

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138938/FH/2024
Date registered valid: 29 January 2024
Proposal: Erection of a single storey side extension and a part single/part 2 storey rear extension to form additional living accommodation.
Address: 4 Delacourt Road, Manchester, M14 6BX
Ward(s): Old Moat Ward

Applicant: Mr Ali
Agent (if any): Mr Aslam Khan, LBV Developments
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19th March 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 March 2024

Standard consultations:

Printed: 6 February 2024 Expired: 27 February 2024

Neighbour notifications

Printed: 6 February 2024 Expired: 27 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

The site/building relates to a two storey semi detached property in the Old Moat ward area of Manchester. The property features bay windows on the ground and first floor with hardstanding to the front for off street car parking and garden to the rear with access along the side. A single storey extension is situated on the rear.





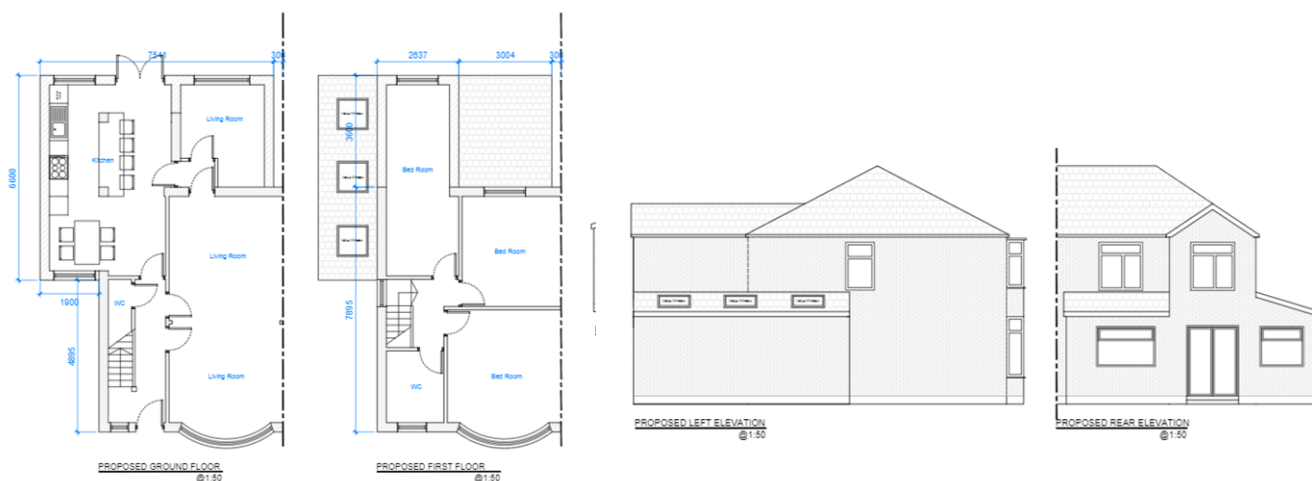
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The applicant seeks planning permission for the erection of a single storey side extension and a part single/part 2 storey rear extension to form additional living accommodation.



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments or representations have been received in respect of this application.

MCC Flood Risk Management - Attach condition if approved

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

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.

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.

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

The City Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is believed that on balance, the proposal is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Previous applications relating to this site as follows:

035493 - Application Refused - 08.03.1990 2 storey extension side and rear of dwellinghouse to form car-port and enlarged kitchen/living room with two new bedrooms and two enlarged bedrooms over

038217 - Application Approved - 31.01.1991 Two storey extension at side of dwellinghouse to form extended kitchen with bedroom over

137744/FH/2023 - Application Withdrawn - 08.12.2023 - Erection of single storey rear extension and first floor rear extension, with associated balcony, to provide additional living accommodation

Residential amenity

This is a resubmission of a previously withdrawn application outlined above. The applicant amended the previous proposal and removed a first floor balcony and reduced the projection at ground and first floor. This application seeks planning permission for the erection of a single storey side extension and a part single/part 2 storey rear extension to form additional living accommodation.

Ground Floor

The ground floor would be set back from the front wall of the property by 4.895m to a width of 1.9m off the side wall retaining a gap to the shared boundary with the neighbouring property no. 6 Delacourt Road. The proposal would extend rearwards by 6.6m measuring 3.6m beyond the rear wrapping around the property close to the shared boundary with the adjoining semi detached property no. 2 Delacourt Road retaining a small gap of 300mm. Windows would be on the front and rear elevation with double doors leading into the rear garden area. The roof would be a mono pitch sloping roof on the side and rear with the inclusion of three roof lights on the side roof elevation.

First Floor

The first floor would project off the rear wall only in line with the side wall of the house to a projection of 3.65m and a width of 2.637m retaining a gap to the shared boundary of 3.0m with the adjoining semi detached property no. 2 Delacourt Road. The roof would be gable and although would not match the existing roof form of the property, is not believed to provide a roof which is out of character with the area as a whole. A window is positioned on the rear elevation overlooking the rear garden area and is not thought to provide any further overlooking than the existing rear first floor window.

It is considered that the proportions of the extension are acceptable. The footprint is not considered to create a bulky or disproportionate scale addition to the property especially given the relationship within the street scene and therefore it is considered that the introduction of a single storey side extension and part single part two storey rear extension in this location would provide minimal interruption.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials it is intended to use matching bricks and tiles as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and is considered acceptable and detailed as what is normally expected of such a structure.

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.

Flood Risk

Flood risk commented on the application and were not satisfied that the information submitted with the application provided the required details for a site located in the flood zone 2 and recommended that a condition be attached with the approval.

Bins

The storage of refuse bins are not affected by this proposal as access would still be available along the side and therefore would accord with policy EN19 of the Core Strategy.

Parking

Off street car parking would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is in keeping with the existing property and is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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

Positive and proactive working - Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application.

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:

Received on 3rd January 2024 numbered PD.01 Revision D Proposed Floor Plans and Elevations

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.

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) No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.
- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.
- Identification of any historic flood events on site or within close proximity to the site.
- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.
- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>

- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.

- Any supporting plans and drawings. - See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

6 Delacourt Road, Manchester, M14 6BX
264 Yew Tree Road, Manchester, M14 6BT
2 Delacourt Road, Manchester, M14 6BX
109 Victoria Road, Old Moat, Manchester, M14 6DA
107 Victoria Road, Old Moat, Manchester, M14 6DA
9 Delacourt Road, Manchester, M14 6BU
7 Delacourt Road, Manchester, M14 6BU
5 Delacourt Road, Manchester, M14 6BU

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