

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136381/FH/2023

Date registered valid: 4 April 2023

Proposal: Erection of single storey rear extension to form additional living accommodation.

Address: 7 Furnival Road, Manchester, M18 8DG

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mike Hutchinson

Agent (if any): Philip Holmes PHA Architects Ltd

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 July 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 July 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 4 July 2023 Expired: 25 July 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 is located in a residential area comprising of 2-storey houses semi-detached houses with hipped tiled roofs and front bays. Whilst the area predominantly comprises red brick elevations, although several houses, incorporate rendered elevations. The application properties and surrounding houses have front garden with a driveway and parking. Retained side access leads to a rear garden. The adjoining No5 has a part two, part single storey rear extension. The rear of No 9 does not follow the rear building line of the application property but has a juxtaposition configuration in relation to the road layout to Furnival Road. The property at No 9 has not been extended to the rear but has lean-to garage adjoining its side elevation.



Fig.1 – The rear of 7 Furnival Road and rear of 9 Furnival Road.

Description of development

The proposed development involves the in-filling of the retained space adjacent to the side wall of the existing extension. A continuous rear extension would thereby be formed projecting by 4.1 metres (to align with the existing extension and the rear elevation of the adjoining part single storey extension to No 5). The proposed extension would align with the side wall of the original house. The entire extension would incorporate a shallow pitched roof with a maximum height of 3.45 metres and eaves at 2.5 metres., A window and double patio doors would be formed in the rear elevation. The development would facilitate the formation of an enlarged kitchen and dining area in connection with the continued use of the property as a Class C3 dwellinghouse.

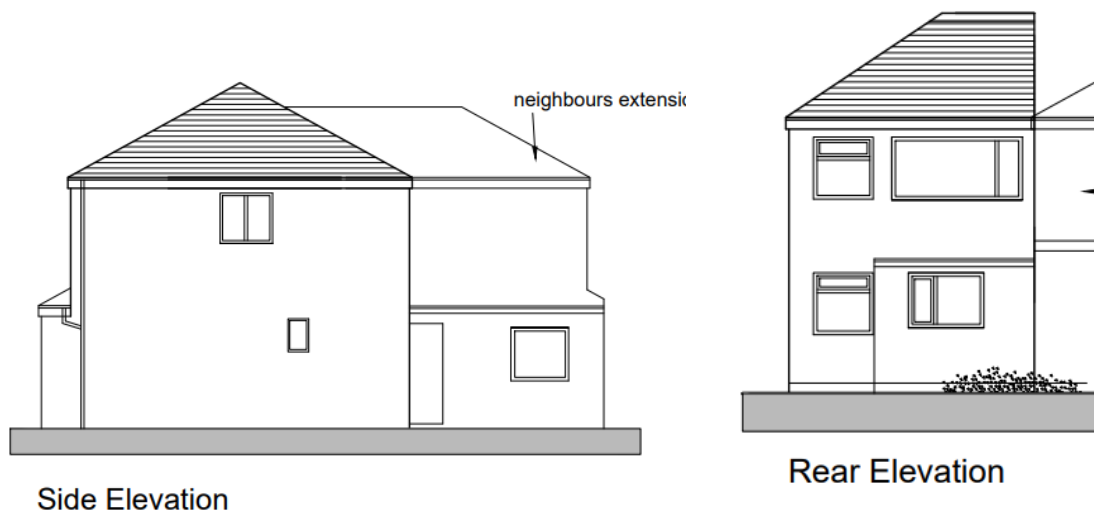
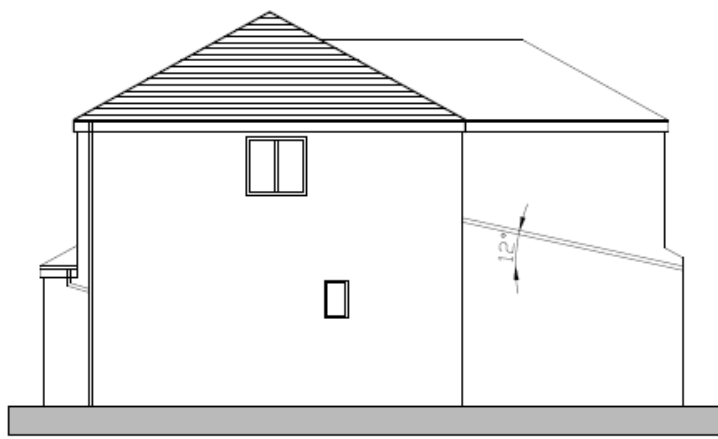
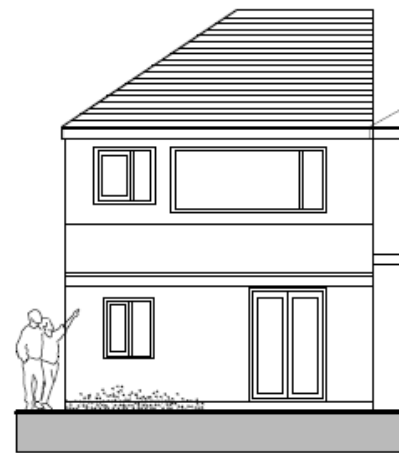


Fig. 2 – Existing elevations



Side Elevation



Rear Elevation

Fig.3 – Proposed elevations

Site history

There is no history of planning applications relating the application site.

Consultations & Notification Responses

Local residents – No comments received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The application property is in a context of established housing. The development would result in a marginal increase in built form with appropriate relationships maintained to neighbouring houses. Appropriate amenity space would be maintained and there would be no apparent impact on on-site security. The development would not result in apparent harm to residential amenity. Chapter 8 would be accorded with.

ii. Chapter 12: Achieving well-designed places - States that 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 (paragraph 126). Paragraph 130 further states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment.

The proposed design has been suitably informed by the character and appearance of the existing house and its context. The use of matching materials would secure a cohesive relationship to the existing house. The development would and thereby accord with chapter 12.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. The development positively responds to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Health and well-being.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following aspects of the Core Strategy are considered to be relevant:

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice
- ii. The development should make a positive contribution to neighbourhoods of choice including:
 - a. Creating well designed places that enhance or create character.
 - b. Making a positive contribution to the health, safety and wellbeing of residents
 - c. Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. Protect and enhance the built and natural environment.
 - e. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is considered that the development would relate appropriately to the housing in the area with regard to its siting, design and composition. The development would not, therefore, unduly harm existing levels of residential amenity and policy SP1 would be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that, amongst other things, opportunities for good design to enhance the overall image of the City. Policy EN1 has

been related to the assessment of the quality of the elevational design and its contribution to the built environment. The development would thereby accord with policy EN1.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

Access to the rear garden would be maintained to allow bin storage to be undertaken within it. The development would thereby comply with policy EN19.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy;
- iii. Adequacy of internal accommodation and external amenity space;
- iv. Refuse storage and collection;
- v. Vehicular access and car parking.

It is considered that the development would be appropriately related to its context in terms of design, height, scale, massing and potential impact on residential amenity. The development would also be appropriately related to in the character of the original house through its proportions and composition in matching materials. The development would thereby accord with policy DM1.

Unitary Development Plan - The following saved policies are considered to be relevant:

Policy DC1 - Residential Extensions

Policy 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 neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses to meet changing household needs;
- d. The overall appearance of the proposal in the street-scene;
- e. The effect of the loss of any on-site car parking.

Policy 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;
- b. They do not create an 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 streetscene by virtue of design, use of materials or constructional details;
- d. They would not result in the loss of off-street car parking resulting, in additional pressures in neighbouring streets.

Policy DC1.3 - Sets out the circumstances whereby, notwithstanding the generality of the above policies, the Council will not normally approve planning permission for residential extensions. This includes rearward extensions greater than 3.65m (12 ft) in length.

The development would marginally exceed the rearward projection threshold set out in policy DC1.3. However, the extension of the rear ward projection has been established by the existing extension and the adjoining addition to No 5. The additional impact on No 9 would be reduced by the space maintained to each side of the shared boundary. The angled configuration of No 9 would also reduce the impact of the new extension. On balance, it is considered that the height, scale and proportions of the extension would be acceptable and would allow the adaptation of the property to meet changing household needs. The development would be appropriately related to policy DC1.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

In this case, discussion with the applicant's agent resulted in the reposition of windows in the proposed extension to avoid overlooking of the neighbouring 9 Furnival Road. On the basis of the submitted supplementary drawings, sufficient information was provided to facilitate the assessment of the development.

Principle – With the context of the application siting is considered that the siting, scale and magnitude of the proposed development would be acceptable. The incorporation of a lean to roof and location of windows would be and improve to the existing circumstances, with regard to the appearance of the extension and its potential impact on privacy. On balance, the principle of the development would be acceptable.

Siting – The development would exceed the rearward projection criteria specified by saved up policy DC1.3 but with the margins for prior approval for a larger household extension. As discussed the space maintain the each side of the shared boundary and orientation of No 9 would reduce the impact of the additional built form. Access to the rear garden from the front of the property would be maintained and sufficient external amenity space would be retained.

Residential amenity and window position – The existing extension has windows in its side elevation. The proposed extension would not incorporate windows in its side elevation thereby reducing potential for overlooking and loss of privacy to No 9. There would be no apparent amenity impacts in relation to No 5.

Design - The rear extension would have a simple elevational form that would be incorporated into the existing built form through the use of matching materials. The proposed design is therefore considered to be acceptable.

Land conditions - The site is located in an established residential area and historic land conditions have not been identified that may impact upon the development.

Conclusion - The proposed development would be satisfactorily related to Council policy and be appropriately related to the existing house and its surrounding context.

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 problems arising in relation to dealing with the planning application. In this case, discussion with the applicant's agent resulted in the reposition of windows in the proposed extension to avoid overlooking of the neighbouring 9 Furnival Road. On the basis of the submitted supplementary drawings, sufficient information was provided to facilitate the assessment of the development.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority received on: 1 March 2023 and 19 May 2023:

Householder planning application forms
Proposed ground floor plan Ref: F01/MH/02 Rev B
Proposed elevations Ref: F01/MH/03 Rev B
Proposed section Ref: F01/MH/04
Location plan with a red edge Ref: F01/MH/05
Existing and proposed site plan Ref: F01/MH/06 Rev A

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 for the City of Manchester.

3) The materials to be used in the construction of the extension hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

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 shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings referenced: Proposed ground floor plan Ref: F01/MH/02 Rev B; Proposed elevations Ref: F01/MH/03 Rev B; Proposed section Ref: F01/MH/04 and Existing and proposed site plan Ref: F01/MH/06 Rev A.

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

Appendix 1 – List of consultees & neighbours notified

Beyer Lodge Care Home, 65 Taylor Street, Manchester, M18 8DF,
3 Furnival Road, Manchester, M18 8DG
9 Furnival Road, Manchester, M18 8DG
5 Furnival Road, Manchester, M18 8DG
11 Furnival Road, Manchester, M18 8DG

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA