MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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|---|---|
| **Application no.** | 138926/FH/2023 |
| **Date registered valid:** | 28 December 2023 |
| **Proposal:** | Erection of a single-storey side extension and a single storey rear conservatory following demolition of existing rear conservatory. |
| **Address:** | 59 Fouracres Road, Manchester, M23 1ER |
| **Ward(s):** | Baguley Ward |
| **Applicant:** | Dr Malachy Abah |
| **Agent (if any):** | Mr Ronald Gonshaw. Gonshaw Associates |
| **Case officer:** | Joshua Lee<br>Tel: 0161 219 2851<br>Email: joshua.lee@manchester.gov.uk |

**Recommendation:** Approve

**Date of recommendation:** **26/01/2024**

# Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 26/01/2024

**Standard consultations:**

No consultations have been printed and sent.

**Neighbour notifications**

Printed: 2 January 2024 Expired: 23 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**

The proposal is related to a semi-detached dwellinghouse on Fouracres Road. The property features an existing single storey conservatory and a shared outbuilding. The property has hardstanding to the front for off street vehicle parking and landscaping to the side and rear.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable



*Figure 1. Street scene*



*Figure 2. Rear Elevation*

**Description of area**

The property is located in a mostly residential part of Manchester's Baguley ward.



**Description of development**

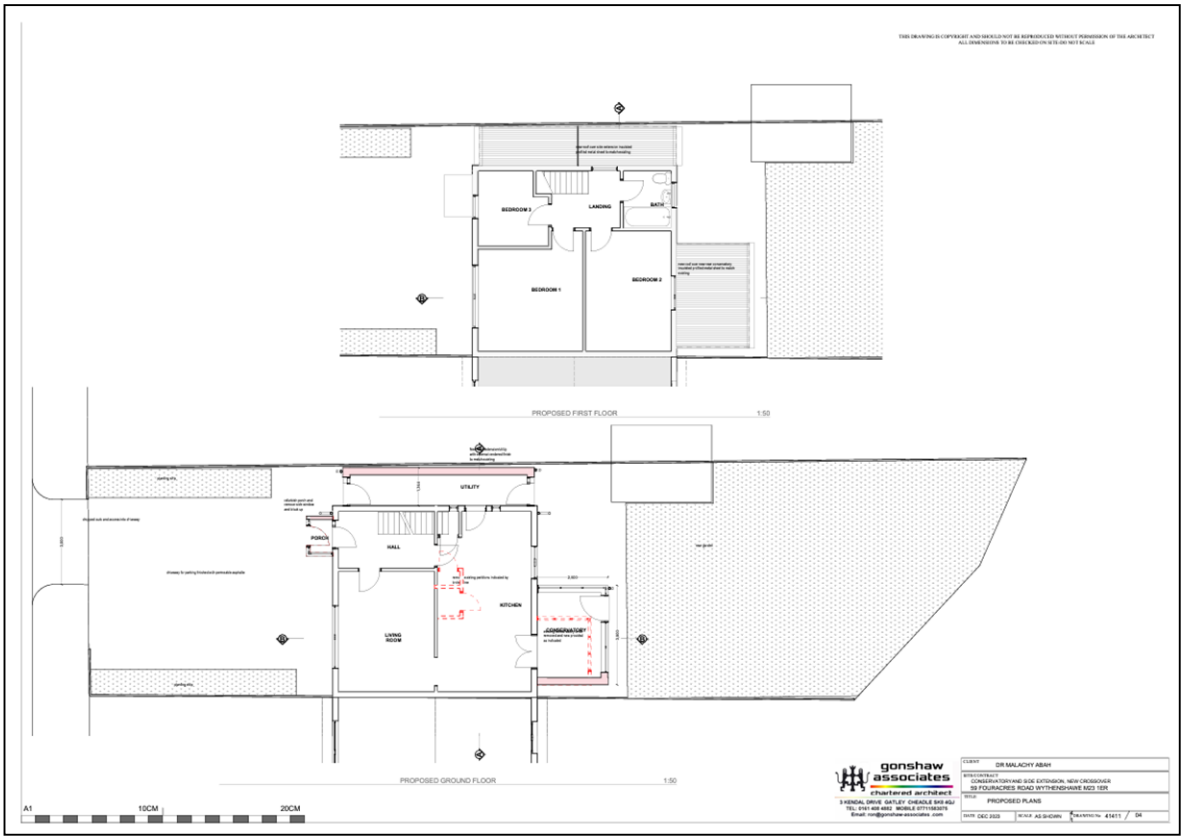
The applicant is proposing the erection of a single-storey side extension and a single storey rear conservatory following demolition of existing rear conservatory.

*Single-storey side extension*

The proposed side extension would project 1350mm from the existing side elevation to sit just off the boundary. The extension would feature a new door to the front and rear and a pitched gable roof to a maximum height of 3853mm.

*Single storey rear conservatory*

The proposed conservatory replaces the existing and projects 2500mm from the existing rear elevation and spans 3500mm across the rear elevation. The conservatory features new glazing to the rear and a pitched roof.



# Planning History

There is no planning history at the address.

# Consultations & Notification Responses

### Consultations

We did not consult any consultees on this proposal.

### Notifications

*Local Residents*

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

# Policies & Principle

### Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

*Local*

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management
    - SP 1 - Spatial Principles

    - EN 1 - Design Principles and Strategic Character Areas
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC1 - Residential Extensions

*Regional*

- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.

*National*

- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places

**Principle of the development**

Residents can usually expand their homes for more space, as long as it doesn't affect the neighbourhood or property's character.

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

# The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

**DM 1 – Development Management**

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

*Appropriate siting, layout, scale, form, massing, materials, and detail*

The applicant is seeking the erection of a single-storey side extension and a single storey rear conservatory following demolition of existing rear conservatory.

The new addition is designed to match the style and features of the current building. This includes the windows.

The proposal uses brick, render and profiled metal sheet roofing to match the existing property (according to the application form).

The proposal is designed to be subservient to the original dwelling house.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

*Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.*

The proposal can be seen from the street; however the scale and use of materials negate any effect to the street scene.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby. Therefore, it can fit on the property site and won't disrupt the area's existing features.

The proposal's design would match the nearby properties. It would use the specified render and metal roof as existing to match.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

*Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.*

The proposal adds 1no window in the front of the building. It doesn't affect privacy much because there are other windows to this elevation.

The proposal includes adding glazing at the back of the building. This glazing faces into the gardens of properties on Foreacres Road. The design of the boundary and its distance help reduce privacy concerns.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal has no effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

*Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.*

The proposal does not change how people can get in and out of the building.

The proposal is therefore in accordance with this development management principle.

*Adequacy of internal accommodation and external amenity space.*

The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

*Refuse storage and collection.*

The proposal itself has little impact on waste from the site. The applicant has confirmed the domestic waste bins are to be stored in the new extension.

We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

*Vehicular access and car parking*

The proposal doesn't change how vehicles access and park at the property, so it follows the development management principle.

*Effects relating to biodiversity, landscape, archaeological or built heritage*

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

*Green Infrastructure including open space, both public and private*

The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal would minimally affect green infrastructure and would balance new development with existing green space.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

The proposal is therefore in accordance with this development management principle.

*Flood risk and drainage.*

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

**SP 1 - Spatial Principles**

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

We consider this proposal to accord with the principles of this policy.

**EN 1 – Design Principles and Strategic Character Areas**

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the 'Wythenshawe Character Area'.

We consider this proposal to accord with the principles of this policy.

## Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

**DC1 - Residential Extensions**

This policy outlines the key issues when considering proposed residential extensions.

We consider this proposal to accord with the principles of this policy.

## Places for Everyone Plan

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 on the Plan. The Examination of 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 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.

This proposal is considered to accord with the aspirations of the Places for Everyone Plan.

## The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

**Section 4 - Decision-making**

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

**Section 12 - Achieving well-designed places**

Section 12 of the NPPF outlines the need to achieve well-designed places.

## Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)

- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

## 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.

## Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

## Recommendation: Approve

**Article 35 Declaration**

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal 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. No significant problems have arisen during the consideration of this application.

## Condition(s) to be attached to decision for approval

1. **3-year time limit**

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. Specified plans**

The development hereby approved shall be carried out in accordance with the following drawings and documents:

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|---|---|---|---|---|
| a. | Drawing - Location Plan | 28 Dec 2023 | 41411/01 | |
| b. | Drawing - Site Plan | 28 Dec 2023 | 41411/02 | |
| c. | Drawing - Existing ELEVATIONS | 28 Dec 2023 | 41411/03 | PLANS AND |
| d. | Drawing - Proposed | 28 Dec 2023 | 41411/04 | FLOOR PLAN |
| e. | Drawing - Proposed | 28 Dec 2023 | 41411/05 | ELEVATION |

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

**3. Specified materials**

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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 structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

**4. Additional glazing restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those

shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

## Appendix 1 – List of consultees & neighbours notified

25 Fouracres Road, Manchester, M23 1FG
EAM Lodge CIC, 21 Fouracres Road, Manchester, M23 1FG
23 Fouracres Road, Manchester, M23 1FG
61 Fouracres Road, Manchester, M23 1ER
57 Fouracres Road, Manchester, M23 1ER

## 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 45M
Area Team Boundary - Name: SOUTH AREA