

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136555/FH/2023
Date registered valid: 23 March 2023
Proposal: Erection of a part single part two storey side extension and associated elevational alterations to rear to provide additional living accommodation
Address: 27 Tuscan Road, Manchester, M20 5GS
Ward(s): Didsbury East Ward

Applicant: Mr & Mrs Thornhill
Agent (if any): Mr Simon Miles, S R Miles Ltd
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 17th May 2023



Application details

Type of application:	Full Householder Application	
Development type:	Householder	
Date of site visit:	16.05.2023	
Standard consultations:	Printed: 6 April 2023	Expired: 27 April 2023
Neighbour notifications	Printed: 6 April 2023	Expired: 27 April 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 application site relates to a two storey semi detached property in the Didsbury East ward area of Manchester. Gardens are the front and rear with access along the side. The site features a single storey side and rear extension.



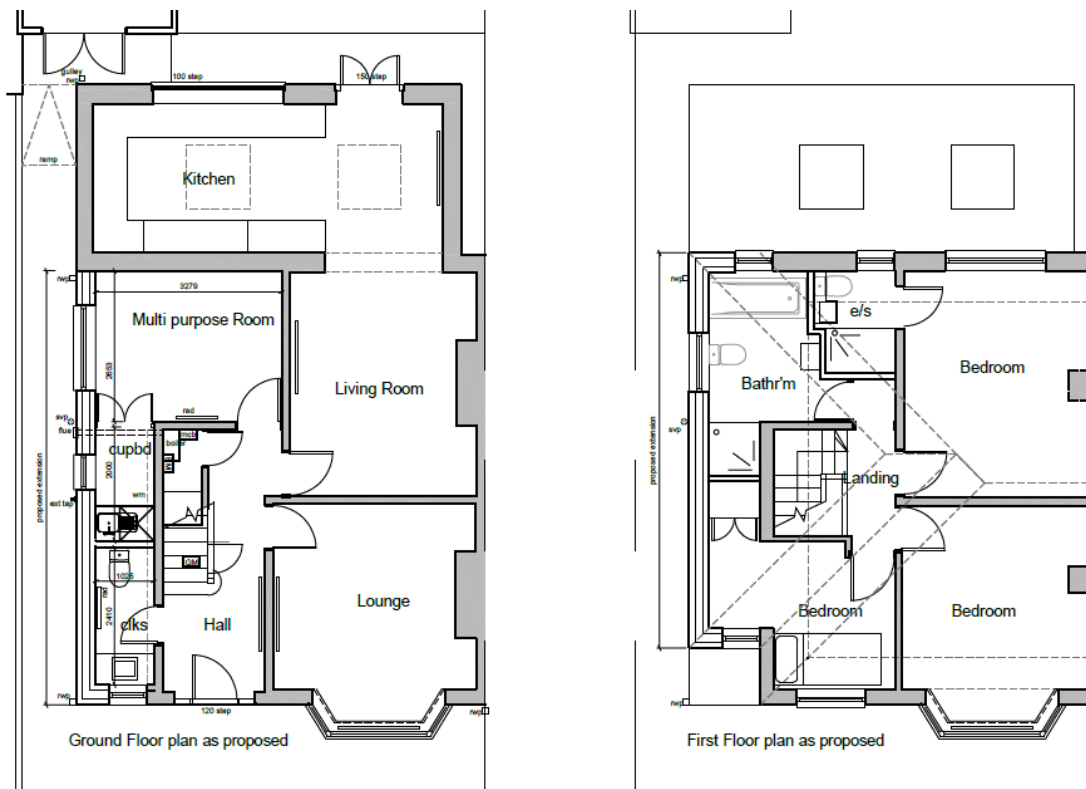
Listed building:	Not applicable
Conservation area:	NA
Tree Preservation Order:	NA

Description of area

This is primarily a residential area in nature

Description of development

The applicant is seeking planning permission for a part single part two storey side extension and associated elevational alterations to rear



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments in respect of this planning application were received.

CADENT : Holding objection – attach Informative.

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application which is in the vicinity of our gas asset/s. We are placing a holding objection on the proposal whilst our engineering team reviews the available information. We will be in touch once we have reviewed the proposals in more detail. In the meantime, we may contact you for more information to help us make the decision.

What you need to do:

Please review our attached plans, which detail the Cadent gas asset/s in the area. If your application affects one of our high pressure pipelines, it is a statutory requirement that you input the details into the HSE's Planning Advice Web App. For further details visit www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels and storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any

claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection.NW@cadentgas.com

Flood Risk Management – Require condition to be attached as FRA did not contain all suitable information.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There are no previous planning applications relating to this site.

Residential amenity

The applicant is seeking planning permission for a part single part two storey side extension and associated elevational alterations to rear.

Ground Floor

The ground floor element of the proposal would be in line with the front wall extending along the side ending in line with the rear wall of the property linking to a previous side projection. A gap of 1.0m would be retained to the shared boundary with no. 25 Tuscan Road. Windows would be situated on the front and side elevation, however, given that there are windows proposed along the side, a condition for obscure glaze has been attached to ensure that there is no overlooking or loss of privacy. The roof to the front would be a mono pitch sloping roof.

First Floor

The first floor element of the proposal would be setback from the front wall of the property measuring 1.0m and would extend rearwards up to the rear wall of the property. The roof would be set down from the existing ridge height with a hipped roof to reflect the existing design of roof. Windows would be located on the front, side and rear elevations; however, a condition has been attached for the windows along the side for obscure glaze to ensure that there is no overlooking or loss of privacy. Windows to the front and rear are not considered would provide any further overlooking than already exists from the existing windows to the front and rear of the host dwelling.

In terms of overshadowing, the host dwelling, given the orientation, already affords an element of loss of light, however, given that the proposed extension is set down from the original ridge height, together with a gap to the shared boundary with no. 25, it is not anticipated that there would be any further overshadowing than already exists.

The impression of subservience is achieved by the setback from the front and set down from the original height of the roof. It is considered that the proportions of the extension are acceptable and that the footprint is not considered to create a bulky or disproportionate scale addition to the property. Whilst it is acknowledged that there would be only a 1.0m setback from the front wall at first floor, given the relationship to the shared boundary of 1.0mm, it is considered that this would not provide terracing or any loss of amenity within the street scene.

Overall, the extension would be visible from the public highway and therefore would feature within the street scene, however the character of the area would be retained although some of the houses in the immediate vicinity are themselves altered and extended. Therefore, the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property.

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

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials it is intended to use matching brick and tiles as specified in the application form. 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.

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.

Refuse Bins

Bins storage is not affected by this proposal as there is adequate space along the side for the movement of bins from the rear to the front for collection and therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Off street car parking would be retained to the site and therefore it is considered that the current car parking arrangements are not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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

Positive and proactive working Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

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:

Received 23rd March 2023 numbered PL200 Proposed Plans and Elevations

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 hereby permitted shall match those of the existing dwellinghouse as specified on the application form/drawings in type, size, colour and texture.

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) No development shall commence until a flood risk assessment has been 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.

5) Before first occupation all the windows in the side elevation facing no. 25 Tuscan Road, 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

6 Malgam Drive, Manchester, M20 5GN
29 Tuscan Road, Manchester, M20 5GS
28 Tuscan Road, Manchester, M20 5GS
26 Tuscan Road, Manchester, M20 5GS
25 Tuscan Road, Manchester, M20 5GS
24 Tuscan Road, Manchester, M20 5GS
5 Malgam Drive, Manchester, M20 5GN

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) -

Flood Zones Type 3 (high risk) -

Benefitting From Flood Defences -

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: SOUTH AREA