

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137314/FH/2023

Date registered valid: 15 June 2023

Proposal: Part retrospective application for the erection of single storey side and rear to form additional living accommodation

Address: 27 Fernhill Drive, Manchester, M18 7DB

Ward(s): Longsight Ward

Applicant: Ms Esther

Agent (if any): Mr Aslam Khan LBV Developments

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 07 August 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 11 July 2023

Standard consultations: Printed: 23 June 2023 Expired: 14 July 2023

Neighbour notifications: Printed: 23 June 2023 Expired: 14 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey concrete tile hipped roof. The property features white uPVC windows, including a ground floor bay to the front, a paved front garden, and detached outbuilding situated within a spacious rear garden. *It should be noted that this description provides details of the property prior to any works being undertaken.*



Figure 1. Principal elevation.



Figure 2. Rear of property.



Figure 3. Rear garden.

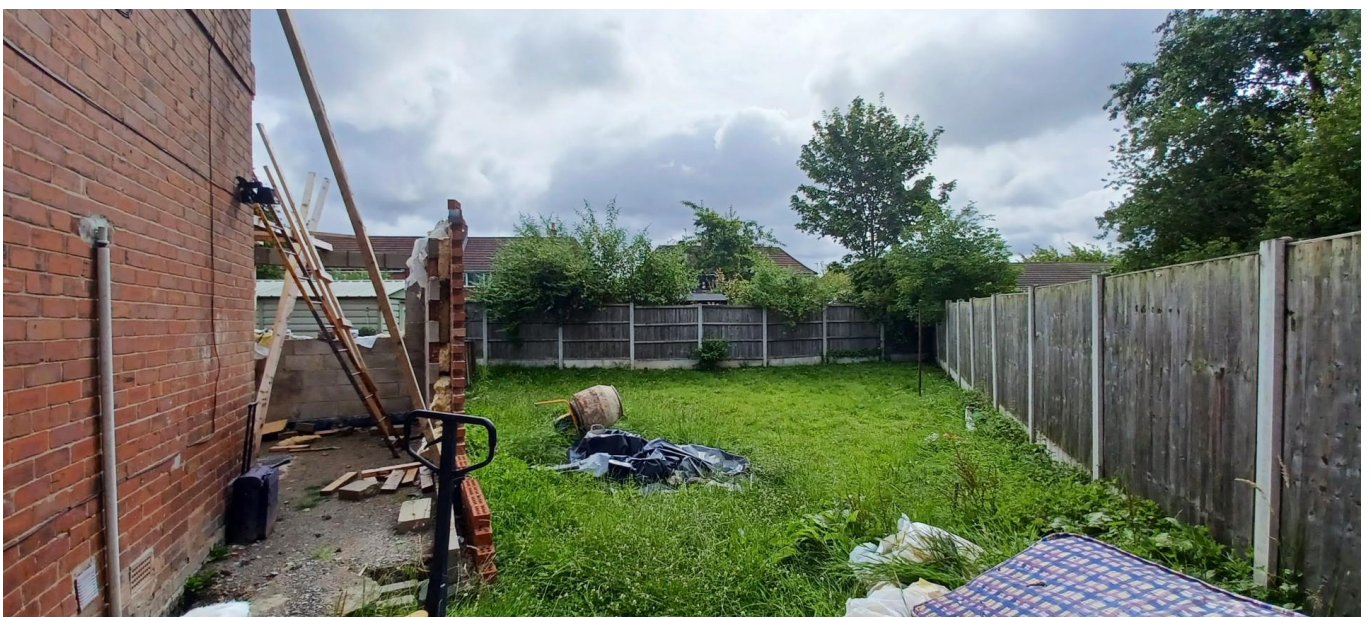


Figure 4. Rear garden.

Description of area

Fernhill Drive is a residential cul-de-sac situated within the Longsight ward of Manchester, close to Annie Lees Park, Belle Vue Leisure Centre, and the National Speedway Stadium. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced residential properties and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

Part retrospective application for the erection of single storey side and rear extension to form additional living accommodation.

Planning History

125496/FH/2019 - Erection of a single storey side and rear extension to form additional living accommodation – **APPLICATION RETURNED**

129931/FH/2021 - Erection of single storey side and rear extension to form additional living accommodation – **APPROVED** (08.06.2021).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Environmental health had no comments in relation to the proposal.

Cadent Gas had no objection to the proposal, requesting an informative note be attached to the decision notice.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey side and rear extension in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development’s siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the single storey extension would wrap around the property’s north-eastern and south-eastern elevations. It would project 3.5m from the rear elevation of the host dwellinghouse, with a total length / depth of 6.5m along the property’s south-eastern edge. The extension would project 4m sideways from the property’s current south-eastern elevation and would have a total width of 8.808m. Featuring a hipped roof, the extension would have a maximum height of 3.525m and an eaves height 2.551m. The extension would be sited 0.562m away from the boundary shared with No.25 Fernhill Drive and would maintain a gap of 1.537m to the boundary shared with No.29 Fernhill Drive.

The 3.5m rearward projection does not exceed the limit stipulated within policy DC1 of the UDP (of 3.65m) and, given the subservient dimensions of the extension in relation to the host dwellinghouse, the proposal is deemed as being as acceptable as it would not result in an ‘excessively large or bulky’ addition to the property.

The proposal therefore accords with policy DC1 of the UDP and policies SP1 and DM1 of the Core Strategy.

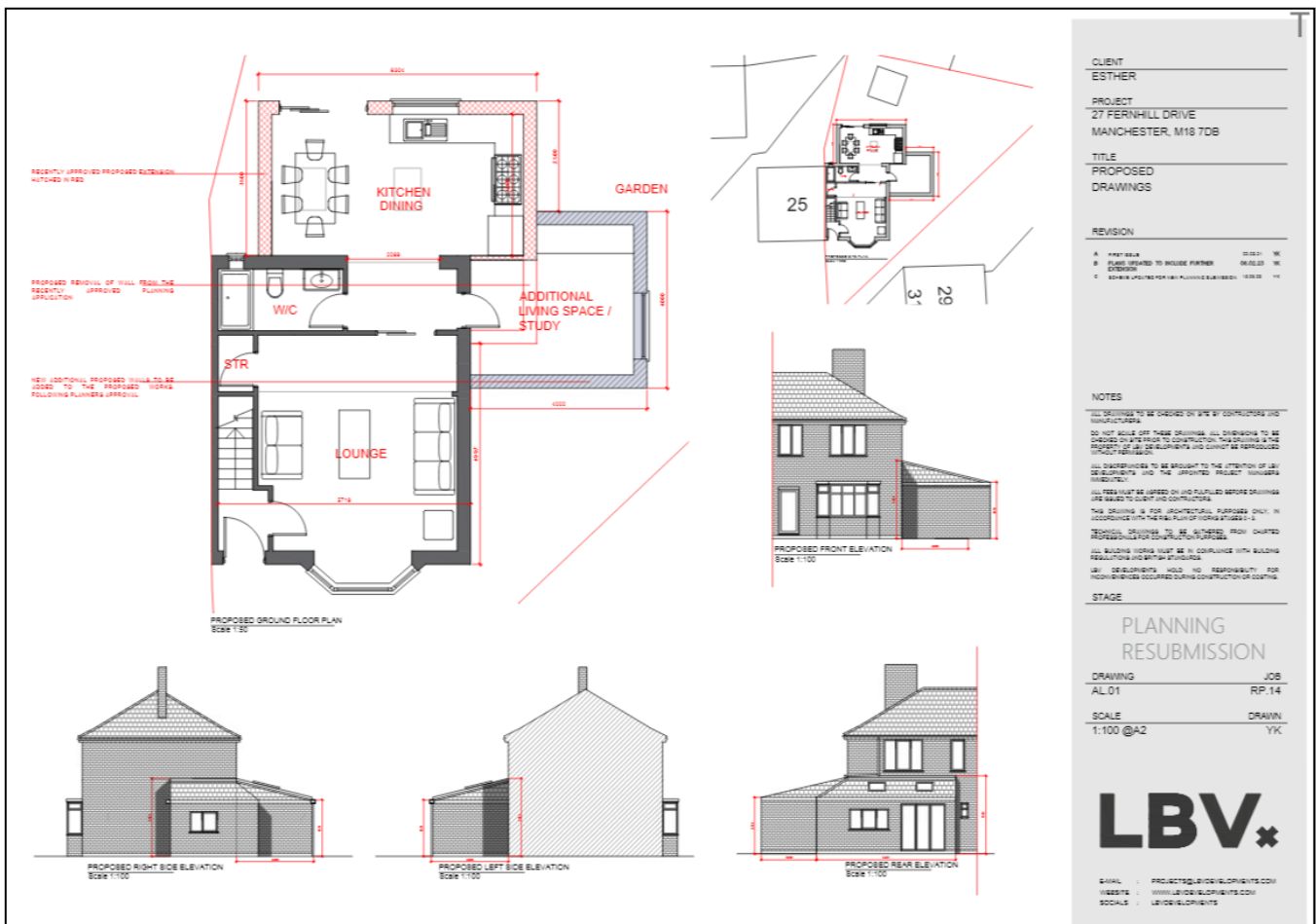


Figure 5. Submitted plans and elevations.

Appearance and visual amenity – the extension would be built of brickwork and roof tiles to match the existing in addition to uPVC windows and doors. The front and north-western elevations of the extension would be blank, whilst the rear elevation would feature one window and a set of sliding doors. The south-eastern side elevation, facing the rear garden of No.29 Fernhill Drive, would feature one window. This has been conditioned to be obscurely glazed so as to protect the residential amenity of neighbouring occupiers. The rear-facing roof of the proposal would feature two flat skylights.

The proposal is relatively standard in terms of its design and would be in-keeping with the existing precedent for residential extensions in this locale. Sited at the side and rear of the property, the vast majority of the extension would not be visible within the street scene or public realm and should therefore avoid causing significant visual harm to the character of the dwellinghouse and its surrounding area.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and EN1 and chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be single storey, with a relatively minor rearward projection and a maximum roof height of 3.525m, it is understood that the proposal should not cause issues associated with overshadowing, loss of light or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, though the proposal does include windows which face into the neighbouring plots, these have been conditioned to be

obscurely glazed so as to protect the residential amenity of neighbouring occupiers. In addition, no objections have been received in relation to this application.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

Conclusion – given the above issues, it is considered that the proposed extension is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the documents labelled:

- 'PROPOSED DRAWINGS', numbered 'AL.01', stamped as received by the City Council on the 15th June 2023.

Reason - To ensure 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 of the extension hereby permitted shall match those of the existing dwellinghouse 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 extension, pursuant to saved policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the proposed ground floor window in the side elevation facing the rear garden of No.29 Fernhill Drive, 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.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on:

-‘PROPOSED DRAWINGS’, numbered ‘AL.01’, stamped as received by the City Council on the 15th June 2023.

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

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

108 Mount Road, Manchester, M18 7BQ
106 Mount Road, Manchester, M18 7BQ
104 Mount Road, Manchester, M18 7BQ
31 Fernhill Drive, Manchester, M18 7DB
29 Fernhill Drive, Manchester, M18 7DB
25 Fernhill Drive, Manchester, M18 7DB
32 Fernhill Drive, Manchester, M18 7DB
30 Fernhill Drive, Manchester, M18 7DB
28 Fernhill Drive, Manchester, M18 7DB
26 Fernhill Drive, Manchester, M18 7DB

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA