MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139479/FO/2024
Date registered valid:	10 April 2024
Proposal:	Erection of part single, part two storey rear extension and single storey side extension.
Address:	50 Yew Tree Road, Manchester, M14 7PP
Ward(s):	Moss Side Ward
Applicant:	Rajeev Ratnarajah
Agent (if any):	Mr Thomas Di Felice TD Design and Planning
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 May 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 19 April 2024

Standard consultations: Printed: 16 April 2024 Expired: 8 May 2024

Neighbour notifications: Printed: 16 April 2024 Expired: 8 May 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey end-terraced property of redbrick with a grey slate dual pitch roof, with a gable end roof form to the front. The property features white uPVC windows, wraparound fascia signage at ground floor level, a single storey outrigger to the side, and a modest yard bordered by a high-level redbrick wall. At ground floor level, the property features a commercial use (Class E), which has been established since at least 2008. At first-floor level, the property houses a 3-bedroom self-contained flat.



Figure 1. View from Horton Road.



Figure 2. View from Horton Road.



Figure 3. Rear view.



Figure 4. Rear yard.



Figure 5. View of neighbouring property.

Description of area

Yew Tree Road is a residential street situated within the Moss Side ward of Manchester, close to Platt Fields Park, Heald Place Primary School, and Holy Trinity Platt Church. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a part-single / part-two storey rear extension and single storey side extension. The proposals would provide a dedicated access to the first floor flat via Horton Road.

Planning history

F17914 - Single-storey extension to existing garage – **APPROVED** (23.08.1982).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Highways made no objection to the proposal, indicating that the development would extend only within the red-line boundary of the site, therefore avoiding impinging upon the adopted highway. Comments were also made in regard to refuse bins being stored in the rear yard of the site, questioning whether refuse servicing will occur along Horton Road, in line with the surrounding existing arrangements.

Environmental Health made no objection to the proposal, requesting a condition relating to construction hours be attached to the decision notice.

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

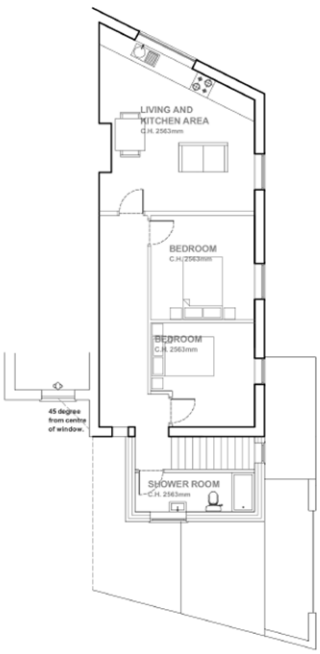
The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy")
was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

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.
- Policy JP-P1 – Sustainable Places



PROPOSED GROUND FLOOR
@ SCALE 1:100



PROPOSED FIRST FLOOR
@ SCALE 1:100

KEY:

- Facing Brick
- Blockwork
- Stud
- Insulation
- Main Walls
- Exi. internal walls
- Smoke detector
- Heat Detector
- Beam/Lintel
- Party Line
- IC Inspection chamber
- RE Rodding eye
- Foul water drain
- Rain water drain
- Rain water pipe
- Soil vent pipe

Scale 1:100 @ A3

1m 2m 3m 4m 5m 6m 7m

Contractor to visit site prior to commencement of work and check all dimensions and familiarise himself with the site conditions. This drawing must then be checked and verified by the contractor prior to work commencing on site. This drawing is for the purpose of achieving local authority approval only and should not be used as a working drawing. Client must have received written approval from both the local authority,
planning and building control departments before instruction or commencement of any building works on the relevant site. Client to obtain written permission from relevant bodies for any encroachment whatsoever. All workmanship, materials and construction to comply with Building Regulations, British Standards, Codes of Practice and N.H.B.C requirements whether or not specifically stated on these drawings. All materials to be fixed, applied or mixed in accordance with manufacturers instructions or specifications. All materials shall be suitable for their purpose. The contractor shall take into account everything necessary for the proper execution of the works, to the satisfaction of the "Inspector" whether or not indicated on the drawings. Sample of external materials to be submitted to la for approval. All external timber to be preservative treated. All air bricks to be ducted through walls. Where additional load is to be applied over existing openings, lintels to be exposed and checked for structural stability to the satisfaction of local building control officer.

All dimensions to be checked and verified on site before commencement of work. Any discrepancies to be resolved before commencement of work.

All work to comply with current building regulations and to the approval of the building inspector.

All dimensions and ground levels to be confirmed on site before work commences.

Foundation sizes and depths shown are minimum requirement and subject to change if adverse ground conditions are found under inspection with building control officer.

All loadbearing lintels and beams to be proprietary pressed steel lintels (catnic or similar) with all design and calculations provided by manufacturer and to be approved by building control inspector.

Contractor to visit site, study the details provided within the drawing and be familiar with both the work to be carried out in accordance with the details provided. Any stated dimension must be checked prior to any form of construction. Once work has started on site all work is the contractors responsibility.

All plans to have planning and building regulations approval before commencement of work on site (including purchasing of materials). Contractors responsibility to check. All kitchen/ bathrooms/ w.c.s/ utility etc fixtures and fittings to be measured on site by appropriate trade and not to be scaled from this plan.

All dimensions are approximate and should be checked prior to commencement of work on site. Do not scale from this drawing. Dimensions could be rounded.

New structural work (steels/ lintels for openings, roof structure etc.) and overall stability to be checked by structural engineer prior to commencement of work. (contractors/client responsibility)

Clients responsibility to deal with party wall agreements. No building works to overhang or encroach neighbouring properties.

CLIENT:
Rajeev

ADDRESS:
50 Yewtree Rd,
Fallowfield, M14 7PP

DWG TITLE:
Proposed Plans

DWG REF.:
50YEW_PRO

DATE:
14/05/2024

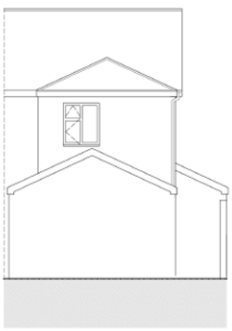
SCALE:
1:50 @ A1
1:100 @ A3

REVISIONS:
FIRST DRAFT
PLANNING

TD



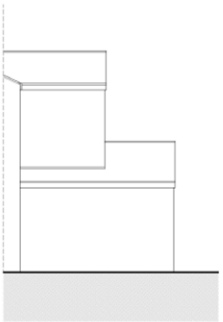
PROPOSED FRONT ELEVATION
@ SCALE 1:100



PROPOSED REAR ELEVATION
@ SCALE 1:100



PROPOSED SIDE ELEVATION
@ SCALE 1:100



PROPOSED SIDE ELEVATION
@ SCALE 1:100



PROPOSED SIDE ELEVATION
with gate shown
@ SCALE 1:100

KEY:

- Facing Brick
- Blockwork
- Stud
- Insulation
- Main Walls
- Exi. internal walls
- Smoke detector
- Heat Detector
- Beam/Lintel
- Party Line
- IC Inspection chamber
- RE Rodding eye
- Foul water drain
- Rain water drain
- Rain water pipe
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CLIENT:
Rajeev

ADDRESS:
50 Yewtree Rd,
Fallowfield, M14 7PP

DWG TITLE:
Proposed Elevations

DWG REF.:
50YEW_PROELE

DATE:
14/05/2024

SCALE:
1:50 @ A1
1:100 @ A3

REVISIONS:
FIRST DRAFT
PLANNING

TD

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 part-single / part-two storey side and rear extension to provide improved living accommodation for the existing first-floor flat in addition to improved facilities for the ground floor retail/commercial use is generally considered acceptable. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking.

Siting, scale, and massing – the part-single / part-two storey extension would be sited at the side and rear of the property, wrapping around its southeast and southwest elevations.

At ground-floor level, it would project 4.722m rearwards along its northern edge, whereas it would project 6.107m rearwards along its southern edge, with a width of 6.707m, dual pitch roof height of 4.01m, and an eaves height of 2.593m. A gap of 0.15m would be maintained to the boundary shared with No.48 Yew Tree Road. At first-floor level, the extension would project 2.609m rearwards, with a width of 4.248m, hipped roof height of 6.8m (set 3.574m below the existing ridge), and an eaves height of 5.576m to match the existing. A gap of 1m would be maintained to the boundary shared with No.48 Yew Tree Road.

Overall, the siting, scale, and massing of the proposal is considered to be acceptable as the extension is understood as being subservient to the host property in terms of its dimensions, would avoid resulting in an 'excessively large or bulky' addition, and would not cause undue harm to the residential amenity of neighbouring occupiers in terms of introducing an overbearing feature into the area, due to the gaps maintained to the plot's shared boundaries, particularly at first-floor level.

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

Appearance and visual amenity – the extension would be built of brickwork, roof tiles, windows and doors to match the existing.

At ground floor level, the extension would feature a blank northern side elevation, a blank rear elevation, and one window and one inward-opening door to its southern side elevation. Its dual pitch roof form would feature blank roof slopes. At first floor level, the extension would feature a blank northern side elevation, one window to the rear, and one window to its southern side elevation.

The proposal is considered to be relatively standard in terms of its scale and design and would be in-keeping with other extensions in the area. Moreover, its use of matching materials should provide a blended appearance with the host property, ensuring that the proposal does not form a prominent visual feature within the locale. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposal therefore accords with Core Strategy policies SP1 and DM1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be subservient to the host property in terms of its dimensions, with adequate gaps maintained to the plot's shared boundaries and with its first-floor element set an appropriate distance away from the adjoining property, located to the north, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its side-facing windows would face out onto Horton Road and, as such, should not infringe upon the privacy of neighbouring residents.

The inclusion of the access to the first floor flat from Horton Road is not considered to give rise to unacceptable impacts on residential properties on this street. The residential use of the first floor and likely activity generated would be commensurate with the prevailing character of the area.

In addition, no objections were received from local residents in response to this application.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity which accords with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste storage – separate refuse provisions for the ground floor retail/commercial use and the first-floor residential use have been included within the property's rear yard. The rear yard would be accessed off Horton Road via the existing gates with collection/servicing arrangements taking place accordingly.

Environmental Health made no objection to these arrangements.

Parking – the existing property does not feature any parking/cycling provisions. These arrangements would be unaffected by the proposal.

Other matters – it is noted that the proposal would substantially limit the private outdoor amenity space of the property's occupants, leaving a very minimal rear yard available. However, given the existing is not used as amenity space and the property's proximity to Platt Fields Park, this is considered acceptable in these circumstances as the occupants would have access to alternative means of outdoor/green space.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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:

-'Application for Planning', numbered 'PP-12763441', stamped as received by the City Council as Local Planning Authority on the 8th March 2024.
-'Proposed Plans', numbered '50YEW_PRO', stamped as received by the City Council as Local Planning Authority on the 20th May 2024.

-‘Proposed Elevations’, numbered ‘50YEW_PROELE’, stamped as received by the City Council as Local Planning Authority on the 20th May 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 building 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 developments, 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.

5) 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 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Informatives

1) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

34 Boscombe Street, Manchester, M14 7PG
48 Yew Tree Road, Manchester, M14 7PP
7 Horton Road, Manchester, M14 7QB
46 Yew Tree Road, Manchester, M14 7PP
33 Boscombe Street, Manchester, M14 7PG
3 Horton Road, Manchester, M14 7QB
2 Horton Road, Manchester, M14 7GB
5 Horton Road, Manchester, M14 7QB
35 Boscombe Street, Manchester, M14 7PG
32 Boscombe Street, Manchester, M14 7PG
30 Boscombe Street, Manchester, M14 7PG
1 Horton Road, Manchester, M14 7QB
4 Horton Road, Manchester, M14 7GB
6 Horton Road, Manchester, M14 7GB
Flat 1, 52 Yew Tree Road, Manchester, M14 7PP
Flat 2, 52 Yew Tree Road, Manchester, M14 7PP
37 Boscombe Street, Manchester, M14 7PG
28 Boscombe Street, Manchester, M14 7PG

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) -
Area Team Boundary - Name: SOUTH AREA