

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136715/FH/2023

Date registered valid: 11 April 2023

Proposal: Erection of a single storey side extension to form additional living accommodation and erection of a detached outbuilding in rear garden

Address: 215 Firbank Road, Manchester, M23 2YG

Ward(s): Baguley Ward

Applicant: Mr Macher

Agent (if any): Mr Hasnaat Saeed

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 June 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 April 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 April 2023 Expired: 16 May 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 215 Firbank Road within the Baguley ward of south Manchester. The property relates to a two storey, semi-detached dwellinghouse with pale pink render at the ground floor and PVC style cladding surrounding the property at first floor level. The property sits within a corner plot and as such amenity space is sited to the west, north and east of the site. This space consists of grassed and paved areas with several outbuildings.

Description of development

The submitted application seeks planning permission for the erection of a single storey side extension to form additional living accommodation and erection of a detached outbuilding in rear garden.

The single storey side extension would sit flush with the primary elevation of the host property and would have approximate dimensions of Height: 4 x Length: 7.3 x Width: 4.7 metres. The side extension would create a kitchen/diner and would involve the insertion of three windows and a door within the side elevation, a window within the rear elevation and two skylights within the roof plane. Materials to be used for the extension would involve grey modern tiles/slates, white K-render walls and white UPVC windows and doors.

The detached outbuilding would be sited close to the existing garage and the glass house and would create a W/C and a gym. This element of the proposal would have approximate dimensions of Height: 2.8 x Length: 4.3 x Width: 6.5 metres. Materials to be used for the outbuilding would include grey EDPM rubber roof, white K-render walls and grey UPVC doors and windows.

Planning history

035914- Erection of a detached concrete garage at rear of house.
Approved 11 April 1990.

029762- Council owned properties bounded by Shawbury Road/Firbank Road, Newall Green
BAGULEY- CITY COUNCIL DEVELOPMENT Reconstruction of outer brickwork and front porches to dwellinghouses
Approved 7 October 1987.

Consultations & Notification Responses

Local residents

Local residents were consulted on the proposal and no comments were received.

Issues

POLICY

The National Planning Policy Framework (July 2021)

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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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); which 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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.

Policy SP1 (Spatial Principles); which sets out 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, amongst these include: 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.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

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 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.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the erection of a single storey side extension to form additional living accommodation and erection of a detached outbuilding in rear garden. This is considered acceptable in principle as many people prefer to alter or 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

Single storey side extension:

The single storey side extension would sit flush with the primary elevation of the host property and would be sited behind the neighbour's shed (no.217 Firbank Road). Due to the corner plot of the site, the proposal would not be easily visible from the streetscene and would cause no harm to residential/ visual amenity. No.217 Firbank Road would not be impacted by the proposal as their existing single storey shed would block most of the built form, as would the existing boundary treatment. Although the neighbouring property has some small windows and a door within the side elevation which would face onto the proposal, the proposal would not give rise to overshadowing/loss of light to the neighbouring property.

Windows and doors would be inserted in the side and rear elevation of the proposal but since the proposal would be sited adequate distance from the northern and eastern boundary of the site, it would not give rise to any adverse privacy implications.

Detached outbuilding:

The detached outbuilding would be sited approximately 1 metre away from the northern boundary of the site and have a height of 2.8 metres. As the northern boundary of the site backs onto a car park in relation to Shawbury Road, no residential properties to the north would be impacted by the proposal. The proposal would be sited 5.1 metres from the shared boundary with the immediate neighbour to the east and as such, no adverse impacts would occur.

As the outbuilding would involve the insertion of a window within the W/C, a condition would be placed on any approval granted ensuring the window would be conditioned as being obscure glazed. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

The outbuilding would be used in conjunction with the family dwellinghouse and a condition would be placed on any approval granted, ensuring the outbuilding is used in this manner.

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

Design and Appearance

Single storey side extension:

The side extension is considered pursuant to Policy DC1.2 of the UDP as it is considered appropriate in size and form and would be largely hidden from the streetscene. A similar extension could have been approved through the route of Permitted Development.

Detached outbuilding:

A similar outbuilding could have been obtained through the route of Permitted Development and the height, scale and form of the proposal is considered acceptable.

Materials:

Materials to be used for the extension would involve grey modern tiles/slates, white K-render walls and white UPVC windows and doors. Materials to be used for the outbuilding would include grey EDPM rubber roof, white K-render walls and grey UPVC doors and windows. The materials described are considered acceptable as they would in the most case match the existing material palette at the property. 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.

Bin storage

Bin storage would be unaffected by the proposal.

Car Parking

Car parking arrangements 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 11 April 2023.

-Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 11 April 2023.

-Drawing- Proposed- Detail Drawing 2- Amendment 1A, stamped as received by the City Council as Local Planning Authority on 15 May 2023.

-Drawing- Site Plan- Block Plan Of The Site, stamped as received by the City Council as Local Planning Authority on 15 May 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) Before first occupation, the WC window within the outbuilding as shown on the approved 'Drawing- Proposed- Detail Drawing 2- Amendment 1A', stamped as received by the City Council as Local Planning Authority on 15 May 2023, shall be obscure 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 properties from overlooking or perceived overlooking and in accordance with 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 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.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in 'Drawing- Proposed- Detail Drawing 2- Amendment 1A', 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.

6) The detached outbuilding hereby approved shall only be used as ancillary accommodation in connection with the existing residential property 215 Firbank Road and for no other purpose.

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

Appendix 1 – List of consultees & neighbours notified

227 Firbank Road, Manchester, M23 2YG
225 Firbank Road, Manchester, M23 2YG
217 Firbank Road, Manchester, M23 2YG
213 Firbank Road, Manchester, M23 2YG
207 Firbank Road, Manchester, M23 2YG
30 Shawbury Road, Manchester, M23 2ZQ

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 45M
Area Team Boundary - Name: SOUTH AREA