

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139053/FH/2024
Date registered valid: 23 January 2024
Proposal: Erection of a single storey rear extension to provide additional living accommodation
Address: 16 Elford Grove, Manchester, M18 7NB
Ward(s): Gorton & Abbey Hey Ward

Applicant: Ms Ogunba Taiwo
Agent (if any): Mr V Alyas Architek
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 18 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 February 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 January 2024 Expired: 15 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 site / building / area

The application relates to a two-storey, bay-fronted, semi-detached dwellinghouse of red brick construction with hip roof which is sited within a broadly triangular plot of land with substantially large side and rear gardens. The application site is sited along the head of a turning, on a short cul-de-sac and has existing single storey side and rear extensions, an outbuilding along the side elevation, a hard surfaced front driveway; including boundary treatment along the rear perimeter, whilst incorporating a gated access along the side elevation; immediately along the rear boundary is Debdale Park a large recreational open space and beyond that Gorton Reservoir. The rear garden is north facing and given that site shares its rear boundary with Debdale Park, there are mature trees along this boundary. Elford Grove is a residential street with dwellinghouses of similar type.

Site Planning History

- 137163/FH/2023 - Part retrospective application for the erection of a single storey side and rear extension following demolition of existing garage, APPROVED 08/2023.

Description of development

The submitted plan proposes a single storey rear extension to provide additional living accommodation.

The proposed extension would be sited along the common shared boundary with no. 14 Elford Grove whilst retaining a small gap of approximately 190mm from this boundary. It would then project approximately 3000mm deep along this boundary, then forward of the common shared boundary with no. 15 Elford Grove approximately 8100mm wide, then return forward of the rear building line of the original dwellinghouse approximately 3000mm deep. It would incorporate a flat roof design (maximum proposed height, approximately 3639mm) with 1no. roof lantern centrally placed along the roof elevation, including 1no. window and bi-fold doors along the rear elevation. In terms of external facing materials, the outer wall of the extension would be constructed in bricks to match the existing dwellinghouse, the roof would comprise of epdm or grp roof finish, including UPVC windows and aluminium sliding door, and soffits to match.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received on this occasion.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. 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'.

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.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007

- Chapter 2: Design

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and visual amenity

Impact of works (single storey rear extension) -The proposed rear extension would be sited at the rear of an existing rearward extension that projects approximately 3000mm from the rear building line of the original house, and was approved as part of planning permission ref: 137163/FH/2023), with the combined overall rearward projection proposed being 6000mm along the common boundary with no.14 Elford Grove. Whilst this would be in excess of the guidance set out in saved UDP policy DC1.3 regarding rearward extensions, it is however within the limitations for a larger homes application. Moreover, the proposed extension would be stepped-away from the boundaries and would be contained within the curtilage of the application site. It is also considered that the proposed roof design would reduce the potential from any significant adverse impacts from massing, and as windows would only be located along the rear elevation, any impacts to the occupiers of nos. 14 and 15 Elford Grove in regard to residential amenity from loss of privacy would not be significant.

Furthermore, a sizeable rear garden area would be retained.

It is therefore considered that the proposal could be accommodated in this location in this instance as there are no significant overbearing, overshadowing or loss of privacy impacts. It is however recommended further conditions are attached limiting any further windows and door openings. This is considered necessary to safeguard residential amenity.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposal would unduly harm the character of the building or the general area as it is intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received from local residents in response to this application.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the applicant but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 22 January 2024.
- Location Plan and Proposed Site Plan with application site edged in red, DRAWING NUMBER A101, REV P1, received by the City Council as the Local Planning Authority on 22 January 2024.
- Proposed Floor Plans Elevations, DRAWING NUMBER A104, REV P1, received by the City Council as the Local Planning Authority on 22 January 2024.
- Proposed Elevations, DRAWING NUMBER A105, REV P1, received by the City Council as the Local Planning Authority on 22 January 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 (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

3) The materials used to construct the external elevations of the development hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

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 development hereby approved other than those stated on:

- Proposed Site Plan with application site edged in red, DRAWING NUMBER A101, REV P1, received by the City Council as the Local Planning Authority on 22 January 2024.
- Proposed Floor Plans Elevations, DRAWING NUMBER A104, REV P1, received by the City Council as the Local Planning Authority on 22 January 2024.
- Proposed Elevations, DRAWING NUMBER A105, REV P1, received by the City Council as the Local Planning Authority on 22 January 2024.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

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 exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

14 Elford Grove, Manchester, M18 7NB
12 Elford Grove, Manchester, M18 7NB
15 Elford Grove, Manchester, M18 7NB
13 Elford Grove, Manchester, M18 7NB

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA