MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139641/FH/2024
Date registered valid:	27 March 2024
Proposal:	Erection of single storey rear extension following demolition of existing conservatory.
Address:	47 Caldecott Road, Manchester, M9 0PU
Ward(s):	Higher Blackley Ward
Applicant:	Mr Neil Thompson-Potter
Agent (if any):	Mr Dale Owen
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**21 May 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 April 2024

Standard consultations:
Printed: 9 April 2024 Expired: 30 April 2024

Neighbour notifications
Printed: 9 April 2024 Expired: 30 April 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 47 Caldecott Road within the north Manchester ward of Higher Blackley. The application site relates to a mid-terraced two storey dwellinghouse, brick built with cream coloured paint and an enclosed porch. Amenity space to the front of the property consists of an off street driveway and amenity space to the rear is characterised by a paved area with an existing conservatory and an outbuilding sited against the site's rear boundary.

The surrounding area is residential in context and Heaton Park sits to the west of the applicant site.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension following demolition of existing conservatory.

The extension would have approximate dimensions, at the largest point, of Height: 3.8 x Length: 4 x Width: 3.4 metres. The proposal would create a kitchen with the insertion of a window and door within the rear elevation and large roof light within the proposed flat roof.

Materials to be used throughout the proposal would involve:
-red/orange brick-cheshire pre-war brick- to match existing
-white PVCu windows- to match existing
-flat roof with parapet to the proposed extension- roofing finish to be grey/ black liquid applied membrane. Parapet to have a RAL 7016 anthracite grey aluminium coping, white roof lantern to be installed- different to existing
-white UPVC partially glazed door.

Plans were amended during the course of the application. Two windows were due to be inserted facing the direction of no.49 Caldecott Road, which would give rise to an unsatisfactory outlook and is not a design feature we are willing to support, contrary to Policy DC1 of the UDP and SP1 of the Core Strategy for Manchester (updated 2024). The two windows were removed accordingly and revised plans are assessed within this application.

Planning History

No planning history exists for this site.

However, due to the projection of the conservatory (4 metres), permission should have been sought for the conservatory.

Works have been undertaken to the front of the property in the form of enclosing the front canopy to create a front porch between the years of August 2019- June 2023. Plans seem to indicate compliance with permitted development rights.

On site, the applicant confirmed the outbuilding had sat on the site for over 4 years.

Consultations & Notification Responses

Local Residents

Local residents were consulted on the application and no responses were received.

Environmental Health

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

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 CABE 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 (2022-2039)

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.

The Plan and its policies are 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 single storey rear extension following demolition of existing conservatory. This is considered acceptable as many people prefer to alter 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The proposed extension would replace the existing conservatory at the site and would be positioned in a similar position to the existing conservatory. The proposal would be sited 0.6 metres from the neighbouring property to the west, no.45 Caldecott Road. No.45 benefits from an existing two storey flat roof rear extension. Given this and the high boundary treatment separating the two properties, the proposal would not give rise to an overbearing feature and

any loss of light implications would be considered minimal and similar to the existing circumstances.

The proposal would be sited 1.2 metres from the shared boundary with no.49 Caldecott Road. Plans originally showed the insertion of two windows along this boundary, however this was considered to give rise to an unsatisfactory outlook and were therefore removed from the proposal. A condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent. Due to the high boundary treatment and the applicant site sitting at a lower position than the neighbouring property, any adverse amenity implications to this neighbour would be considered minimal, in terms of loss of light/ overshadowing or overbearing impact.

No adverse privacy implications would occur as a result of the proposal to the two adjoining neighbours.

Given the proposal would look onto the outbuilding to the rear of the applicant's garden, no adverse amenity implications would occur to neighbours to the rear.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

The proposal would have a projection of 4 metres. This would exceed both the maximum projection specified within Policy DC1 of the UDP and permitted development rights. However, given the larger homes extension route and the existing development at the site, the projection and scale of development is therefore acceptable, pursuant to Policy DC1 of the UDP.

Materials to be used throughout the proposal would involve:
-red/orange brick-cheshire pre-war brick- to match existing
-white PVCu windows- to match existing
-flat roof with parapet to the proposed extension- roofing finish to be grey/ black liquid applied membrane. Parapet to have a RAL 7016 anthracite grey aluminium coping, white roof lantern to be installed- different to existing
-white UPVC partially glazed door.

The materials would match the host property where appropriate, except the use of the flat roof, and are therefore considered sympathetic and appropriate. A materials condition to that effect would be attached to any consent granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

No change to parking arrangements would occur as a result of the proposal.

Bin Storage

Space would be retained for bins to be stored within the rear amenity space and bought forwards to the front of the property using the ginnel the applicant property has access to.

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 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

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, a revised scheme has been provided to overcome concerns, and appropriate conditions have been attached to any 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 27 March 2024.
-Drawing- Existing & Proposed- Plans and Elevations, numbered A101 P04, stamped as received by the City Council as Local Planning Authority on 13 May 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 to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

119 Heaton Park Road, Manchester, M9 0QQ
49 Caldecott Road, Manchester, M9 0PU
45 Caldecott Road, Manchester, M9 0PU
43 Caldecott Road, Manchester, M9 0PU
2 Buerton Avenue, Manchester, M9 0PX
53 Caldecott Road, Manchester, M9 0PU
51 Caldecott Road, Manchester, M9 0PU
46 Caldecott Road, Manchester, M9 0PU
44 Caldecott Road, Manchester, M9 0PU
42 Caldecott Road, Manchester, M9 0PU
117 Heaton Park Road, Manchester, M9 0QQ
121 Heaton Park Road, Manchester, M9 0QQ

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA