

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136004/FH/2023

Date registered valid: 22 February 2023

Proposal: Erection of a part two storey and part single storey rear extension to form additional family accommodation together with elevational alterations

Address: 16 Shireoak Road, Manchester, M20 4NY

Ward(s): Withington Ward

Applicant: Mrs Divya Dadlani NCES Limited

Agent (if any): Mrs Divya Dadlani

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

Recommendation: Approve

Date of recommendation: 18 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 March 2023

Standard consultations:

Printed: 9 March 2023 Expired: 30 March 2023

Neighbour notifications

Printed: 9 March 2023 Expired: 30 March 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 Shireoak Road within the Withington ward of south Manchester. The property relates to a semi-detached, red brick, two storey dwellinghouse with bay windows, a single storey front porch and an existing single storey outrigger to the rear of the property. 16 Shireoak Road benefits from amenity space to the front of the property in the form of a paved driveway and the property benefits from amenity space to the rear of the property in the form of an extensive garden and a paved patio.

Description of development

The submitted application seeks planning permission for the erection of a part two storey and part single storey rear extension to form additional family accommodation together with elevational alterations. The existing single storey rear outrigger would be removed as a result of the application.

The part single storey rear extension would have approximate dimensions of Height: 3.8 x Length: 4 x Width: 6.9 metres and would be sited against the shared boundary with no.14 Shireoak Road, and 0.9 metres from no.18 Shireoak Road. The part two storey rear extension would be sited 3.4 metres from the shared boundary with no.14 Shireoak Road and 0.9 metres

from no.18 Shireoak Road. This element of the proposal would have approximate dimensions of Height: 6.3 x Length: 3.6 x Width: 3.6 metres.

The proposal would create a dining/ family room and kitchen on the ground floor and a 3rd bedroom on the first floor.

The proposal would involve the insertion of two windows and sliding doors within the rear elevation of the proposal.

Elevational alterations would also be undertaken as part of the development and include the insertion of an obscure glazed window in the side elevation at first floor level and at ground floor level: bricking up the existing door within the side elevation and inserting a window at ground floor level.

The materials to be used throughout the proposal would match that of the host property.

Amended drawings

Following the site visit, concerns were raised. Whilst it was acknowledged the impact to no.14 at first floor level has been reduced due to the staggered built form proposed at first floor level, the extension of bedroom 3 was considered overbearing. There is a precedent set for this design of part two storey rear extension next door, however they have a first floor projection of 3.6 metres. As such, the proposal was amended to reflect the neighbouring property's part two storey extension with a revised projection of 3.6 metres. The original ground floor projection was considered overbearing and this was reduced to 4 metres. The revised plans were considered to overcome the issues raised and have been assessed within this report.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Flood Risk Management Team

Flood Risk were consulted and provided the following comments:

The LLFA approve. We recommend the following Informative is included within the Decision Notice.

As per the FRA, the proposed extension is within Flood Zone 2-3, floor levels should be set no lower than existing floor levels of the existing property. (+37.92)

The site is within Flood Zone 2-3 and an Environment Agency Flood Warning Area. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

INFORMATIVE:

MCC records highlights an underground culverted ordinary watercourse (Ley Brook) is located within close proximity to the site (approximately 100m north of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

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 part two storey and part single storey rear extension to form additional family accommodation together with elevational alterations. 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

Rear extension:

The amended plans are considered acceptable in terms of limited harm to visual/ residential amenity.

The part single storey extension would be sited against the shared boundary with no.14 Shireoak Road with a 4 metre projection. Due to the neighbouring property's existing built form at single storey level against the boundary. The proposal would extend only slightly beyond the neighbouring built form and as such they would not experience any overbearing/ loss of light implications. Due to the placement of windows no overlooking implications would occur. A condition would also be placed on any approval granted restricting the insertion of windows and doors beyond those approved within this consent.

The extension at first floor level has been re-designed to reflect the neighbouring extension- both having a projection of 3.6 metres. As the extension would be pulled away from the shared boundary by approximately 3.4 metres, it would not create a tunnelling impact for the neighbour's first floor window close to the shared boundary. This design is considered sympathetic to the adjoining neighbour.

Additional built form would also be positioned 0.9 metres from the neighbouring property no.18 Shireoak Road, at both levels. Given this neighbour benefits from an existing single storey extension from the rear building line, the proposal would only extend beyond the neighbour's existing built form by approximately 1.6 metres. Therefore, it is not considered overbearing, especially as a gap remains between the built form and shared boundary. This neighbour would not be impacted by any loss of light/ privacy implications.

Due to the 18.4 metre approximate distance to the rear building line of the proposal to the rear boundary line of the applicant site, the insertion of windows at both levels would not give rise to adverse overlooking implications to properties along Lathom Road.

Elevational alterations:

The elevational alterations are considered acceptable within the side elevation of the property. The ground floor W/C would be conditioned to be conditioned to be obscure glazed, as would the proposed first floor study room to protect the privacy of the residents.

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

Design and Appearance

Although the proposal at ground floor level exists the maximum rearward projection specified within Policy DC1.3 of the UDP, Permitted Development rights allow much larger extensions as such the 4 metre projection is considered acceptable.

The first floor projection of 3.6 metres is pursuant to Policy DC1.3 of the UDP and is considered to respect the relationship with the neighbouring property by mirroring their existing part single/ part two storey extension.

Materials:

The materials to be used would match that of the host property and are considered acceptable. 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

Adequate space would remain for the bins to be stored within the curtilage of the dwellinghouse.

Car Parking

Car parking arrangements would remain 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 the scheme has been amended following issues raised. 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 18 January 2023.

-Drawing- Proposed- Plans, numbered A-0002 P3, stamped as received by the City Council as Local Planning Authority on 27 March 2023.

-Drawing- Existing & Proposed- Elevations, numbered A-0003 P3, stamped as received by the City Council as Local Planning Authority on 27 March 2023.

-Drawing- Location Plan- Location and Site Plan, stamped as received by the City Council as Local Planning Authority on 27 March 2023.

-Flood Risk Assessment or Drainage, stamped as received by the City Council as Local Planning Authority on 22 February 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) Before first occupation, the ground floor W/C window and the first floor study room windows as shown on the approved 'Drawing- Proposed- Plans, numbered A-0002 P3', stamped as received by the City Council as Local Planning Authority on 27 March 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.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Informatives

- 1) As per the FRA, the proposed extension is within Flood Zone 2-3, floor levels should be set no lower than existing floor levels of the existing property. (+37.92)
- 2) The site is within Flood Zone 2-3 and an Environment Agency Flood Warning Area. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>
- 3) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.
- 4) MCC records highlights an underground culverted ordinary watercourse (Ley Brook) is located within close proximity to the site (approximately 100m north of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

17 Shireoak Road, Manchester, M20 4NY
17 Lathom Road, Manchester, M20 4NX
19 Shireoak Road, Manchester, M20 4NY
18 Shireoak Road, Manchester, M20 4NY
15 Shireoak Road, Manchester, M20 4NY
14 Shireoak Road, Manchester, M20 4NY
15 Lathom Road, Manchester, M20 4NX
11A Lathom Road, Manchester, M20 4NX

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) -
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA