MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138585/FH/2023
Date registered valid:	28 November 2023
Proposal:	Erection of a single storey rear extension and rear dormer together with associated elevational alterations to provide additional living accommodation
Address:	49 Marshall Road, Manchester, M19 2EG
Ward(s):	Burnage Ward
Applicant:	Mr Tim Parr
Agent (if any):	Mr Mark Walsh, Vision Design Group
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	22 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 January 2024

Standard consultations:
Printed: 6 December 2023 Expired: 27 December 2023

Neighbour notifications
Printed: 6 December 2023 Expired: 27 December 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application site is a traditional, ground floor bay-fronted, 2-storey, mid-terrace dwellinghouse with original rear outrigger. The existing outrigger is approximately 4.4 metres deep, whilst maintaining a separation distance of approximately 1.6 metres from the common shared boundary with no. 47 Marshall Road. The application dwellinghouse is constructed in red brick, grey slate roof tiles with boundary screening, approximately 1.8 metres high along the rear perimeter. Railway lines run along the rear boundary. The rear garden is significantly long, measuring approximately, (26.5 metres deep - from the rear building line of the existing rear outrigger). The shallow front garden area is defined by a low brick wall with metal railings above. The site is close to the junctions of Marshall Road with Alma Road and Preston Road, is within a short walking distance from the A6 - Stockport Road, with the wider area being broadly mixed use in character.

Site History

- 123837/FH/2019 - Proposed erection of a single storey extension to the rear of existing dwellinghouse, APPROVED 07/2019.

At the time of the planning officer's site visit of 03.01.2024 it was noted that the above permission had not been implemented.

Description of development

The submitted plan relates to a proposed single storey rear extension, rear roof dormer, together with associated elevational alterations to provide additional living accommodation.

The proposed single storey rear extension element would be sited along the common shared boundary with no. 51 Marshall Road whilst maintaining a small gap of approximately 113mm from this boundary. It would also retain a separation distance of approximately 1605mm from the common shared boundary with no. 47 Marshall Road and would measure approximately (4000mm deep x 3566mm wide x 3608mm maximum height). It would comprise of a flat roof design (with a pitched roof glazed roof lantern), including bi-fold doors along the rear elevation. It is intended to use matching materials.
In terms of the proposed rear roof dormer extension, this element would measure approximately, (4959mm wide x 4240mm deep x 2750mm maximum height) and would be centrally placed along the rear roof plane whilst being stepped-away from the common boundaries with nos. 47 and 51 Marshall Road. It would be set below the original roof ridge and above the eaves, with 1no. window along rear elevation. It is intended to clad the dormer wall with black composite cladding.

With regards to the proposed elevational alterations: this would comprise of the installation of 2no. windows along the front roof plane, along the Marshall Road elevation. Removing the existing window along the ground floor rear elevation - (close to the common shared boundary with no. 47 Marshall Road) and introducing 1no. door with stepped access in this location. It is also intended to brick up the existing door with stepped access along the ground floor side elevation - (facing the common shared boundary with no. 47 Marshall Road) and introduce 1no. small window to serve a bathroom in this location, including 2no. further windows along this elevation to serve the existing kitchen.

Consultations & Notification Responses

1. Local residents

No comments, objections or representation received.

2. Network Rail

No comments or objections on this occasion.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and n0eighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. 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.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007

- Chapter 2: Design

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and visual amenity

Impact of works (single storey rear extension, rear roof dormer extension together with associated elevational alterations) - The application site benefits from a substantially long rear garden (measuring approximately 26.5 metres deep) which maintains a significant separation distance from the railway lines along the rear boundary and therefore the proposal will not be readily visible from the immediate primary highway.

The proposal would also be informed by similar developments within the immediate area which have been consented by planning permission reference numbers, (132389/FO/2021, 123837/FH/2019, 117252/FH/2017 and 117779/FH/2017). Notwithstanding this factor, although the overall proposed rearward projection of the proposed single storey rear extension at approximately 4000mm is (350mm) in excess of the City Councils saved policy DC1.3 (a) regarding rearward extensions, it is within the limitations for a larger homes extension application. Moreover; in light of the pre-existing contextual relationship along rear elevation and side boundaries, and given the significant depth of the rear garden, and due to the fact that the proposal would be single storey and the proposed developments would be contained with the existing curtilage of the application site, and as a result of the proposed roof design of the single storey rear extension element, there would be no significant impact in terms of massing on the occupiers of nos. 47 and 51 Marshall Road from the single storey rear extension, as there are no overbearing, overshadowing or loss of privacy impacts.

In terms of the rear roof dormer extension together with associated elevational alterations, the nature of these developments would generally fall under householder general permitted development for the nature of the property and therefore an application for planning permission would not usually be required. Therefore, given this fallback position, it is not considered that the proposed rear roof dormer and elevational alterations would not create an undue impact on the character of the property or general area; and therefore, on balance and subject to planning conditions, it is considered that these elements of the proposed development could be accommodated in this location in this instance.

Impact of works (Design and appearance) - Given the substantially large rear garden, it is considered that the extensions have been well designed to be proportionate, subservient and sympathetic to the character and appearance of the existing property and in the context of the surrounding properties. The proposed extensions are not considered to be excessively large and bulky or unduly detrimental to the visual amenity of the area and as such the proposal is considered to be acceptable in terms of design and appearance. In addition, whilst it is considered that the existing dwellinghouse has significant character features for its period, it would also appear from the submitted scheme that the applicant has been sympathetic in this regard, whilst in incorporating modern design elements in terms of the roof lantern and proposed cladding for the external façade of the proposed dormer . For the reasons stated above and given the surrounding context and the contextual relationship with the immediate surrounding dwellinghouses, it is not considered that the proposed development would be unduly detrimental in design terms. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the applicant but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 17 November 2023.

- Location Plan, Existing and Proposed Site Plan with application site edged in red, DRAWING NUMBER A100, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Existing Floor Plans, DRAWING NUMBER A101, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Existing Elevations, DRAWING NUMBER A111, REV 2, received by the City Council as the Local Planning Authority on 17 November 2023.

- Existing and Proposed 3D Visuals, DRAWING NUMBER A103, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Internal Layouts, DRAWING NUMBER A104, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Internal Visuals, DRAWING NUMBER A109, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Proposed Floor Plans, DRAWING NUMBER A102, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Proposed Elevations, DRAWING NUMBER A114, REV 2, received by the City Council as the Local Planning Authority on 17 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 Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

3) The materials used to construct the external elevations of the single storey rear extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the application form and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

4) 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 windows or doors shall be inserted into the elevations of the development hereby approved other than those stated on:

- Proposed Floor Plans, DRAWING NUMBER A102, REV 1, received by the City Council as the Local Planning Authority on 17 November 2023.

- Proposed Elevations, DRAWING NUMBER A114, REV 2, received by the City Council as the Local Planning Authority on 17 November 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

5) Before first occupation of the development thereby approved, the proposed window along the ground floor side elevation to serve the annotated ("BATHROOM") and as shown on: Proposed Floor Plans, DRAWING NUMBER A102, REV 1 and Proposed Elevations, DRAWING NUMBER A114, REV 2, both received by the City Council as the Local Planning Authority on 17 November 2023, shall be obscurely 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 - In the interest of privacy and in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Network Rail

Flat 4, 51 Marshall Road, Manchester, M19 2EG
Flat 3, 51 Marshall Road, Manchester, M19 2EG
Flat 2, 51 Marshall Road, Manchester, M19 2EG
Flat 1, 51 Marshall Road, Manchester, M19 2EG
50 Marshall Road, Manchester, M19 2FQ
47 Marshall Road, Manchester, M19 2EG
51 Marshall Road, Manchester, M19 2EG
52 Marshall Road, Manchester, M19 2FQ
48 Marshall Road, Manchester, M19 2FQ

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