

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138115/JO/2023

Date registered valid: 18 September 2023

Proposal: Variation of condition no. 2 (approved drawings) attached to planning permission 136030/FH/2023 to allow for revisions to the design of the extension

Address: 199 Manley Road, Manchester, M21 0GY

Ward(s): Chorlton Ward

Applicant: Mr Conroy

Agent (if any): Tom Partridge, Common Practice

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 November 2023

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: 22 March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 September 2023

Expired: 11 October 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 site/building

The site relates to a semi-detached property in the Whalley Range ward area of Manchester. The front has brick bays at ground floor. Gardens lie to the front and rear with access along the side. The property benefits from a single storey rear extension, conservatory and detached garage.

Description of area

The area is predominantly residential in character.

Description of development

The original scheme included: the erection of a 2-storey side and part-rear extension and a single storey rear extension, along with single storey outbuilding, following demolition of existing single storey garage and lean-to conservatory. This current proposal is to modify the scheme by reducing the set back of the front side extension at first floor level, from 1.5m to 0.67metres.

Site History

135016/FH/2022 Erection of a two-storey side and part single/part two storey rear extension together with attached canopy following the demolition of existing single-storey garage and lean-to conservatory. Withdrawn.

136030/FH/2023 Erection of a 2-storey side and part-rear extension and a single storey rear extension, along with single storey outbuilding, following demolition of existing single storey garage and lean-to conservatory

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles

DM1 - Development Management 1

The relevant UDP policies for this application are:

DC 1.1 - 1.6 - Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design

52, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed.

Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

Residential Amenity and Visual Amenity

Concerns were raised with the applicant regarding the close proximity of the proposal to the shared boundary with no. 201 Manley Road, where the proposed side extension would have gone beyond the original rear wall, as it would have had the potential to be overbearing, in addition the orientation of the property means that if built as originally proposed there would also be some overshadowing should the extension be approved.

The applicant re submitted a revised scheme which now pulls the first-floor rear away from the common boundary. There no windows the side elevations of the extension.

The side extension will be set back from the front of the dwellinghouse at ground and first floor which would result in a hipped roof with a lower ridge height than the existing dwellinghouse. The setback, together with the reduction in height of the roof of the side extension would result in a subservient structure and provide a contrast between the original dwellinghouse and the extension. The setback will also prevent a 'terracing effect' and allow the gap between the properties to be shared equally. The original scheme had a 1.5m setback at first floor level to avoid the issue of terracing. This application seeks to reduce the setback to an extension that still renders the proposal acceptable. A 0.67 metre set back combined with the first-floor extension being clad in contrasting materials, such as hung tiles contributes to the appearance of separation between the neighbouring properties and is acceptable on that basis.

In terms of the rear extension the applicant is seeking to extend the ground floor and create a first-floor extension to form a new bedroom which would occupy part of the rear elevation and be significantly pulled away from the common boundary with the adjoining property.

The property has previously been extended at the rear of the property with a single storey rear conservatory which will be demolished . The rearward projection at ground and first floor level is 3.7 m. If applicant had not extend previously they could have built a 6 metre single storey extension under permitted development rights.

On balance, due to the position, design and size of the proposed extension it is considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

In terms of the proposed materials, it is intended to use matching brick, matching red clay tiles, hung tiles on the front elevation, vertical timer weatherboard and vertical timber battens on windows. The extensions are of a modern cube design with add visual interest consisting of large oblong widows would complement the design of the extension.

Overall, the design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would provide a modern addition to the property. The outbuildings would appear to be st on a decked area and 1.8 metre infill fence demarks the common

boundary with the non-adjointing property. Overall, the design would not adversely impact upon residential amenity or the character of the area.

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.

Outbuilding

The provision of the outbuilding is considered acceptable, and it is worth noting the outbuilding most likely due to its height in relation to the boundary would constitute permitted development.

Design - The outbuilding would be modest in size, it would be contemporary in design and constructed from materials that match the extension for the dwellinghouse. Overall, the design of the outbuildings is considered acceptable.

Residential Amenity - The outbuilding would not lead to overlooking or overshadowing. The building would be ancillary to the dwelling house. Given this, it is not considered that the proposal would have a detrimental impact upon existing levels of residential amenity.

Visual Amenity - Given the design and siting of the outbuilding it is not considered it would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

Bin storage - Bin storage would be unaffected by the development.

Parking - Parking would be unaffected by the development.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Other

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than 28 March 2026.

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:

The Location Plan, The Site Plan and drawing number P.110 / A, received electronically on the 14 November 2023.

P211/A, P210/A, P112/A, and P111/A stamped as received on the 18 September 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 development hereby approved shall be carried out in accordance with the materials as set out in drawings:

P211/A, P210/A, P112/A, and P111/A stamped as received on the 18 September 2023.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

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 extension hereby approved other than those shown on the approved drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

197 Manley Road, Manchester, M21 0GY
258 Brantingham Road, Manchester, M21 0QZ
236B Manley Road, Manchester, M21 0RU
236A Manley Road, Manchester, M21 0RU
236 Manley Road, Manchester, M21 0RU
201 Manley Road, Manchester, M21 0GY
234 Manley Road, Manchester, M21 0GZ
232 Manley Road, Manchester, M21 0GZ

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