

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134318/FH/2022
Date registered valid: 28 July 2022
Proposal: Erection of single storey and first floor rear extensions to form additional living accommodation
Address: 16 Lathom Road, Manchester, M20 4NX
Ward(s): Withington Ward

Applicant: Mrs Carmel Fox
Agent (if any): Mr Ronald Gonshaw, Gonshaw Associates
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 5 July 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: October 2022

Standard consultations:

Printed: 19 June 2023 Expired: 29 June 2023

Neighbour notifications

Printed: 19 June 2023 Expired: 29 June 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 property that is the subject of this householder application is a brick built 2 storey semi-detached dwellinghouse with a tiled hipped roof. It has bay windows to ground and first floors. There are gardens to the front and rear, with the front garden being block paved and provides for off road parking. A timber gate on the side leads through to the rear garden which has a small patio with the remainder laid primarily to lawn. There is currently a single storey conservatory on the rear of the property, which would be demolished to facilitate the proposed development.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature comprising of properties of the same age and style to the proposal site.

Description of development

The proposal is for the erection of a part single part 2 storey rear extension following the demolition of the existing conservatory, the single storey extension would occupy the same footprint as the existing conservatory as it sits on the boundary with number 14 Lathom Road and is then chamfered inwards and projects a further 1.29 metres giving an overall projection of 4.05 metres.

The first floor extension whilst it occupies the full width of the property, it projects no further than the first floor extension along that common boundary at number 14 Lathom Road. Number 14 also has a large 2 storey rearward projection extension on the boundary with number 12 Lathom Road.

The materials to be used would match those of the existing property.

Consultations & Notification Responses

Local Residents were informed- 3 rounds of consultation have been carried out. Comments raised from a local resident on the first and second round were relayed to the applicant / agent, who revised the scheme to take these comments on board. The initial comments related to ensuring the party wall act was entered into (civil issue) and boundary issues relating to positioning of boundary line, and overhanging guttering. No objections have been received on the third round of objections.

Policy

For reasons to be outlined below, it is considered the proposal accords with these policies.

Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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.

Policy DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs 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 given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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 states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

The National Planning Policy Framework (NPPF) - The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o 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 the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

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

Principle of the Proposal - The principle of the proposal is acceptable it is creating additional residential accommodation on a residential property within a residential area.

Residential Amenity - The applicant proposes to build a part single part 2 storey rear extension following the demolition of the existing single storey conservatory to the rear. The property is one half of a pair of semi-detached dwellinghouses. The other half being identified as number 14 Lathom Road. Number 14 Lathom also has a part single part 2 storey extension on their property of which the part single part first floor element of the extension sits on the common boundary with the proposal property at number 16 Lathom Road. The full 2 storey element projects much further out from the rear of number 14 Lathom Road on the boundary with number 12 Lathom Road.

The proposed extension at first floor whilst projecting the full width on the rear of number 16 Lathom Road projects no further rearward at first floor than the extension on the adjoining boundary of number 14 Lathom Road. The single storey element projects off the rear a further 1.29 metres giving an overall projection of 4.05 metres. There are no windows proposed on the side elevations facing either number 14 or number 18 Lathom Road, with the windows and bifold doors being located within the rear elevation overlooking the applicants own garden. The roof line has been hipped which reduces the massing of the first floor extension rather than a gable.

There would still be a good sized garden retained post development for existing and future occupants.

Visual Amenity- The materials to be used would match those of the existing property and are considered acceptable. Given the relationship between the existing extension on number 14 Lathom Road and number 16 Lathom Road the proposed extension assimilate well with the neighbouring properties, and are considered modest in size and unobtrusive. As the extensions project no further towards the neighbouring boundaries than existing, the proposed extension

would not be readily viewed within the street scene. It is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, nor on the character of the property itself or the area within which it is located.

Design - The design of the extension is considered acceptable, it retains subservience, and the materials are to match which would result in a sympathetic development. The materials to be used would match those of the existing property and would be covered by an appropriate condition. The design and massing are considered acceptable.

Waste management - The proposal would not impact the existing waste management situation.

Parking - The proposal would not impact upon the existing parking situation.

Comments on Representations- The previous representations related to:

1/Party Wall Act Agreement -This is not dealt with as part of the planning application with this being a separate civil matter. The plans have however been annotated to state that the Party Wall Act will be entered into with the adjoining property.

2/ Overhanging Guttering- The plans have been amended to pull this back in behind a parapet on the roof. In any event, a revised certificate was submitted (B) which would have taken this into account.

3/ incorrect boundary line on drawing- This has been amended.

The proposal has been assessed as to whether there was any resulting detrimental impact upon the neighbouring properties, and, due to the development on the adjoining property it is not considered that there is so detrimental an impact as to merit refusal and the scheme accords with the spirit of saved policy DC1 and policy DM1 of the Manchester Core Strategy.

The design is considered appropriate when viewed within the context of the wider area and the neighbouring properties. There are other properties that have had the benefit of similar extensions and some larger than those proposed for number 14 Lathom Road. On balance the proposal is acceptable and in accordance with saved policy DC1 and policy DM1 of the Manchester Core Strategy.

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. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

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:

40372-03 Rev C Plans and Elevations received 19th June 2023

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 of the extensions hereby permitted shall match those of the existing building in type, size, colour and texture, including the mortar and patching in.

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 and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

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 or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local

Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to above groundworks commencing the flood risk assessment shall be updated to include resistance/resilience measures in accordance with Environment Agency flood levels for the site and submitted to and approved in writing by the local planning authority. For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- 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-floodresistance-and-resilience-measures>

- 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 Pursuant to policies within the NPPF and NPPG and local policies EN08 and EN14.

Informatives

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

<https://www.gov.uk/government/publications/personal-flood-plan>

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

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
MCC Flood Risk Management

18 Lathom Road, Manchester, M20 4NX
17 Lathom Road, Manchester, M20 4NX
14 Lathom Road, Manchester, M20 4NX
49 Amherst Road, Manchester, M20 4WS
47 Amherst Road, Manchester, M20 4WS
45 Amherst Road, Manchester, M20 4WS
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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA