

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136281/FH/2023
Date registered valid: 25 September 2023
Proposal: Erection of a two storey side and rear extension to dwelling
Address: 16 Whitehaven Gardens, Manchester, M20 2SY
Ward(s): Didsbury West Ward

Applicant: Alison Jenkinson
Agent (if any): Mr Colin Williams, Alpha Design
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 17 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 October 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 September 2023

Expired: 18 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 area

The application site relates to 16 Whitehaven Gardens within the south Manchester ward of Didsbury West. The application site relates to a two storey, semi-detached, inter-war period property. The property is of a traditional red brick and render construction based on Arts and Crafts principles with a distinct cat slide roof, front porthole bathroom at first floor and front porch at ground floor level. The property has both hipped and gable tiled roof. The property benefits from amenity space to the front in the form of a driveway and amenity space to the rear is characterised by a pebbled garden with a timber shed.

This application was brought about by a complaint from a neighbour to the LPA Enforcement Team as the extension had started to be built up to the first floor without planning permission. Whilst an application had been submitted, the application had not been validated when works began. The Enforcement Team instructed the applicant to cease works on site immediately until planning permission had been granted. The current application seeks to rectify the works which are currently unlawful on the site.

Description of development

The submitted application seeks planning permission for the erection of a two storey side and rear extension to dwelling.

The existing single storey rear outrigger has been removed as a result of the proposal.

The two storey side and rear extension would wrap into one another and at the largest point, would have approximate dimensions of Height: 6 x Length: 3.4 x Width: 4.4 metres. The proposal would create a kitchen on the ground floor and bedroom on the first floor. The proposal would involve the insertion of a door within the side elevation, a window and a further wrap round window on the rear elevation.

Materials to be used throughout the proposal would include:

- Stock brick to first floor string line render above to soffit (to match existing),
- Concrete roof tiles (to match existing),
- uPVC windows and doors (different to timber windows and doors as existing).

Amended Plans

Plans have been amended as the window placements seen on site were not accurately reflected within the plans submitted. Plans have been re-submitted to overcome the inconsistencies.

Planning History

033672- Erection of an entrance porch at front of dwelling house to form a toilet for a disabled person.

Approved 25 April 1989.

Consultations & Notification Responses

Local Residents

Local residents were consulted, and no responses were received.

West Didsbury Residents Association

Although not consulted, the West Didsbury Residents Association made contact during the course of the application and stated they had no comments to make.

Issues

POLICY

The National Planning Policy Framework (September 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 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).

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 (5 ft) 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.

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 CABI 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 erection of a two storey side and rear extension to dwelling. This is considered acceptable in principle as many people prefer to alter and adapt 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Two storey side extension:

The two storey side extension would be significantly set back from the primary elevation of the host property by 7.8 metres. As such, there would be no opportunity for a terracing impact to occur and as such would not cause any harm in terms of visual/ residential amenity.

Two storey rear extension:

The proposal would have a rearward projection of 3.4 metres and would extend beyond the existing side boundary line at the site. As such, the proposal would be sited 1.2 metres from the shared boundary with neighbouring property no.18 Whitehaven Gardens. However, this neighbour benefits from additional built form, in the form of: Erection of part 2 storey part single storey rear extension and single storey side extension to form additional living accommodation, approved 29 April 2004 (planning ref: 071170/FH/2004/S2). As such, any harm from the rear extension would be extremely limited, given the proposal would not project further than the neighbouring built form. No adverse privacy implications nor loss of light implications would occur for no.18 Whitehaven Gardens.

The proposal to the rear would be set 3.4 metres from the shared boundary with no.14 Whitehaven Gardens at both ground and first floor level. No.14 also benefits from a similar extension to the one approved- Erection of two storey front, side and rear extension to provide additional living accommodation- approved 11 May 2021 (planning ref: 129736/FH/2021). Given the proposal at first floor level would be set away from the shared boundary, the proposal is not considered to cause adverse loss of light to no.14 Whitehaven Gardens. One window would be inserted on the ground floor which would wrap round the side and rear elevation, facing no.14 Whitehaven Garden. Given the high boundary treatment separating the two properties and the distance to the shared boundary, the insertion of the window in this position is considered acceptable in this instance.

The windows to be inserted in the rear elevation would not give rise to any overlooking opportunities given the distance to the shared boundary. In addition, a condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, and any harm has been mitigated within the revised drawings presented.

Design and Appearance

Two storey side extension:

Given the significant set back from the primary elevation of the property, the proposal would not give rise to a terracing impact and would be viewed as a subservient feature. As such, the proposal is considered pursuant to Policy DC1.4 of the UDP.

Two storey rear extension:

The extension at both ground and first floor level would have a rearward projection of 3.4 metres and would therefore be pursuant to the maximum rearward projection specified within Policy DC1.3 of the UDP.

The design and form of the proposal follows the existing precedent in the streetscene, including similar extensions to both immediate neighbours. The current proposal follows this precedent and is therefore considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Materials:

The materials to be used have been listed within the report previously and would mainly match those used within the host property. As such, the materials are considered sympathetic and appropriate. A materials condition to that effect would be attached to any consent 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

The off street car parking provision would still remain as a result of the proposal.

Bin Storage

Bin storage provision would be unaffected 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 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 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 and appropriate conditions have been attached to any 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 16 February 2023.

-Drawing- Proposed- Plans & Elevations, numbered 2, stamped as received by the City Council as Local Planning Authority on 17 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 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 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.

Appendix 1 – List of consultees & neighbours notified

9 Whitehaven Gardens, Manchester, M20 2SY
18 Whitehaven Gardens, Manchester, M20 2SY
16 Fordbank Road, Manchester, M20 2TH
14 Whitehaven Gardens, Manchester, M20 2SY
7 Whitehaven Gardens, Manchester, M20 2SY
11 Whitehaven Gardens, Manchester, M20 2SY
14 Fordbank Road, Manchester, M20 2TH
12 Fordbank Road, Manchester, M20 2TH

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
Area Team Boundary - Name: SOUTH AREA