

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138957/FH/2024
Date registered valid: 10 January 2024
Proposal: Erection of first floor rear extension to form additional living accommodation
Address: 31 Greenways, Manchester, M40 3WH
Ward(s): Moston Ward

Applicant: Victoria Gerzsei
Agent (if any): Mr Richard Shuttleworth Equilibrium Architects Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 4 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 January 2024

Standard consultations:

Printed: 18 January 2024 Expired: 8 February 2024

Neighbour notifications

Printed: 11 January 2024 Expired: 1 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 area

The application site relates to 31 Greenways within the Moston ward of north Manchester. The application site relates to a detached, two storey, dark brick dwellinghouse with pitched gable roof and a section of cream render to the front elevation. The applicant property is one of three dwellinghouses sitting at the top of Greenways, however the three properties have staggered primary building lines. Amenity space to the front of the property takes the form of a paved driveway and area of soft landscaping. Further amenity space is sited to the rear of the property taking the form of a grassed and paved area. The property benefits from a single storey rear extension and side extension, as approved under planning reference: 031252.

The surrounding area is predominantly residential in nature with houses of similar size and design, with Moston Brook to the north.

Description of development

The submitted application seeks planning permission for erection of first floor rear extension to form additional living accommodation.

The extension would be sited above the existing single storey rear extension (planning history below), with the same rearward projection- with approximate dimensions of Height: 7.5 x Length: 3.6 x Width: 6.3 metres. The proposal would have a hipped roof, contrasting to the existing gable roof at the site, and would involve the insertion of two windows within the first floor.

Materials to be used throughout the proposal would match those within the host property.

In addition, the existing windows and doors within the rear elevation of the ground floor extension would be replaced for bi-fold doors, and the existing window to the rear elevation bricked up. This element of works would not require consent and is not included within the consideration of this application.

Planning History

031252- Single storey kitchen and bedroom extension at rear of house and garage extension at side for use by a disabled person.

Approved 9 May 1988.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and had no comments to make on the application.

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 CABI 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

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

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.

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

ISSUES

Principle of Development

The submitted development application is for the erection of first floor rear extension 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. 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.

Residential/Visual Amenity

The applicant property is one of three dwellinghouses sitting at the top of Greenways, however the three properties have staggered primary building lines. In regard to the neighbour to the east (no.29 Greenways), due to the neighbour having a building line sited further south than the applicant's, the built form would not come further forwards of the neighbour's rear building line than the existing circumstances. The first floor would not be easily visible from no.29's rear amenity space and due to the distance maintained to the common boundary, it is not considered to create an overbearing feature. Further, it would not give rise to any adverse loss of light or privacy implications. In addition, a condition would be attached to any approval granted restricting the insertion of further windows or doors approved beyond this consent.

No.33 Greenways sits further north than the applicant site and as such the neighbour would feel both the existing ground floor and proposed first floor beyond the neighbour's rear building line. The amendment in the design from a gable roof to hipped, whilst not in character with the roof arrangements of the existing properties, reduces the amount of built form and harm to no.33 Greenways. The additional built form at first floor level would be visible from the neighbour's rear windows, however given the 2.4 metre distance between the neighbour's common boundary and the proposed structure, the proposal would not be considered overbearing nor would adversely impact the outlook from the neighbouring property. The proposal would not give rise to overlooking to this property. Due to the orientation of the properties in the streetscene, with the properties along this stretch of Greenways being south facing, no.33 Greenways would not experience any adverse loss of light/ overshadowing implications.

The rear of the proposal would look onto the rear gardens of West Avenue. However, given the 7.5 metre distance from the proposal to the rear boundary line of the host property, no neighbours to the south are considered to be adversely impacted by the extension.

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

Design and Appearance

The proposal would have a projection of 3.6 metres and therefore be considered pursuant with Policy DC1.3 of the UDP. Whilst a rear extension of 3.6 metres at first floor level is considered generous, given the detached nature of the property and the hipped roof, the length is considered acceptable. Further, the proposal utilises the same projection as the previously approved ground floor extension and is therefore considered sympathetic in size and form, pursuant to Policy DC1 of the UDP.

Materials to be used would match that of the host property and be considered sympathetic and a materials condition to this effect would be attached to any approval granted.

Car Parking

Car parking would be unaffected by the proposal.

Bin Storage

Bin store arrangements would not be impacted 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.

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 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 plan considered to overcome concerns has been received. 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 8 January 2024.

-Drawing- Existing & Proposed- Site Plan, numbered R-0810-03 REV A, stamped as received by the City Council as Local Planning Authority on 8 January 2024.

-Drawing- Proposed- Elevations, Floor & Location Plans, numbered R-0810-02 REV D, stamped as received by the City Council as Local Planning Authority on 1 February 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) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

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, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

24 West Avenue, Moston, Manchester, M40 3NP
29 Greenways, Manchester, M40 3WH
27 Greenways, Manchester, M40 3WH
22 West Avenue, Moston, Manchester, M40 3NP
26 West Avenue, Moston, Manchester, M40 3NP
28 West Avenue, Moston, Manchester, M40 3NP
11 The Fairway, Manchester, M40 3WS
15 The Fairway, Manchester, M40 3WS
9 The Fairway, Manchester, M40 3WS
33 Greenways, Manchester, M40 3WH
13 The Fairway, Manchester, M40 3WS

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA