

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139822/FH/2024

Date registered valid: 19 April 2024

Proposal: Erection of two storey rear extension and installation of rear dormer, existing front covered porch to be enclosed and associated external works that includes widening of an existing access to provide off street parking

Address: 9 Pine Road, Manchester, M20 6UY

Ward(s): Didsbury West Ward

Applicant: A McNicholas

Agent (if any): Mr M McNicholas

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26th April 2024

Standard consultations:

Printed: 25 April 2024 Expired: 17 May 2024

Neighbour notifications

Printed: 25 April 2024 Expired: 17 May 2024

Site notice

Posted: 26 April 2024 Expired: 18 May 2024

Press advert

Published: 30 April 2024 Expired: 14 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is an Edwardian Arts and Crafts style detached dwelling situated on the eastern side of Pine Road in the Blackburn Park Conservation Area. It is identified as number 9 Pine Road. The property is constructed of red brick at ground floor and side elevations, and roughcast render at first floor. The rear is of red brick however this has in areas been painted white.

The roof has a gable profile and is covered in rosemary tiles. There is a 2-storey bay window on the left-hand side which set in the cross gable with timber infill at the apex.

In the rear garden is a free- standing unit located towards the bottom of the garden on the southern boundary with No.11. The front garden is partially laid to lawn with the remainder being paved to facilitate off road parking. The front boundary wall is constructed of red brick with a red coping stone atop and brick pillars.

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Not applicable (only as part of conservation area status)

Description of area

The site is within a residential area comprising of a similar housing type with evidence of new infill additions. The character of the Conservation Area is set out in the designation which identifies the architectural details, materials, boundary treatments, spaciousness of plots and mature landscaped setting as key features. To the east of the site runs the Metrolink line. The area is easily traversed by alternative modes of transport to the car, and there are local services within the area with regards to retail and commercial services.

Description of development

The proposal is for the erection of a two- storey rear extension together with a dormer extension within part of the rear roof slope of the existing house. The existing porch to the front of the

property is to be enclosed with glazing with the original porch remaining behind, and the existing access point off Pine road is to be widened for easier vehicular access. The extensions provide an enlarged kitchen/dining room at ground floor, reconfigured first floor creating an enlarged fourth bedroom and a new shower room, with a fifth bedroom created within the roof space. There are two existing projecting bays to the rear, one to the right and one to the left of the property along the common boundary with number 7 Pine Road. The two storey rear extension would be projecting out from the bay on the left and would project off that bay by 3.06m. The materials to be used would match those of the existing property. The dormer is of a flat roof construction with external materials in a matching hung tile, with windows in the rear elevation only. The Velux style roof lights proposed will be of the Conservation area design.

Consultations & Notification Responses

Local residents were informed- representations were received from 2 residents the main points of concern being as follows:

Adequate natural light is essential for our health as we suffer from vitamin D deficiency. Furthermore, since the COVID-19 pandemic, we spend a large amount of time working from home due to hybrid working arrangements, often utilizing the decking area outside the main living room to the rear of the property during the weekdays. The proposed extension would severely compromise our access to natural light, directly affecting our health due to reduced immunity level.

The proposed two-storey extension, extending 4.05 meters from the main rear building line and beyond the existing main rear wall, will significantly reduce the amount of natural light entering our property. Positioned to the South-East of our home, the extension will block sunlight, when the sun's elevation is about 20 degrees, casting shadows nearly three times the height of the obstruction. This will block all direct sunlight and substantially reduce diffuse light. The situation will be exacerbated in winter when our main family living room at the rear will receive no sunlight at all due to the proposed extension, contrary to the current scenario. The proposed increase in the fence height will block the light even further. Additionally, the rear dormer, positioned vertically next to our attic room, will completely block sunlight through the only source - four Velux roof windows.

With regards to the loss of light and overshadowing, we are significantly more affected due to adjacency and the obstruction being in the South-East direction. The feeling of being enclosed and deprived of light will lead to increased feelings of depression and anxiety. Our home will feel severely confined and less inviting, particularly affecting areas where we spend a lot of family time, such as the back garden and living spaces.

The development will have an impact on the architectural integrity and community harmony of our neighbourhood. The two- storey extension and the rear dormer would be expansive and out of place and could set a precedent. The property is already a four- bedroom house and would appear to be no necessity for the extensions. The construction process will undoubtedly result in significant noise, disruption and prolonged destruction, and have an impact upon my current health issues. The extension would block my view of trees and wildlife, and impact upon the natural light entering my property.

There was no daylight/ sunlight assessment submitted as part of the application. In addition, I have concerns that the development might disturb land on the embankment of Metrolink.

TFGM- Metrolink have no objections to the proposal however an informative relating to working safely near Metrolink be attached to ant consent granted.

Blackburn Park Conservation Society- were consulted, no representations have been received.

Issues

Policy

The framework for assessing development in relation to heritage assets is set out in the following national and local policies and statute:

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character of a conservation area.

The National Planning Policy Framework (NPPF) (2023) - Chapter 16 Conserving and Enhancing the Historic Environment. The Framework gives emphasis to a presumption in favour of sustainable development which means approving development, without delay, where it accords with the policies of the development plan, unless material considerations indicate otherwise.

The proposed development is considered to accord with Chapter 16 of which the following sections apply:

Paragraph 200. Local planning authorities should require an applicant to identify and assess the significance of any heritage asset that may be affected by a proposal, including any contribution made by their setting, taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies are material to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN3 - Heritage

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policies DC1 'Residential Extensions' and DC18.1 'Conservation Areas' are extant and therefore material to the assessment of the application.

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Policies SP1, DM1 and EN3 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 and DC1.3 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed, whilst saved policy DC18.1 requires that development preserves and enhances the character of Conservation Areas.

The proposal represents a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity including the character of the Conservation Area.

Chapter 16, paragraph 196 of the NPPF (2023) requires that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 200 requires applicants to identify and assess the significance of heritage assets which should be used as the basis for proposals affecting their conservation. The Conservation Area is the heritage asset and its significance has been identified as described in the submitted Heritage, Design and Access Statement.

The Council's identification of significance is set out in its description of the designated land:

Significance of the Conservation Area

- o Building materials and styles are very varied. Older houses generally have textured light red or buff brick walls with blue slate roofs, and sometimes brick or stone dressings in contrasting colours. The later houses are predominantly smooth red brick, though render, half-timbering and decorative tiles are extensively used. Red tile and occasionally green slate are used for roofs and vertical cladding
- o Windows are also varied, some being subdivided by glazing bars, some leaded and a great many having Art Nouveau stained glass. Bay windows, bow windows and oriel windows are to be found on a great many of the properties.
- o Entrance doors are varied with combinations of fielded timber panels and stained-glass panels, and they primarily open on to a covered porch
- o Chimney stacks are a notable feature of some of the houses.
- o Walls are mainly of brick.
- o Gardens at both front and rear of houses are large by most standards, and their boundaries to public highways are marked by walls, and/or privet hedges.

Residential amenity

The extension that is proposed on the rear is 2-storey. It will project off the existing bay to the left of the property. There would be no development on the part of the rear whose common boundary is shared with number 7 Pine Road. The rearward projection would be 3.06 metres it would have a hipped roof and would be set much lower than the existing ridge of the roof. The extension would project off the existing building line and would take the property no closer to number 11 than the existing house, retaining a gap to that boundary of approximately 2.29 metres and a gap from building to building of 6.91 metres. There are two elongated windows to the ground floor on the side elevations, however neither of these would afford a view into the neighbouring properties given the insert level. The remainder of the windows are in the rear of the property overlooking the applicants own garden area. As such there are no concerns with this element of the proposal and its impact on residential amenity of the neighbouring properties.

Taking into consideration fall back positions relating to Permitted Development, a single storey extension could be constructed with a rearward projection of 3 metres up to a height of 4 metres, this could be constructed without the need to apply for planning permission up to the common boundary with number 7 Pine Road. The proposed development is set in a considerable distance from that common boundary.

A fence can be constructed on the line of the common boundary up to a height of 2 metres. Whilst it is acknowledged that the current boundary between the adjoining properties is low level and the replacement fence is proposed at approximately 1.8 metres, this is on the plans for illustrative purposes, as consent would not be required.

The rear dormer would be set within the existing roof slope and would not be extending across into the slope of the proposed extension. Again, there are no windows within the cheeks of the dormer with windows in the rear overlooking the applicants' own garden. The dormer is also set in from the boundary line between number 9 and number 7 Pine Road. Given the set down from the ridge, and the set in from the party wall together with the set back from the edge of the eaves it is not considered that the proposed dormer extension would have a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties, as a result of loss of light or overlooking of the neighbouring properties.

Visual impact

Alterations to the rear elevation will have some visibility in the street scene when viewed from the highway outside No.9. As the extension does not project beyond the gable end however, views of the extension from the street will be limited. The extension would retain the current gap between numbers 9 and 11 Pine Road, and at 3.06 metres projection from the rear only this retains all of the 2.29 metre gap to that common boundary. When reading the property from the front in the context of the existing property and the neighbouring properties and taking into consideration of the limited views of the rear extension, it is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, or the presentation of the property itself within the context of the conservation area. The extensions are sited, designed, and scaled to be complementary to the main dwelling, whilst also appearing subservient. The siting responds to the internal constraints and opportunities of the dwelling whilst the design is sympathetic to the property itself and the area within which the property is located. The scale and massing respond to the long cross-gables found on some houses in the local area (eg: Nos.1 Pine Road and 20, 22, 24 and 26 Elm Road) and the projection depth at ground floor is 6 cm beyond current Permitted Development limits for semi-detached dwellings. The extension at first floor is under the guidance in the saved UDP policy; and, when considered in the context of the scale of the original dwelling and size of the plot, it is acceptable in this instance.

The dormer is proposed as a flat roof construction and will be in matching materials being of a hung tile construction. There are other examples of the same type of dormer on the rear of properties within the area, and the dormer is considered to be modest and does not present as an incongruous feature as it is not readily viewed from within the street scene given that it only sits within the existing roof slope. Together, the proposals will have an acceptable impact on the character of the dwelling and a neutral impact on the Conservation Area. The extensions have precedent in the local area with several dwellings having a long cross-gable at the rear as noted above, and dormer extensions of varying styles, and overall, maintains the integrity of the front and side elevations as existing which preserves the character of the Conservation Area.

Design and Siting the design is sympathetic to the host property, and consideration has been given to the siting of the proposed development to enable modifications to the property to meet changing household needs whilst securing the minimum impact upon the neighbouring properties, the character of the property itself and, that of the area within which it is located. In terms of design and siting the proposed development is considered acceptable.

Trees

There are trees all along the eastern edge of the properties along this stretch of Pine Road between the gardens and the Metrolink boundary and are quite densely planted and well established on common boundaries between properties. There are no trees to be removed and as such there will be no trees impacted by the proposal.

Refuse

The proposal would have no implications for the existing waste management strategy

Parking

The existing access within the front boundary wall is to be widened to secure improved in curtilage parking. The existing materials are to be retained and reused in the building and patching up of the front wall, the works are considered acceptable.

Comments on issues raised through third party representations

Whilst it is acknowledged that the view from surrounding properties may be altered by the proposal, under planning legislation this would not be considered as a material planning consideration. Any structural damage that may be caused to a third parties property by development would come under the remit of Civil matters and again there is no mechanism through planning legislation for dealing with this. It is also acknowledged that there would be impact upon neighbouring properties when introducing built form where previously there was none, however the proposal has been assessed against national and local policies and it is not considered to be of sufficient harm to merit refusal of the proposed development. The proposed design and materials secure the integrity of the Edwardian property, and as such it is considered that it would have neutral impact upon the Blackburn Park Conservation Area. There was no daylight/ sunlight assessment submitted with the application as this is not a requirement of the submission of a householder planning application for an extension of a domestic scale.

Conclusion

On the basis of the above, the proposal is considered to have acceptable impacts on residential and visual amenity, the character of the Conservation Area, trees, as well as parking and bin storage in accordance with saved UDP policies DC1 and DC18.1, Core Strategy policies DM1, EN3, EN19 and SP1 and the general principles within Chapter 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 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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application in a timely manner subject to appropriate conditions and for the reasons outlined in the delegated report.

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:

2-24-PINE/PP.01 Rev A- Proposed Floor Plans and Elevations received 30th May 2024

PL-PINE/SLP.01 Proposed Site Plan received 19th April 2024

Design, Access and Heritage Statement received 19th April 2024

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) No above groundworks shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) 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 extension hereby approved other than those shown on the approved drawings - 04 Rev B proposed ground floor plans and 06 Rev B proposed elevations received 27th December 2023.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Transport For Greater Manchester
Blackburn Park Conservation Society

8 Pine Road, Manchester, M20 6UY
7 Pine Road, Manchester, M20 6UY
6 Pine Road, Manchester, M20 6UY
4 Pine Road, Manchester, M20 6UY
2 Pine Road, Manchester, M20 6UY
13 Pine Road, Manchester, M20 6UY
11 Pine Road, Manchester, M20 6UY
8 Marlowe Drive, Manchester, M20 6DE
6 Marlowe Drive, Manchester, M20 6DE

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 - Blackburn Park Conservation Area 1979
Area Team Boundary - Name: SOUTH AREA