MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138410/FH/2023
Date registered valid:	26 October 2023
Proposal:	Erection of front porch and single storey rear extension.
Address:	36 Walker Road, Manchester, M9 6RF
Ward(s):	Higher Blackley Ward
Applicant:	Nayab Butt
Agent (if any):	Tomislav Vuletic Flocc Studio Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**13 December 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 August 2023 (planning application 137002/FH/2023)

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 2 November 2023 Expired: 23 November 2023

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 36 Walker Road within the north Manchester ward of Higher Blackley. The application site relates to an inter-war period, two storey, red brick, semi-detached dwellinghouse of an arts and crafts period with differing roof pitches, gable and recessed front door from the primary elevation of the host property. The property benefits from amenity space to the front in the form of an extensive off street driveway with soft landscaping and further amenity space to the rear in the form of a garden. At the time of the site visit, the property appeared vacant and external amenity space overgrown. An alleyway separates the applicant property from the neighbouring property to the west.

Description of development

The submitted application seeks planning permission for the erection of front porch and single storey rear extension.

The front porch would infill the space between the front door and the primary elevation of the host property, enclosing the space which is currently open to view by the neighbouring property. As such, the proposal would have approximate dimensions of Height: 3.1 x Length: 2.1 x Width: 1.5 metres . The front porch would involve the insertion of a door within the front elevation.

The single storey rear extension would extend the width of the host property, although would be set in slightly from the boundary due to the splayed nature of the boundary to the rear. The proposal would create a kitchen and living room and would involve the insertion of two doors and a window and three skylights. The single storey rear extension would have approximate dimensions of Height: 4 x Length: 5 x Width: 7.6 metres.

Materials to be used throughout the proposal would match those within the host property.

Amended Plans

Plans were amended from those originally received. The 5 metre projection with the dual pitched roof was considered overly large. The change from a dual pitched roof to lean to pitch roof was considered to reduce impacts to the neighbours. The revised scheme is assessed within this report.

Planning History

The following application is subject to consideration: 138411/LP/2023- Enlargement of dwellinghouse consisting of a hip to gable loft conversion with rear facing dormer and new front facing roof lights.

Further planning permission consists of:
137095/LP/2023- Erection of a part single storey, part two storey rear extension, hip to gable roof, with alterations to roof and erection of front porch.
Refused 28 August 2023.

137002/FH/2023- Erection of rear roof dormer and hip to gable roof conversion to form additional living accommodation.
Withdrawn 12 October 2023.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Although Environmental Health were not consulted on the above application, they made contact during the course of the application and recommended the following informative for the above application:
CLAND Watching Brief
In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Issues

POLICY

The National Planning Policy Framework (September 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 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 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 front porch and single storey rear extension. 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

Front porch:
The front porch would infill the space between the front door and the primary elevation of the host property, enclosing the space which is currently open to view by the neighbouring property. As existing, the enclosed and recessed front porch is open to the neighbouring property. In turn, this would enclose the space between the neighbours and create more privacy to the applicant and neighbouring property. The additional built form would not be considered overbearing or give rise to any adverse loss of light implications due to its location. As no windows would be inserted in the side elevation looking onto the neighbouring property, no adverse privacy implications would occur. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

Single storey rear extension:
The single storey rear extension would extend the width of the host property, although would be set in slightly from the boundary due to the splayed nature of the boundary to the rear. This would result in a 5 metre projection against/ extremely close to the shared boundary with neighbouring property to the east no.34 Walker Road. Given the orientation of the properties, the immediate neighbour may feel some loss of light in the afternoon, however given the proposal is single storey, any impact is not considered severe. Amended plans change the roof formation of the proposal given the dual pitched roof would be considered to create an overbearing feature. The amended lean to roof would result in less built form against the boundary and therefore considers the 5 metre projection acceptable. No windows would be inserted in the side elevation of the proposal and as such, no adverse privacy implications would occur.

The neighbour to the west, no.38 Walker Road, would be sited approximately 5 metres from the proposal. Due to the amenity space and alleyway separating the proposal to the neighbour’s side boundary and since the neighbour’s property has a different position due to the turn within the road of Walker Road, the neighbour is not considered to be negatively impacted by the proposal.

The proposal would not cause any adverse amenity implications to neighbours to the rear given the proposal is single storey only and given the approximate 12 metre distance between the proposal and boundaries of the neighbouring properties.

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

Design and Appearance

Front porch:
Given the front porch would have an internal space of 3.33m2, the front porch would exceed the restrictions of Permitted Development. However, as the front porch would have a projection of 2.1 metres, it would be considered a small addition to the front of the property. Although the front porch would result in a different roof arrangement to the existing and neighbouring properties, given the host property is characterised by a range of roof formations, the proposal is considered to be similar in form and appearance. As such, this element of the proposal is considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Single storey rear extension:
The rear extension would have a projection of 5 metres and therefore exceed the maximum projection of Policy DC1.3 of the UDP- 3.65 metres. However, since the implementation of the UDP, the Larger Home Extension route allows extensions up to 6 metres in size, the projection of 5 metres is considered acceptable. Given the spacious nature of the rear amenity space, the change to a more sympathetic roof formation for the neighbour and as only 1 immediate neighbour would be impacted, the proposal is therefore considered acceptable in size and form.

Materials:
Materials to be used would match the host 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

Space would still be retained for 1no. minimum car to be parked off street. This is considered acceptable.

Bin Storage

Bin storage arrangements would not be impacted by 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 and the amended design is considered to overcome issues raised.

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 26 October 2023.

-Drawing- Existing & Proposed- Plans and Elevations, numbered WD2.2, stamped as received by the City Council as Local Planning Authority on 23 November 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) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Informatives

1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

34 Walker Road, Manchester, M9 6RF
38 Walker Road, Manchester, M9 6RF
7 Mansfield Drive, Manchester, M9 6RU
5 Mansfield Drive, Manchester, M9 6RU
31 Mansfield Road, Manchester, M9 6RH

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