

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138701/FH/2023

Date registered valid: 1 December 2023

Proposal: Erection of single storey side and rear extension with raised patio to the rear and erection of rear roof dormer following hip to gable roof alteration

Address: Norwood, Middleton Road, Manchester, M8 4NB

Ward(s): Higher Blackley Ward

Applicant: Mr Shiraz Muhammed

Agent (if any): Mr Ismail Satwilkar Irasia Designs - Architectural Services

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 December 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 January 2024 Expired: 24 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: No

Tree Preservation Order: No

Description of area

The application site relates to Norwood within the north Manchester ward of Higher Blackley. The application site relates to a semi-detached, two storey dwellinghouse constructed of red brick with rendering to the front, side and rear elevations, which sits within a row of four properties to the east side of Middleton Road, close to the Bowker Vale Primary School. Amenity space for the property consists of a hardstanding driveway to the front which extends to the rear of the property, an expansive rear garden which is set at a lower topography than the patio leading off the rear elevation of the property. A detached garage sits against the shared boundary with property 'Brookfield' and the property benefits from a small single storey outrigger.

Description of development

The submitted application seeks planning permission for erection of single storey side and rear extension with raised patio to the rear and erection of rear roof dormer following hip to gable roof alteration.

The single storey side extension would be set back from the primary elevation of the host property and would have approximate dimensions of Height: 3 x Length: 4.7 x Width: 2.1

metres. The single storey rear extension would wrap into the side extension and have approximate dimensions of Height: 4 x Length: 6 x Width: 9.6 metres. The extension would involve the insertion of a window within the WC/wet room and sliding doors and two windows within the rear elevation. The proposal would have a flat roof with two roof lanterns.

The raised patio to the rear would lead off the proposed extension and involve steps leading to the rear garden. At the highest point the patio would have a height of 0.7 metres and a total length of 4 metres. A glass balustrade would partially extend the rear and side elevation of the decking.

A rear roof dormer would be erected in connection with a hip to gable roof conversion. The dormer would have approximate dimensions of Height: 2.5 x Length: 2.7 x Width: 7.7 metres. The dormer would involve the insertion of three windows.

Materials to be used across the proposal have been listed within the application as:

- brick with render finish to match existing
- UPVC windows to match existing
- roof lanterns.

Amended Plans

The plans submitted show a hip to gable roof conversion and 900mm high decking. Both the elements require planning consent and should have been included within the description of development. During the course of the application, the agent confirmed the elements should have been included within the application and the description of development was amended accordingly and neighbours re-notified accordingly.

Additional information was requested from the agent in relation to the proposal however, the agent was not in a position to provide further details and the application will be assessed accordingly.

Planning History

F07174- Two storey extension rear of dwellinghouse to form increased lounge, dining-room and bedroom space.

Approved 30 September 1977.

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).

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 CABI 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 single storey side and rear extension with raised patio to the rear and erection of rear roof dormer following hip to gable roof alteration. 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.

Residential/Visual Amenity

Single storey side and rear extension:

The extension would be set 0.7 metres from the shared boundary with neighbouring property to the south, Oakdene. Due to the neighbour's existing extension, the neighbour would feel an additional 3.5 metres of built form against the shared boundary. Due to the orientation of properties within the streetscene, the neighbour would not be impacted by any loss of light. The proposal may create an overbearing feature to the neighbour. However, given the neighbours decent sized rear amenity space, the neighbours existing extension and the proposal being single storey, any overbearing impact is not considered to warrant a refusal on the application. No privacy implications would be caused as a result of the proposal.

The neighbouring property to the north, Brookfield, would experience both the side and rear extension and at the closest point 0.8 metres from the shared boundary. At the time of the site visit, extension works were being undertaken to the neighbouring property, however there is no formal planning permission or application linked to the property. Building works indicated the property was having a single storey rear extension although the projection is unknown. The proposed side extension would run 0.8 metres from the neighbour's side amenity space. Given the side extension is single storey and high boundary treatment exists to separate the two properties, the side extension is not considered to give rise to an overbearing feature. Any loss of light to the neighbour's window within the side elevation is not considered to be severe. No windows are inserted in the side elevation and no adverse privacy implications would occur. The neighbour would be more impacted by the single storey rear extension. However, given the gap to the boundary, the proposal being single storey and the applicant's and neighbour's existing detached garage, it is not considered to cause a significantly adverse implication. The neighbour would still benefit from sunlight in the morning, due to the orientation of the properties.

A window would be inserted in the front elevation of the proposed side extension and an obscure glazed window and top opening only condition would be attached to any approval granted to protect the privacy of the applicant. In addition, a condition would be attached to any approval granted restricting the insertion of further windows or doors approved beyond this consent.

Raised patio to the rear:

The rear patio would lead off the proposed rear extension and have a height at the highest point of 0.7 metres and a total length of 4 metres. As such, the patio would extend close to the shared boundary with the neighbour to the south. Although a glass balustrade is shown close to the shared boundary, due to the transparency this would not offer much obstruction from potential

adverse privacy implications. Although high boundary treatment separates the two properties, it may not be sufficient to overcome privacy concerns. During the course of the application, the agent was asked to provide details in relation to privacy screens. However, no information was received during the course of the application and a condition would be attached to this effect.

Due to the approximate distance of 4.7 meters from the patio to the shared boundary with the neighbour to the north, the patio is not considered to adversely impact this neighbour.

Erection of rear roof dormer following hip to gable roof alteration:

The dormers due to their nature would not give rise to any overbearing or loss of light implications. Whilst the hip to gable conversion would result in built form closer to the shared boundary with the neighbour to the north, given it would be sited close to the neighbour's side amenity space, any impact is considered acceptable given the structure would be at a height.

No windows are to be inserted in the side elevation of the proposal and as such, no adverse privacy implications would occur as a result of the proposal to the immediate neighbours. Although the rear dormer would look onto land in connection with the Bowker Vale School, a similar view onto the school grounds could be obtained from the applicant's first floor rear windows.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental and overpowering feature and would not be visible to the streetscene.

A shower room would be created within one of the dormers and to protect the privacy of the applicant, a condition would be placed on any approval granted to obscure glaze the bathroom window and restrict it to be top opening only.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Single storey side and rear extension:

As the side extension would be adequately set back from the primary elevation of the host property, the proposal would be viewed as a subservient feature and therefore considered acceptable in size and form. Whilst the projection of the rear extension at 6 metres would exceed Policy DC1.3 of the UDP, Permitted Development rights including the larger homes extension route would allow extensions larger in size. Given the spacious nature of the plots and the fallback position of Permitted Development, the 6 metre projection is considered acceptable in this instance.

Raised patio to the rear:

The patio would have a height of 0.7 metres and therefore exceed the 0.3 metre maximum height specified within Permitted Development rights. However, given the condition to be placed on any approval granted for further information on a privacy screen, the form of the patio is considered acceptable. The patio area is necessary to provide access from the proposed rear extension into the rear amenity space due to change in topography at the site.

Erection of rear roof dormer following hip to gable roof alteration:

Permitted Development rights allow rear dormers and hip to gable roof conversions to be obtained through the route of Permitted Development. Although the dormer is wide covering both the host property and hip to gable roof element, the dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

Materials:

The agent stated the materials to be used across the proposal are

- brick with render finish to match existing
- UPVC windows to match existing
- roof lanterns.

The agent was asked to provide further information on materials during the course of the application, however no further information was received. A materials condition to this effect would be attached to any approval granted.

Car Parking

Car parking would be unaffected by the proposal.

Bin Storage

Space would still be retained for bins to be stored behind the existing side gate at the property or alongside the proposed side extension. This is considered acceptable.

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 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 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 1 December 2023.

-Drawing- Proposed- Floor & Site Plans, numbered PLN042.04, stamped as received by the City Council as Local Planning Authority on 1 December 2023.

-Drawing- Proposed- Elevations, numbered PLN042.05, stamped as received by the City Council as Local Planning Authority on 1 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 WC/ wet room window within the side extension and the shower room within the dormer window as shown on the approved 'Drawing- Proposed- Elevations, numbered PLN042.05', stamped as received by the City Council as Local Planning Authority on 1 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.

The windows shall be top opening only 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) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Prior to the occupation of the development hereby approved details shall be submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of privacy screen to be erected to mitigate harm from the proposed raised patio to the rear.

Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of residential amenity and to prevent overlooking and loss of privacy pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Bowker Vale Primary School, Middleton Road, Manchester, M8 4NB
Brookfield, Middleton Road, Manchester, M8 4NB
Heaton Park Lodge, Middleton Road, Manchester, M8 4LZ
Oakdene, Middleton Road, Manchester, M8 4NB

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA