

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133932/FH/2022

Date registered valid: 30 January 2023

Proposal: Erection of a single storey side extension and part single part two storey rear extension to form additional living accommodation.

Address: 53 Orchard Road West, Manchester, M22 4FD

Ward(s): Northenden Ward

Applicant: Mr Dominic Mould

Agent (if any): Mr Victor Omosebi Warehouse Worship UK

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

Recommendation: Approve

Date of recommendation: 22 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: March 2023

Standard consultations:

Printed: 10 February 2023 Expired: 3 March 2023

Neighbour notifications

Printed: 2 January 2024 Expired: 16 January 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

The property that is the subject of this householder planning application is a 2 storey brick built end of terraced property. It is identified as number 53 Orchard Road West in the Northenden ward of the City. It has a hipped side with a gable frontage, the first floor of which is clad in a white barge board. The terrace sits around a green to the front of the property with a pair of semis that sit far forward in line with the green that bookend the terrace. The property has a garden to the front with off road parking and a driveway. The front garden has historically been flagged over with the rear garden being laid mainly to lawn.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Area

The area is predominantly residential in nature comprising of terraced and semi- detached properties and low wall brick boundary walls to the frontage with some of the properties having an open plan frontage with no boundary treatment at all.

Description of development

The proposal is for the erection of a single storey side extension together with a part single part two storey rear extension to create additional living accommodation in the form of a bedroom and open plan kitchen diner to the ground floor together with an extended bedroom and en-suite bathroom to the first floor.

The single storey side extension is set back 600mm from the front of the property and is 2.5m wide. The two storey rear extension projects from the rear of the existing property and runs across the width of the property with a gap of 0.65 m to the common boundary with number 55 Orchard Road West being retained. There is the same gap at first floor between the windows

and the boundary on number 55. The materials to be used would match those of the existing property.

Consultations & Notification Responses

Local Residents-there have been three rounds of consultation carried out on the original submission followed by the two revised schemes. There have been two representations received from the same property with the main comments being as follows:

This extension will be overpowering, overbearing and detrimental to our house and garden due to its size and close proximity to our home. It would result in a loss of privacy from the Juliette balcony. Gardens back onto each other giving an open feel.

Following these comments, the scheme was revised and a second round of consultations were carried out. The comments received on the second round of consultations were that:
We have noticed an increase in bats to our garden.

Officers negotiated a reduction in the proposed scheme to that which is currently under consideration. There have been no further representations received as a result of the third round of consultation.

Flood Risk Management-no objections suggested that an informative be attached to any consent granted.

Issues

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP, 1995) - 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 (Core Strategy, 2021) was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management

- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2023) sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development.

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. To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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.

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Principle - The principle of building a single storey side and part single, part two storey rear extension to provide additional living accommodation is considered acceptable, however consideration must be given to the proposals siting, scale and massing, design, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing - The single storey side extension would be sited on the eastern elevation of the house, it is set back from the front elevation by 600mm projecting 2.5m to the side, running down the side of the property for 9.05m. There would be a 600mm gap retained to the common boundary with 51 Orchard Road East. Number 51 Orchard Road East is set considerably forward of number 53 and has a very long single storey garage themselves along the common boundary. The proposed single storey side extension wraps around the rear at ground floor retaining a gap of 6500 mm to the common boundary with number 55 Orchard Road East.

The first- floor extension is only on the rear and occupies the same footprint as the ground floor, but only projects off the existing rear of the property. It has been designed with a mono pitched roof on the single storey side and provides additional living accommodation in the form of a ground floor bedroom and an open plan kitchen diner. The first- floor extension has a gable roof and provides accommodation in the form of extending the existing bedroom and providing an en-suite bathroom. The proposed ridge would be set lower than the existing ridge height. The side element (in isolation) could be built under permitted development. The extension is considered subservient to the main house and is sited and scaled appropriately, and it is considered that the proposal broadly complies with policies DC1, DM1 and SP1.

Appearance and visual amenity - The extension would be constructed of materials to match the existing house, including red facing brickwork, red roof tiles and uPVC windows and doors, which will be appropriately conditioned. The single storey side element would feature a mono-pitch roof with the two storey being gabled as is the front elevation. The single storey side extension would feature two rooflights to provide additional natural lighting. The side extension would feature a new front door and there would be a set of patio doors in the rear elevation. The existing first floor windows on the side elevation would be replaced by one to the ground floor in the side elevation.

Due to its siting at the rear, the two storey extension would not form a prominent feature within the street scene. The side extension would be readily viewed, however it would be small in scale. The materials are appropriate and the design is typical of such development, the appearance of the development is viewed as modest within the context of the terrace of properties, and when viewed against the backdrop of the large single storey extension alongside the property at number 51 Orchard Road East. It is therefore considered acceptable and is not thought to harm the visual amenity of the house nor wider area, pursuant to policies DM1 and SP1.

Residential amenity - The first floor element has been stepped in by 6500 mm from the boundary with number 55 Orchard Road East, and it is only a small bathroom window on the rear of number 55 that would be in any proximity to the two storey extension. The habitable room window that serves the bedroom is on the other side of the rear elevation to the west at its furthest point from the extension. As such it is not considered that the proposed two storey element would have a detrimental impact upon the level of amenity of the neighbouring properties to either number 51 or 55 Orchard Road East.

The rooflines and acceptable projections ensure the extension would not have an overbearing impact as viewed from neighbouring plots nor cause undue overshadowing, particularly as the

rear gardens face south and benefit from sunshine for a good part of the day. There are no windows proposed for the side elevations at first floor, therefore a loss of privacy is also not deemed an issue. There was 1 objection initially received and negotiations took place with the issues raised having been addressed in the redesign. There were, no objections received from local residents as a result of the re-consultation and the side extension being reduced from a proposed two storey to a single storey. There was a comment made that there appeared to be more bats present within the garden area, however this is not an issue relating to the development works, as there is no demolition proposed as part of the works. There is a good sized garden retained post development , and the proposal is considered acceptable in terms of its impacts upon residential amenity.

Conclusion - The off-street parking provision will remain as existing. Access to the rear will be reduced, therefore a condition has been attached requiring a bin store for the storage of refuse within the front of the curtilage. The proposal complies with policies DM1 and SP1 of the Core Strategy, the NPPF and broadly complies with saved policy DC1 of the UDP. The revised proposal is not considered to cause undue harm to the residential amenity currently enjoyed by surrounding occupiers, nor significantly harm visual amenity of the dwellinghouse or wider area. The proposed development is therefore deemed acceptable and appropriate conditions will be attached to any consent granted.

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 negotiations took place and revised plans were submitted. The application was considered acceptable with the attachment of appropriate conditions.

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:

Existing and Proposed Floor Plans received 19th December 2023

Existing and Proposed Elevations received 19th December 2023

Location Plan received 1st August 2023.

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) 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, and as stated on the Householder Application Form.

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 extension, 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 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 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 Core Strategy for the City of Manchester.

5) Prior to the occupation of the development hereby approved, the details of a bin store including size, location and materials shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall implemented and thereafter retained and maintained so long as the development hereby approved is in use.

Reason - In the interests of the provision of adequate waste storage, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Informatives

1) The site is within Flood Zone 2 and an Environment Agency Flood Warning Area. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

68A Kenworthy Lane, Manchester, M22 4EF
51 Orchard Road West, Manchester, M22 4FD
62 Orchard Road West, Manchester, M22 4ED
55 Orchard Road West, Manchester, M22 4FD
49 Orchard Road West, Manchester, M22 4FD
60 Orchard Road West, Manchester, M22 4ED

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Area Team Boundary - Name: SOUTH