

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138103/FH/2023
Date registered valid: 15 September 2023
Proposal: Erection of rear roof dormer, hip to gable roof conversion and elevational alterations including the application of render
Address: 3 Rishworth Drive, Manchester, M40 3PS
Ward(s): Moston Ward

Applicant: Mr P Jones
Agent (if any): Mr David Worthington, DIW Drawing Services
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 9 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 September 2023

Standard consultations:

Printed: 19 September 2023 Expired: 10 October 2023

Neighbour notifications

Printed: 19 September 2023 Expired: 10 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 property relates to 3 Rishworth Drive within the north Manchester ward of Moston. The application site relates to a semi-detached brick built bungalow. The property benefits from off street car parking to the front and side a modest sized front grassed area, raised decking area, rear garden and a rear outbuilding.

At the time of the site visit, scaffolding was being erected at the site.

Description of development

The application seeks planning permission for the erection of rear roof dormer, hip to gable roof conversion and elevational alterations including the application of render.

The rear roof dormer would have approximate dimensions of Height: 2.5 x Length: 3.7 x Width: 6.6 metres. The hip to gable roof alteration would occur to the non-adjoining side of the property and would allow for the erection of the rear dormer. Elevational alterations would include the insertion of a new entrance door and window within the front elevation, the removal of a door within the side elevation and changes in layout of windows and doors to the rear elevation of the

host property. Two roof lights would be inserted in the front roof plane. Render would be applied across the property and would be a K Rend product in a silicone thin coat Limestone White.

The proposal would involve the insertion of two windows in the rear elevation of the dormer.

The proposal would create a second floor at the property creating two bedrooms and a bathroom.

Planning History

134456/FH/2022- Roof alterations involving hip to gable conversion, rear dormer and front rooflights, together with elevational alterations.
Approved 15 September 2022.

The current application is a re-submission for the approved application in September 2022. The current application adds the rendering of the whole property to the description of development, otherwise all elements of the proposal are the same as those approved under 134456/FH/2022.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and provided the following response:

GAS01 New applications for extensions

Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development. Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

CLAND* (Watching brief condition)

In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy and validated. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason – To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety. Pursuant to [INSERT] of the Unitary Development Plan for the City of Manchester.

**Our records indicate that the proposal site is on or in the vicinity of an infilled pond/potentially contaminative historic land uses.*

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.

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 rear roof dormer, hip to gable roof conversion and elevational alterations including the application of render. 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

Due to the arrangement and siting of the neighbouring properties the dormer would not be readily visible from the public highway and there is sufficient distance to the rear boundary with properties along Leabrook Drive, that it would not form a feature within either streetscene, and the character of the area would remain unharmed. Due to the nature of the works within the roof, it is not considered to impact upon light or outlook of surrounding occupiers. The rear windows would be set back from the eaves and would replicate views from first floor windows. Therefore, installation of a rear dormer is considered acceptable and is not thought to significantly harm the visual /residential amenity of the house or the wider area, the latter of which is not a conservation area.

The hip to gable conversion would allow for the installation of the roof dormer. Whilst this would change the appearance of the host property and lead to additional built form against the boundary with no.5 Rishworth Drive at first floor level, it is not considered to create an overbearing feature for the neighbour, given the additional built form would not be sited closer to the boundary than is currently the case.

Elevational alterations would include the insertion of a new entrance door and window within the front elevation, the removal of a door within the side elevation and changes in layout of windows and doors to the rear elevation of the host property. Two roof lights would be inserted in the front roof plane. The changes would be minor and would not give rise to any adverse visual/residential amenity implications.

Render would be applied across the property and would be a K Rend product in a silicone thin coat Limestone White. This element of works is not considered to give rise to any adverse visual/residential amenity implications.

Design and Appearance

The rear dormer respects the shape of the existing property and is considered acceptable, pursuant to Policy DC1 of the UDP. The dormer would be made of vertically hung tiles to the dormer faces and so would match the tiles within the host property, thus creating a sympathetic addition. The rear dormer would be sited along the rear elevation, providing an additional roof volume of approx. 58 cubic metres. As such, the dimensions fall outside the permitted development parameters (up to 50 cubic meters). However, the additional area is considered acceptable.

The hip to gable roof extension is considered acceptable given the new roof tiles would match those within the host property. Similar roof alterations could be achieved through the route of Permitted Development.

The elevational alterations would create minimal change across the property and are considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Render would be applied across the property and would be a K Rend product in a silicone thin coat Limestone White. Whilst the use of white render is not common place within the street of Rishworth Drive, the street is characterised by white window shutter detailing and white clad porches to the two storey dwellinghouses opposite the applicant site. Further, the property is characterised by its bulky roof and therefore the introduction of white render at the site is not considered to overpower the property and in this instance is considered acceptable in size and form. The K Render material would be conditioned within any approval granted to ensure a high quality product is used on the scheme.

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 provision would be unaffected by the proposal.

Bin Storage

Bin storage 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 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 15 September 2023.

-Drawing- Proposed- Plans and Elevations, numbered TP002, stamped as received by the City Council as Local Planning Authority on 15 September 2023.

-Correspondence- Agent Confirming Colouration of Render, stamped as received by the City Council as Local Planning Authority on 4 October 2023.

-Supporting Information- K Rend Brochure, stamped as received by the City Council as Local Planning Authority on 4 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, 'Correspondence-Agent Confirming Colouration of Render' and 'Supporting Information- K Rend Brochure, 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

Environmental Health

26 Leabrook Drive, Manchester, M40 3GQ
28 Leabrook Drive, Manchester, M40 3GQ
242 Nuthurst Road, Manchester, M40 3PT
10 Rishworth Drive, Manchester, M40 3PG
14 Leabrook Drive, Manchester, M40 3GQ
240 Nuthurst Road, Manchester, M40 3PT
246 Nuthurst Road, Manchester, M40 3PT
5 Rishworth Drive, Manchester, M40 3PS
244 Nuthurst Road, Manchester, M40 3PT
7 Rishworth Drive, Manchester, M40 3PS
1 Rishworth Drive, Manchester, M40 3PS
8A Rishworth Drive, Manchester, M40 3PG
6A Rishworth Drive, Manchester, M40 3PG
8 Rishworth Drive, Manchester, M40 3PG
6 Rishworth Drive, Manchester, M40 3PG
12 Leabrook Drive, Manchester, M40 3GQ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA