

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139271/FH/2024
Date registered valid: 15 February 2024
Proposal: Erection of single storey rear extension
Address: 4 Yew Tree Drive, Manchester, M22 4GF
Ward(s): Northenden Ward

Applicant: Anthony Johnson
Agent (if any): Mr Thomas Di Felice TD Design and Planning
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 8 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 March 2024

Standard consultations:

Printed: 26 February 2024 Expired: 18 March 2024

Neighbour notifications

Printed: 26 February 2024 Expired: 18 March 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 site is a two-storey mid-terrace dwellinghouse situated within a short row of four properties along a short residential cul-de-sac. The site benefits from amenity space to the front and rear elevations only, including boundary treatment. Car parking is along a hard surfaced front driveway, and wheeled bins are store within curtilage behind boundary treatment. There is an existing shared access/ginnel between the application site and no.6 Yew Tree Drive which leads to a separate gated access to the rear of each property. The existing rear garden is broadly L shape and significantly large, measuring approximately 19.8 metres deep x 6.0 metres wide (minimum width). Projecting along the rear building line of the existing dwellinghouse is a raised timber decking with stepped access, approximately 5.9 metres wide x 2.3 metres deep x 36.5cm high.

Description of development

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

The proposed single storey rear extension would be stepped from the common shared boundary with no. 2 Yew Tree Drive approximately 158mm to leave a small gap from this boundary. It would also be stepped away from the shared ginnel approximately 582mm and would measure approximately 3500mm deep x 5237mm wide x 4013mm maximum height. It

would incorporate a lean-to pitched roof design, and would include a stepped access, bi-fold doors along the rear elevation, in addition to 2no. windows along the roof elevation. It is intended to use external facing materials to match the existing house.

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.

2. Flood Risk Management

Flood risk officers have advised that the site falls within Flood Zone 1, indicating a low risk of surface water flooding; however, they strongly advise consulting with UU regarding the site's close proximity to a public sewer. This may necessitate discussions regarding potential build-over agreements or diversion requirements.

POLICY

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

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (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 12: Achieving well-designed places.

3. Places for Everyone (2024) -

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. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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 Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy T2 (Accessible areas of opportunity and need)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.

6. 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) - In light of the existing context along the rear boundaries and given the size of the rear garden and the resultant contextual relationship along the boundaries, it is considered that the proposal would be acceptable as it 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 mitigate from the adverse impact from undue massing, and the proposed fenestration would be located along the rear elevation, and therefore it is unlikely to give rise to privacy impact concerns; in particular, on the occupiers of nos. 2 and 6 Yew Tree Drive. Moreover, the proposed rearward projection at approximately 3500mm is within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, and therefore, it is considered that the proposal could be accommodated in this location in this instance as there are no undue overbearing, overshadowing or loss of privacy impacts; subject to conditions.

Impact of works (Design and appearance) - In design terms, the proposed extension has been informed by other developments within the neighbourhood and therefore it is not considered that the proposal would unduly harm the character of the building or the general area. It is also intended to match materials with that of the existing dwellinghouse, which is considered to be acceptable in terms of appearance. 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) chapter 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 15 February 2024.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 15 February 2024.
- Proposed Block Plan, DWG REF.: 4YEW_BLOCK, received by the City Council as the Local Planning Authority on 15 February 2024.
- Proposed Plans and Elevations, DWG REF.: 4YEW_PRO2, received by the City Council as the Local Planning Authority on 15 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 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 application forms.

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 Plans and Elevations, DWG REF.: 4YEW_PRO2, received by the City Council as the Local Planning Authority on 15 February 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).

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

17 Yewtree Lane, Manchester, M22 4DX
15 Yewtree Lane, Manchester, M22 4DX
13 Yewtree Lane, Manchester, M22 4DX
8 Yew Tree Drive, Manchester, M22 4GF
6 Yew Tree Drive, Manchester, M22 4GF
2 Yew Tree Drive, Manchester, M22 4GF

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) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA