MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

| | |
|---|---|
| **Application no.** | 138746/FH/2023 |
| **Date registered valid:** | 5 December 2023 |
| **Proposal:** | Erection of first floor front, two storey side and part single, part two storey rear extension to provide additional living accommodation |
| **Address:** | 36 Ruabon Road, Manchester, M20 5LW |
| **Ward(s):** | Didsbury East Ward |
| **Applicant:** | Mrs Katherine Owen |
| **Agent (if any):** | Mr Paul Cox, paulcoxdesign ltd |
| **Case officer:** | Katie Raw<br>Tel: 0161 234 4164<br>Email: katie.raw@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | **29 January 2024** |

**Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 4 January 2024

**Standard consultations:**
No consultations have been printed and sent.

**Neighbour notifications**
Printed: 11 December 2023 Expired: 1 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**

**Listed building:** Not applicable

**Conservation area:** Didsbury St James Conservation Area 1970

**Tree Preservation Order:** No

**Description of area**

The application site relates to 36 Ruabon Road within the Didsbury East ward of south Manchester. The application site relates to a semi-detached, two storey dwellinghouse with a staggered building line, of varying form. A recent single storey front porch is seen at the site. The property is built of red brick and brown pebbled dash render is seen across the elevations, constructed in the arts and crafts period of homes as is evidenced by the cat slide roof and port hole window. Amenity space to the front of the property consists of a driveway and amenity space to the side and rear consists of a grassed garden and timber decking.

The property is typical in character to other properties in the area with the cat slides roofs prominent along the application and neighbouring streets.

Whilst the system locates the application site within the Didsbury St James Conservation Area 1970, the spatial system reveals the rear boundary of the site borders the Conservation Area and no part of the site sits within the Conservation Area. The application would be assessed as such.

**Description of development**

The submitted application seeks planning permission for the erection of first floor front, two storey side and part single, part two storey rear extension to provide additional living accommodation.

The first floor front extension would sit above the existing single storey entrance with the same dimensions as the front porch- approximately Height: 7.8 x Length: 1.2 x Width: 3.6 metres.

The two storey side extension would be set back from the primary elevation of the host property by 3.3 metres and at the largest point have approximate dimensions of Height: 7.5 x Length: 3.8 x Width: 1.6 metres.

The part single, part two storey rear extension would wrap into the proposed two storey side extension with a projection of 3 metres at both levels, however the part two storey extension would be set in from the shared boundary with no.34 Ruabon Road by 3.5 metres. At the largest point, this element of the extension would have approximate dimensions of Height: 6.6 x Length: 3 x Width: 9.9 metres.

The proposal would involve the insertion of two windows within the front elevation, three windows and a set of sliding doors in the rear elevation and two skylights within the part single storey rear extension.

All materials to be used would match the host property, except the use of alumimum bi-folding doors to the rear of the property.

Plans show a proposed external deck patio. Via email on 6 January 2024 the agent confirmed this element of works did not require planning consent and so will be omitted from the assessment of this application.

*Planning History*

No planning history exists for this site.

## Consultations & Notification Responses

*Local Residents*

Local residents were consulted and no responses were received.

## 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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:
a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

*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*

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.

The following policies are relevant:
i.JP- S1- Sustainable development
ii.JP- S2 – Carbon and energy
iii.JP- S5 – Flood risk and the water environment
iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

*Principle of Development*

The submitted development application is for the erection of first floor front, two storey side and part single, part two storey rear extension to provide 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.

*Visual/ Residential Amenity*

First floor front:
The first floor front extension would sit upon the existing single storey element and would have a projection of the existing front porch and would not come forwards of the existing primary building line. The only neighbour to be implicated by this element of the proposal would be no.38 Ruabon Road. However, given the proposal would be sited 4 metres from the shared boundary and relate to the neighbours garage no adverse implications would occur in relation to loss of light, privacy or creating an overbearing feature. The porthole window within the proposed window would be marked as any approval granted as being obscure glazed. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

Two storey side:
The two storey side extension would be set back from the primary elevation of the host property by 3.3 metres and would be sited 1.2 metres from the shared boundary with no.38 Ruabon Road. The neighbours existing built form runs along the shared boundary. The neighbour does not benefit from any windows along the shared boundary and therefore this element of the proposal would not give rise to any privacy or other amenity implications.

The window within the proposed ensuite/ window room would be marked within any approval granted as being obscure glazed.

Part single, part two storey rear extension:
The rear extension would have a projection of 3 metres. Due to the neighbours built form which has a primary building line set further back than the applicant’s, the proposed rear extension would not extend beyond no.38 Ruabon Road’s rear building line and so would not be impacted by this element of the proposal.

No.34 Ruabon Road would feel additional built form along the shared boundary- 3 metres at ground floor level. At ground floor level given Permitted Development rights that exist, any harm in terms of overbearing is not considered severe. Given the properties benefit from south facing gardens, any loss of light would be considered minimal and due to the placement of windows, no adverse privacy implications would arise. At first floor level, the built form would be set 3.5 metres from the shared boundary. This is considered sufficient to overcome any adverse tunnelling implications to the adjoining neighbour and is therefore considered acceptable.

No adverse privacy implications would occur to the neighbours at the rear given the distance between the extension and neighbouring properties to the south.

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

*Design and Appearance*

First floor front:
The first floor front extension is considered acceptable in size and form given this element of the proposal would retain the existing cat slide roof element. The proposal follows the existing precedence for similar extensions as seen within no.17, no.19 and no.13 Ruabon Road. As such, this element of works is considered acceptable in size and form, pursuant with Policy DC1 of the UDP.

Two storey side:
DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. The proposal leaves a gap of 1.2 metres but is set back from the primary elevation of the proposal by 3.3 metres. As such, the proposal is considered to create a subservient feature and the roof of the proposal would be lowered than the roof of the host property. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP.

Part single, part two storey rear extension:
The rear extension at the largest point would have a projection of 3 metres and as such be considered pursuant to Policy DC1.3 of the UDP. As the form of development reduces to overcome any opportunities of adverse amenity implications, the rear extension is considered acceptable in size and form. Similar extensions in the surrounding area can also be seen as precedence, including at no.30 Ruabon Road.

Materials:
All materials to be used would match the host property, except the use of alumimum bi-folding doors to the rear of the property. This is considered acceptable and would be conditioned accordingly within any approval 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 car parking arrangements would occur as a result of the proposal.

*Bin Storage*

No change to bin store arrangements would occur 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 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. 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 5 December 2023.
-Drawing- Proposed- Floor Plans, numbered 004, stamped as received by the City Council as Local Planning Authority on 5 December 2023.
-Drawing- Proposed- Elevations, numbered 005, stamped as received by the City Council as Local Planning Authority on 5 December 2023.
-Drawing- Existing & Proposed- Roof Plans, numbered 006, stamped as received by the City Council as Local Planning Authority on 5 December 2023.

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) Before first occupation, the first floor bathroom and en-suite/shower windows as shown within the approved ‘Drawing- Proposed- Floor Plans, numbered 004’, stamped as received by the City Council as Local Planning Authority on 5 December 2023, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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**

38 Ruabon Road, Manchester, M20 5LW
19 Ruabon Road, Manchester, M20 5LB
17 Ruabon Road, Manchester, M20 5LB
15 Ruabon Road, Manchester, M20 5LB
Francis House Children's Hospice, 390 Parrs Wood Road, Manchester, M20 5NA
40 Ruabon Road, Manchester, M20 5LW
34 Ruabon Road, Manchester, M20 5LW

**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
Conservation Area - Didsbury St James Conservation Area 1970
Area Team Boundary - Name: SOUTH AREA