MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138494/FH/2023
Date registered valid:	6 November 2023
Proposal:	Installation of first floor rear glazed enclosure to existing sun terrace.
Address:	23 Holme Road, Manchester, M20 2UP
Ward(s):	Didsbury West Ward
Applicant:	T Murray
Agent (if any):	Mr Andrew Brodie, AGB CAD Services Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**21 December 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 November 2023

Standard consultations:
Printed: 13 November 2023 Expired: 4 December 2023

Neighbour notifications
Printed: 13 November 2023 Expired: 4 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: No

Tree Preservation Order: No

Description of area

The application site relates to 23 Holme Road within the south Manchester ward of Didsbury West. The application site relates to a large, detached red brick property, within a predominantly residential area surrounded by similar type properties varying in design. The property benefits from a small garden area to the front with integrated garage and driveway. The property benefits from rear dormer windows to front and rear and first floor roof terrace to rear, and a further garden space is sited to the rear of the property. The rear garden is characterised by several outbuildings. The boundary treatment is made up of timber fencing, wall and railings to the front and high trees and hedging. A single storey side and rear extension has previously been approved under a Certificate of Lawful Development.

Description of development

The submitted application seeks planning permission for the installation of first floor rear glazed enclosure to existing sun terrace. The sun terrace is sited to the rear of the applicant property and looks onto the rear amenity space connected with the property.

The proposal would involve enclosing the existing sun terrace and as such the only built form would be the materials to enclose the structure. The enclosure would take the form of glazed

balustrade, glazed sliding door panels, box frame and glazed roof panels. An example of the enclosure was provided as part of the formal permission and the box frame would be grey in colouration.

Planning History

126215/LP/2020- Certificate of lawful proposed development for the erection of a first floor rear extension to form additional bedroom.
Refused 9 April 2020.

126956/FH/2020- Erection of first floor rear extension to form additional living accommodation.
Approved 16 July 2020.

112535/LP/2016/S2- Certificate of Lawful Proposed Development for the erection of single storey side extension to provide additional living accommodation.
Approved 10 August 2016.

Further planning history exists prior to the current plan period of 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one response was received in support of the application.

HS2

HS2 were consulted on the above application and provided the following response:

I can confirm that the red line location plan boundary falls within safeguarding for Phase 2b of HS2. As you may be aware, on 4th October 2023 the Prime Minister announced the cancellation of this section of high-speed rail between Crewe and Manchester. The Network North: Transforming British Transport Command Paper states that safeguarding throughout Phase 2b is to be amended by Summer 2024 to allow for safeguarding needed for Northern Powerhouse Rail, and at this time it is not fully understood what land will remain in safeguarding.

However, we have reviewed the proposal for the above application and can confirm that we have no objections in planning terms. However, please be minded should the local authority grant planning permission, it is requested the following informative is included on the decision notice for awareness:

Informative:
The applicant is advised that part of the application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester and Birmingham to Leeds). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes.

As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at: Network North - GOV.UK (www.gov.uk)."

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 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 installation of first floor rear glazed enclosure to existing sun terrace. 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

The proposal would enclose the existing sun terrace to the rear of the property and faces in a southern direction. As existing, the applicant can stand on the sun terrace and oblique views can be obtained to the neighbouring property to the south. There would be no adverse implications in terms of overlooking to the neighbour to the south given the existing circumstances. Further, given the structure would be enclosed this would hopefully create an obstacle between the first floor structure and the neighbouring property. No loss of light would occur. The structure is not considered to create an overbearing feature to the neighbour to the south given it would be at first floor level and the dense hedging/ trees separating the two properties.

Due to the angle of the proposed structure, the neighbour to the north would not be negatively affected by the proposed structure.

The neighbours to the rear of the proposal, including the development recently approved at Jessiefield (see planning ref: 134946/FO/2022) would not be negatively impacted due to the 11 metre distance to the rear boundary line of the applicant site.

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

Design and Appearance

The proposal seeks to enclose the existing first floor terrace and make the area more useable on a day to day basis and is therefore considered acceptable in design. As the proposal would not involve any additional built form and at height, the scheme is sympathetic to the existing form of development at the site.

The enclosure would take the form of glazed balustrade, glazed sliding door panels, box frame and glazed roof panels. An example of the enclosure was provided as part of the application

and the box frame would be grey in colouration. Whilst the materials of the structure would contrast those within the host property, the enclosure is considered to create a high quality and contemporary addition. The structure would not be seen from the streetscene. The materials chosen are 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

Car parking would be unaffected by this proposal.

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.

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 6 November 2023.
-Drawing- Proposed- Floor Plans, numbered 2342-04, stamped as received by the City Council as Local Planning Authority on 6 November 2023.
-Drawing- Proposed- Elevations, numbered 2342-05, stamped as received by the City Council as Local Planning Authority on 6 November 2023.
-Drawing- Site Plan- Existing & Proposed, stamped as received by the City Council as Local Planning Authority on 6 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 to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and within the ‘Drawing- Proposed- Elevations, numbered 2342-05’ specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Informatives

1) The applicant is advised that part of the application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester and Birmingham to Leeds). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at: Network North - GOV.UK (www.gov.uk).”

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

27 Dundreggan Gardens, Manchester, M20 2EL
25 Dundreggan Gardens, Manchester, M20 2EL
23 Dundreggan Gardens, Manchester, M20 2EL
21 Dundreggan Gardens, Manchester, M20 2EL
19 Dundreggan Gardens, Manchester, M20 2EL
17 Dundreggan Gardens, Manchester, M20 2EL
Flat 7, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 3, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 16, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 13, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 10, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 6, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 9, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 8, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 5, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 4, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 2, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 15, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 14, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 12, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 11, Cairncroft, Holme Road, Manchester, M20 2UP
Flat 1, Cairncroft, Holme Road, Manchester, M20 2UP
25 Holme Road, Manchester, M20 2UP

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
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH AREA