

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137024/FH/2023

Date registered valid: 25 May 2023

Proposal: Erection of part single/part two storey extensions to the side and rear to form additional living accommodation.

Address: 80 Mornington Crescent, Manchester, M14 6DD

Ward(s): Old Moat Ward

Applicant: Mr Simran Sathi

Agent (if any):

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10th July 23

Standard consultations:

Printed: 8 November 2023 Expired: 18 November 2023

Neighbour notifications

Printed: 8 November 2023 Expired: 18 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

The property that is the subject of this householder application is a brick built semi-detached dwellinghouse. It is 2 storey with bays to the ground and first floors. There is an original outrigger on the rear of the property. There is a driveway to the side and gardens to the front and rear. There is space for one vehicle to park off road. The boundary to the front of the property is a brick wall with ornamental railings and double gates, to the rear it is timber panel fences.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with properties of a similar age and style to the proposal site.

Description of development

The proposal is for the erection of a part single part two storey side and rear extension to create additional living accommodation. The extension to the side is set back at first floor by 2m from the front of the property and projects from the rear building line by 2.5 metres at first floor, it then continues across the rear for 2.8 m and projects out further to 3.5m. The accommodation created would be office, cloaks and extended open plan kitchen to the ground floor with 2 additional bedrooms 1 with en-suite to the first floor.

Consultations & Notification Responses

Local residents were informed- one representation was received as a result of the first round of consultation. A revised scheme was subsequently received and a further round of consultations

took place. One comment was again received as a result of the second round of consultation. The main points of concern are as follows:

There are concerns with the issue of overshadowing. The new first floor extension will extend the first floor by 2.5m at one point and 3.5m from another from the original rear walls which will block light to the kitchen. This is exacerbated by the extension to the side of the property which will block both morning and midday light to the property.

It is appreciated that steps have been taken to mitigate this however the extension will still have a significant impact upon the light reaching our property due to the increase in the footprint of the property.

Flood Risk Management have been consulted and recommend that a condition requiring the submission of a Flood Risk Management Desk Top Study be submitted and approved by the City Council, and once approved implemented as per the approved details.

SUSTRANS- were consulted no representations have been received.

POLICIES

Unitary Development Plan Saved Policies

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 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 the original buildings)
- b) they do not create an 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 street scene by virtue of design, use of materials or constructional 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 car 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 (12ft) in length

DC1.4 In considering proposals for 2 storey side extensions, the council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole
- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved

As a guide and without prejudice to the generality of this policy, the council will normally permit 2 storey house extensions which, when built, would leave a minimum of 1.52m (5ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

The National Planning Policy Framework

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 - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other Documents.

National Policy Framework has been related to the proposed development, with particular emphasis given to the following: Chapter 12: Achieving well designed places.

It is considered that the style of the extension and the use of matching materials will ensure that the development is suitably related to the existing building and its context. Chapter 12 has therefore been positively responded to.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

City Councils Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

ISSUES

Principle

The principle of extending existing residential accommodation to create additional living accommodation in an established residential area is considered acceptable. Full assessment however must be given to any impacts upon residential and visual amenity and upon the character of the property itself and the area within which it is located.

Residential / Visual Amenity.

The submitted application is for the erection of a part single/part two storey side and rear extensions that would wrap around the host property. The proposed roof would be retained as a hipped roof, and is to be set much lower than the existing ridge. The extension to the existing dwellinghouse would provide additional living accommodation in the form of extended open plan

kitchen, office and cloakroom to the ground floor with 2 additional bedrooms 1 with en-suite to the first floor.

The extension to the side would be set back from the front of the property by 2.0 metres to the first floor. It would project from the rear building line by 2.5 metres at the point where it is closest to the common boundary with number 82 Mornington Crescent. It then runs across the rear for 2.8m and then the projection increases to a 3.5m rearward projection. There is a gap maintained to the side of the property along the common boundary with number 82 and a gap retained to the first floor towards the common boundary with number 78 Mornington Crescent. There would be no additional windows within the first floor elevations along the common boundaries, with the windows overlooking the applicants own garden to either the front or rear of the property. The ground floor windows proposed would all be obscurely glazed along the side elevations to ensure that there is no loss of privacy or overlooking.

Given the set back from the front It is not highly visible and with this together with the set down of the roof line, would not result in any terracing effect. Whilst the rearward projection at the ground floor is of a good size, this has been much reduced for the first floor extensions. It is acknowledged that there may be some loss of light to the neighbouring property at number 82 this would primarily be on the side of the property, where the windows would appear to be a landing window and a side door into the kitchen area. The primary window to the kitchen being on the rear elevation. It is therefore not considered to have such a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties as to merit refusal. The proposal would post development maintain a good level of usable amenity space for the occupants of number 80 Mornington Crescent.

Visual Amenity- The proposed roof line is set much lower than the existing property. Given the set back and drop down, the property following the extensions would not result in an incongruous feature within the street scene, and retains subservience to the existing property. The rear extensions cannot be readily viewed from public space. The materials to be used would match those of the existing house, and an appropriate condition to that effect would be attached to any consent granted. It is not considered that the proposal would have a detrimental impact upon the character of the property itself, the area within which it is located nor upon the visual amenity of the neighbouring properties.

There are several of the properties within the immediate area that have the benefit of similar or larger rearward projections. The potential development gap between the properties is capable of being shared as the mitigation in the set -backs and lower roof lines would remove the potential for terracing should the neighbouring property wish to extend their property in a similar manner.

Design and Siting- The design is similar to other properties within the immediate and wider area and following negotiation the scheme has been reduced to that now under consideration. The revised scheme has given consideration to the proposed siting by way of reducing the bulk and massing on the common boundaries.

Bin Storage- The bins are currently stored in the rear garden. This would not be possible following the implementation of the proposal. It is the applicants intention to store the bins to the property frontage, and as such there will be a condition attached to any consent granted requiring the submission of the details of the design and location of an appropriate bin store.

Flood Risk – As the proposal sits within flood zone 2 further information is required via an appropriately worded condition. The submitted plans indicate finished floor levels to match existing and the overall evacuation routes from the property would remain as existing.

Parking- The proposal will retain space for in curtilage parking to the front of the property. Provision of one space in curtilage is achieved and this is in line with national and local policy.

Overall, the proposed extensions are considered not to create any significant impact in terms of visual and residential amenity within the character of the general area. There are other properties within the immediate area that have also had the benefit of similar extensions to those proposed for 80 Mornington Crescent.

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 national and local policies and other material considerations. In this instance negotiations took place to secure an acceptable scheme which could be recommended for 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:

Location Plan received 19th May 2023

1032/23 Proposed floor plans and elevations received 31st October 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.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture. Where the materials relate to an existing elevation, they shall match that specific material on that elevation.

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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Prior to the occupation of the development hereby approved, the details of a bin store including size, location and materials shall be submitted to and approved in writing by the City Council as local planning authority. The approved details shall be implemented and thereafter retained and maintained so long as the development hereby approved is in use.

Reason - In the interests of the provision of adequate waste storage, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

5) 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 extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Before first occupation, the proposed ground floor windows in the western elevation together with the existing first floor window in the western elevation 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

7) Prior to commencement of above groundworks a flood risk assessment shall be submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.

- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke

hydraulic modelling and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.

- Identification of any historic flood events on site or within close proximity to the site.
- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.
- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- Any supporting plans and drawings. - See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason- To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required Pursuant to policies within the NPPF and NPPG and local policies EN08 and EN14.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Sustrans
Sustrans
MCC Flood Risk Management

15 Birchington Road, Manchester, M14 6BY
82 Mornington Crescent, Manchester, M14 6DD
78 Mornington Crescent, Manchester, M14 6DD

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA