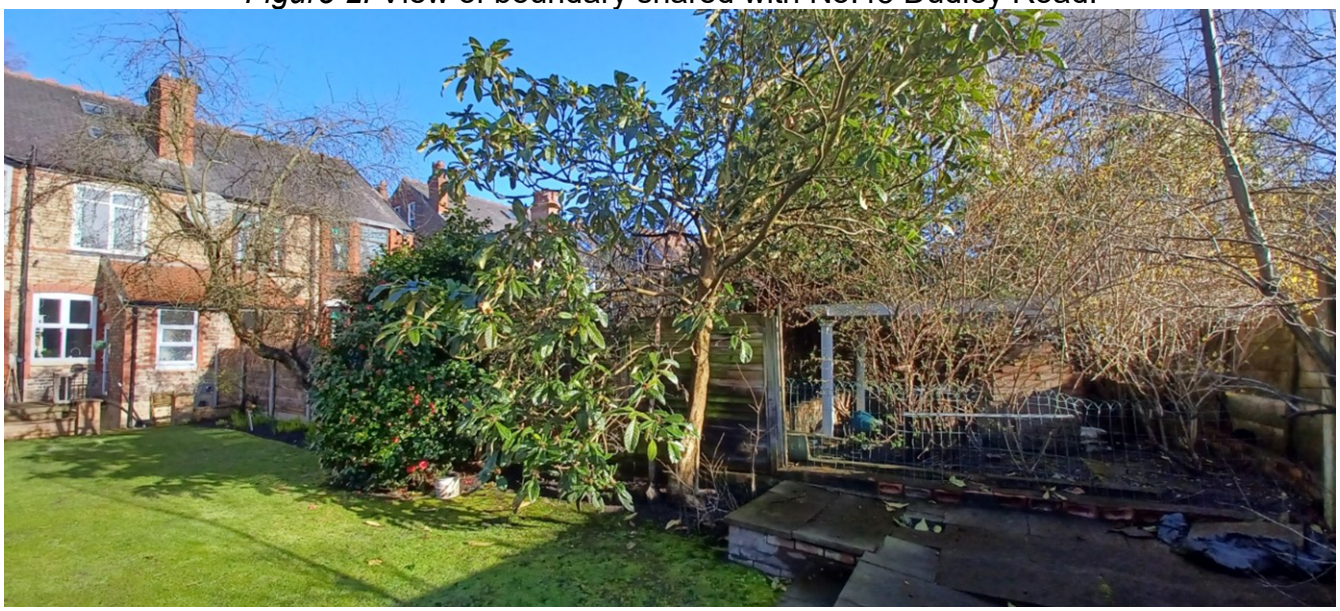


Figure 3. View of boundary shared with No.45 Dudley Road.



Figure 4. View of boundary shared with No.49 Dudley Road.



Figure 5. Rear view of property.



Figure 6. Application site edged in red.

Description of area

Dudley Road is a residential street situated within the Whalley Range ward of Manchester, close to the Whalley Range high street, the Carlton Club, and Withington Road. The area is primarily residential in terms of its character, consisting of terraced and semi-detached residential properties, as well as apartment complexes, and benefits from its proximity to the local high street.

It should also be noted that the application property is sited centrally within the Whalley Range Conservation Area (first designated in October 1991). The conservation area is situated approximately two miles south of Manchester city centre. Much of the area, which is primarily residential, is contained within 63 acres of flat land purchased for building in 1832 by a prominent banker, Samuel Brooks, for a sum of £9,600. The layout of Whalley Range as established by Samuel Brooks survives today as an area of large houses on tree-lined avenues. Many of the original houses remain, with new development taking place on the site of demolished houses and on the site of plots left vacant during the initial stages of the area's development.

Development control in Whalley Range is aimed at encouraging the area to flourish whilst paying attention to its special architectural and visual qualities. Owners of property in the area are encouraged to retain the original character and detail of their houses or premises.

Description of development

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

Planning history

133402/TCA/2022 - Work to tree - Willow (T1) - Felled and stump ground out – **NO OBJECTION** (28.04.2022).

135865/FH/2022 - Erection of a single storey rear extension to create additional living accommodation – **WITHDRAWN** (21.03.2023).

Consultations & Notification Responses

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

- Loss of light and overshadowing of neighbouring properties.
- Loss of outlook.

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
- Policy DC18 – Conservation Areas

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 EN3 – Heritage

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 - Conserving and Enhancing the Historic Environment

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'.

You can view the Inspectors' Report on the GMCA's website at Places For Everyone - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

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.

- Policy JP-P1: Sustainable Places
- Policy JP-P2: Heritage

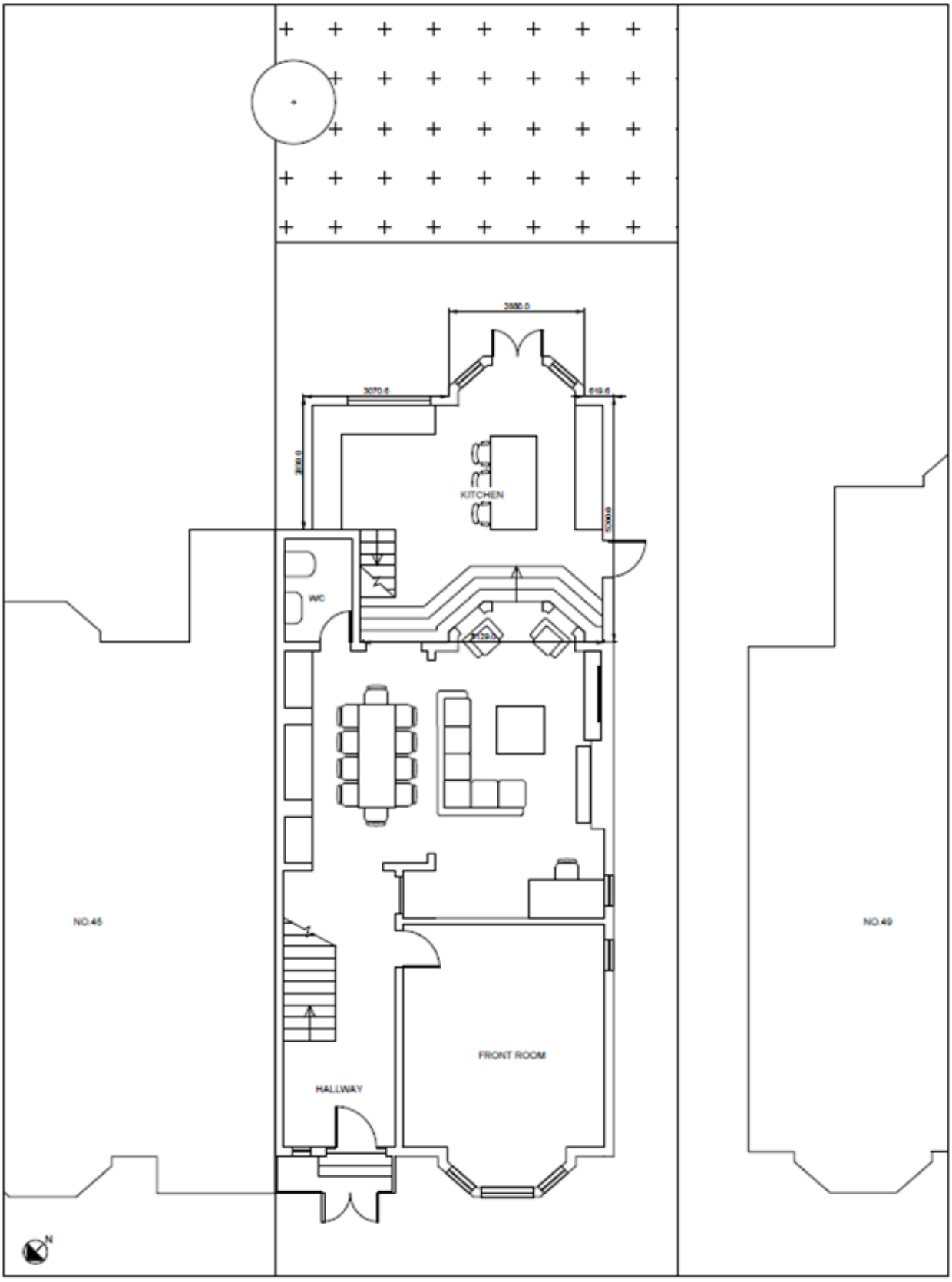


Figure 7. Submitted proposed ground floor plan.

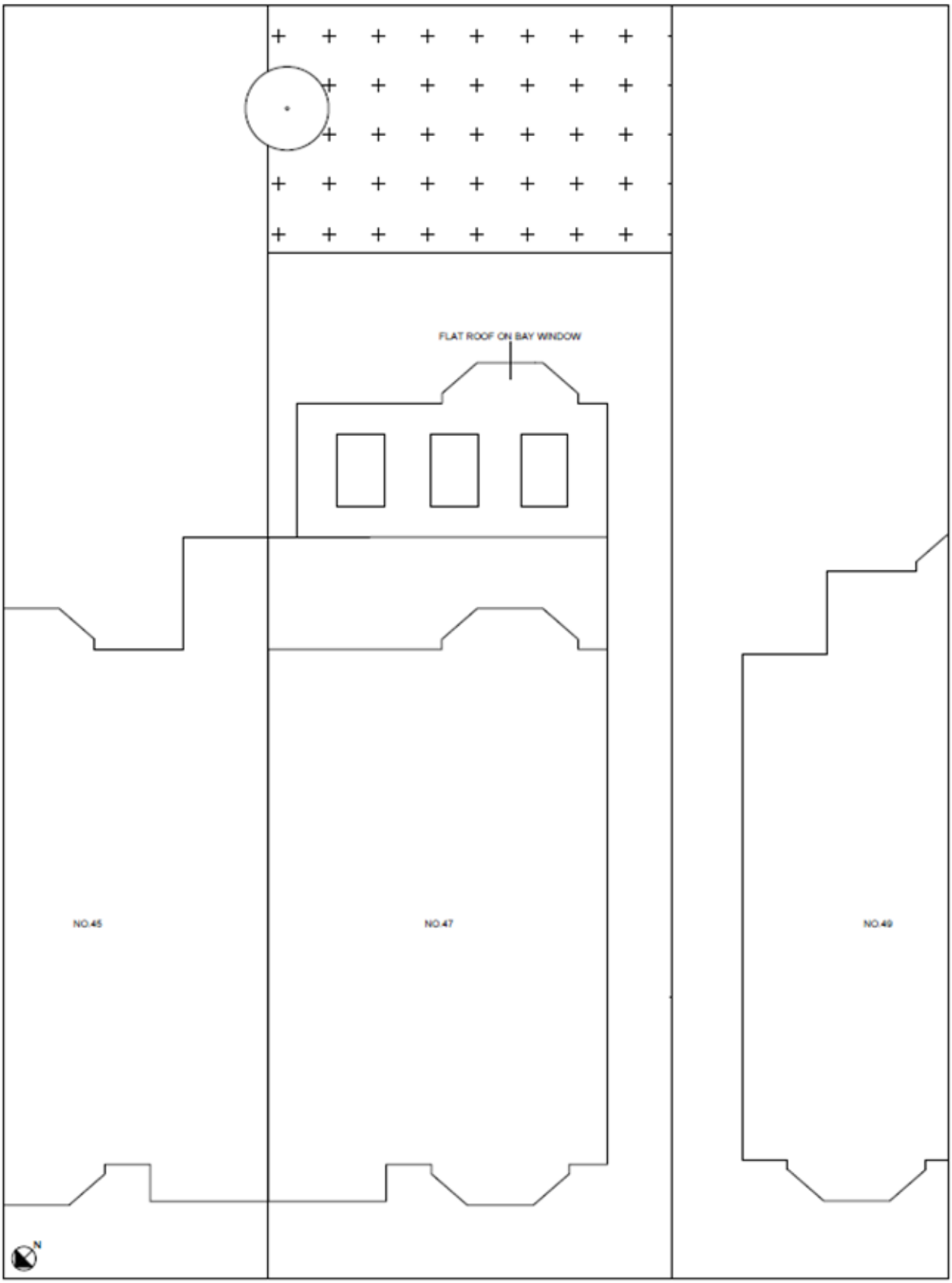


Figure 8. Submitted proposed roof plan.



Figure 9. Submitted proposed rear elevation.

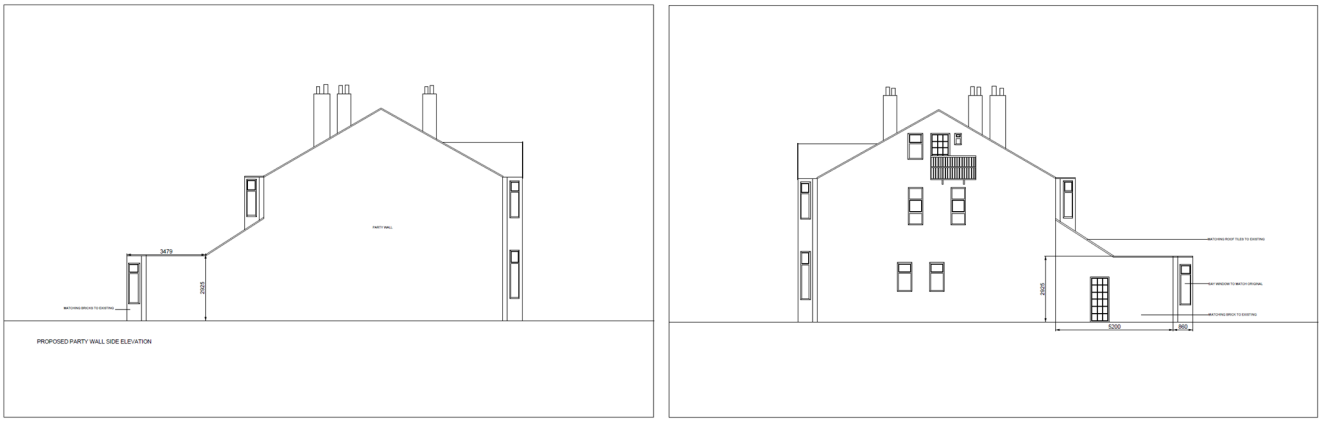


Figure 10. Submitted proposed side elevations.

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 rear extension in order 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. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, parking and the Whalley Range conservation area.

Siting, scale, and massing – the single storey extension would be sited at the back of the property, facing southeast. It would project 5.2m rearwards from the host dwellinghouse (2.83m from the existing outrigger), with a width of 6.571m, part mono-pitch roof measuring to 4.561m in height (in line with the existing outrigger's roof form), and part flat roof measuring to 2.925m in height. It would feature a projecting bay window along its rear elevation which would measure to 0.87m in length / depth and 2.88m in width with a flat roof. A gap of 0.809m would be maintained to the boundary shared with No.45 Dudley Road and a gap of 1.349m would be maintained to the boundary shared with No.49 Dudley Road.

The 5.2m rearward projection exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m), however is considered acceptable in these circumstances given that it would not limit the private outdoor amenity space of the property to an unacceptable degree and would have a less than substantial impact upon the area's residential amenity. The extension is also considered to be subservient to the host dwellinghouse in terms of its dimensions and would not result in an 'excessively large or bulky' addition to the property.

The proposal is therefore considered to accord with policies DM1 and SP1 of the Core Strategy, policy JP-P1 of Places for Everyone, and chapter 12 of the NPPF.

Appearance and visual amenity – the submitted application form indicates that the proposal would be built of brickwork, roof tiles, windows and doors to match the existing. Its side elevation, facing No.45 Dudley Road, would be blank and featureless, whilst its rear elevation would feature 1no. window in addition to the projecting bay which would feature 2no. windows and a set of outward-opening doors. 3no. flat skylights would be featured atop of the extension's flat roof form.

The proposal is relatively standard in terms of its scale and design and would be in-keeping with the existing precedent of residential extensions in this area. Sited at the back of the property, away from the public highway and footpath, the rear extension would not be visible within the street scene or public realm and, as such, should have a minimal impact upon the visual amenity of the area. Moreover, its use of matching materials should ensure that it does not form a prominent visual feature. The overall character of the property and its surrounding area would therefore not be significantly harmed by these works.

The design and appearance of the proposed development therefore accords with Core Strategy policies SP1, DM1 and EN1, chapter 12 of the NPPF and policy JP-P1 of Places for Everyone, as its impact upon visual amenity is considered to be minor.

Impact upon the Whalley Range conservation area – the proposal would be sited at the back of the property and would utilise matching and sympathetic materials to those already featured on the host dwellinghouse, which would provide a blended appearance with the existing property, ensuring minimal harm is caused to the visual amenity of the area and the character of the Whalley Range conservation area.

The proposal is therefore considered to accord with paragraph 208 of the NPPF, which stipulates "w*here a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*", as well as policy DC18 of the UDP, policy EN3 of the Core Strategy and policy JP-P2 of Places for Everyone.

The extension would provide benefits in the form of improved and enlarged living accommodation for the property's occupiers, which would outweigh any potential harm caused to the Whalley Range conservation area.

Residential amenity – one local resident raised concerns relating to the proposal's potential to cause a loss of light, overshadowing and a loss of outlook.

However, given that the extension would be single storey, with subservient dimensions to the host dwellinghouse and existing outrigger, and with a reduced flat roof height of 2.925m along the boundary shared with No.45 Dudley Road (with a 0.809m gap maintained), it is considered that such affects would be limited, causing less than substantial harm. Moreover, its windowless side elevations should ensure that the privacy of neighbouring occupiers is not infringed upon.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

Trees – the submitted application form indicates that no trees or hedges would be impacted by the development.

Other matters – no elevational alterations to the host dwellinghouse are proposed.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance, impact upon visual and residential amenity and effect upon the Whalley Range conservation area, waste storage and parking as it broadly complies with policy DC18 of the UDP, policies DM1, SP1, and EN3 of the Core Strategy, policies JP-P1 and JP-P2 of Places for Everyone, and chapters 12 and 16 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-12833097', stamped as received by the City Council as Local Planning Authority on the 26th February 2024.

-‘PROPOSED SIDE ELEVATION’, numbered ‘EV_01 REV 01’, stamped as received by the City Council as Local Planning Authority on the 26th February 2024.
-‘PROPOSED PARTY WALL SIDE ELEVATION’, numbered ‘PEVR_01 REV 01’, stamped as received by the City Council as Local Planning Authority on the 26th February 2024.
-‘PROPOSED PLAN GROUND FLOOR’, numbered ‘PR.01 REV 01’, stamped as received by the City Council as Local Planning Authority on the 26th February 2024.
-‘PROPOSED ROOF PLAN’, numbered ‘PRR.01 REV 01’, stamped as received by the City Council as Local Planning Authority on the 26th February 2024.
-‘PROPOSED ELEVATION’, numbered ‘P-01 REV 01’, stamped as received by the City Council as Local Planning Authority on the 26th February 2024.
- Planning and Heritage statement, stamped as received by the City Council as Local Planning Authority on the 26th February 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 extension hereby permitted shall match those of the existing dwellinghouse 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 extension, 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 extension 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.

Appendix 1 – List of consultees & neighbours notified

Flat 66, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 45 To 54, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 56 To 65, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 55, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 35 To 44, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 34, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 33, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 32, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 31, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 30, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 29, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 28, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 27, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 26, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 25, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 15 To 24, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 14, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 13, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 12, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 11, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 10, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 9, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 8, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 7, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 6, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 5, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 4, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 3, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 2, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
Flat 1, Zandra House, 73 Carlton Road, Manchester, M16 8BQ
55 Victoria Road, Whalley Range, Manchester, M16 8DQ
49 Dudley Road, Manchester, M16 8FW
62 Dudley Road, Manchester, M16 8DE
53 Victoria Road, Whalley Range, Manchester, M16 8DQ
45 Dudley Road, Manchester, M16 8FW

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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA