

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137178/FH/2023

Date registered valid: 13 June 2023

Proposal: Erection of a single storey rear extension to form additional living accommodation following demolition of existing conservatory together with the installation of raised rear patio and increase in fence height

Address: 88 Dudley Road, Manchester, M16 8BR

Ward(s): Whalley Range Ward

Applicant: Mr Sohail Chohan

Agent (if any): Mrs Amy Axon Guy Taylor Associates

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27/07/2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29/06/2023

Standard consultations:

Printed: 20 June 2023 Expired: 11 July 2023

Neighbour notifications

Printed: 20 June 2023 Expired: 11 July 2023

Site notice

Posted: 29 June 2023 Expired: 20 July 2023

Press advert

Published: 27 June 2023 Expired: 11 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The proposal relates to a semi-detached dwelling house on Dudley Road. The property has hardstanding to vehicle parking to the front and landscaping to the rear. The property has prominent bay windows and gable front with set back entrance with single storey porch. The property features an existing conservatory/orangery on the rear elevation which is proposed to be removed. The existing materials are red brick with white painted features, slate roof tiles and a wooden canopy to the front. The property features a basement conversion including a lightwell to the front elevation and windows to side elevation (121308/FH/2018)

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable



Figure 1. Street scene



Figure 2. Front Elevation



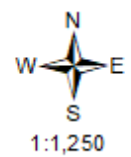
Figure 3. Rear Elevation

Description of area

The property is in a predominantly residential part of the Whalley Range ward of Manchester. To the rear of the property is the Carlton Social and Bowling Club and associated bowling green. Further up Dudley Road at the junction with Russell Road is the low rise Tangmere Court Apartments. The property is set within the Whalley Range Conservation Area.



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Description of development

The applicant is seeking the erection of a single storey rear extension to form additional living accommodation following demolition of existing conservatory together with the installation of raised rear patio and increase in fence height.

The proposal adds a rear extension to the property by demolishing the existing conservatory/orangery.

The proposed single storey rear extension projects 5200mm from the original dwellinghouse at the detached corner and 3810mm from the existing rear elevation above the basement access.

The proposed extension spans 5650mm across the rear of the property leaving an 800mm gap to the shared boundary with 90 Dudley road and 1610mm with the boundary of 86 Dudley Road.

The proposal adds a rear raised patio which projects 2850mm from the rear of the proposed extension and 8050mm from the rear of the original dwelling house. The raised patio is approx. 800mm above ground level with clear glass balustrade.

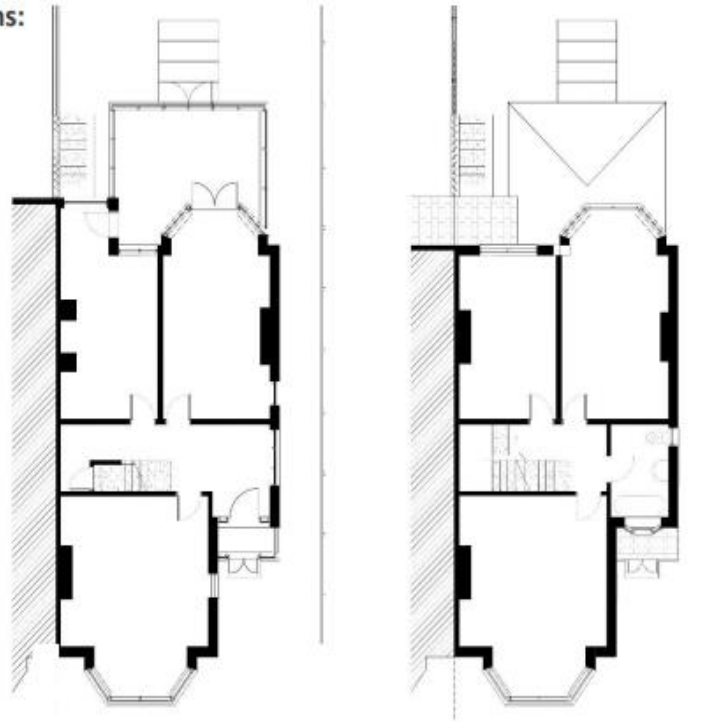
The proposal adds increased fencing height to the boundary with 90 Dudley Road for privacy. The proposed height is 2550mm above ground level.

The proposal includes large clear glazing on the rear and smaller on the side.

The single storey extension features a pitched roof with gable end to the rear elevation with 6no rooflights.

The materials for the proposal match the existing house.

Existing Ground & 1st Floor Plans:



Proposed Ground and 1st Floor Plans:

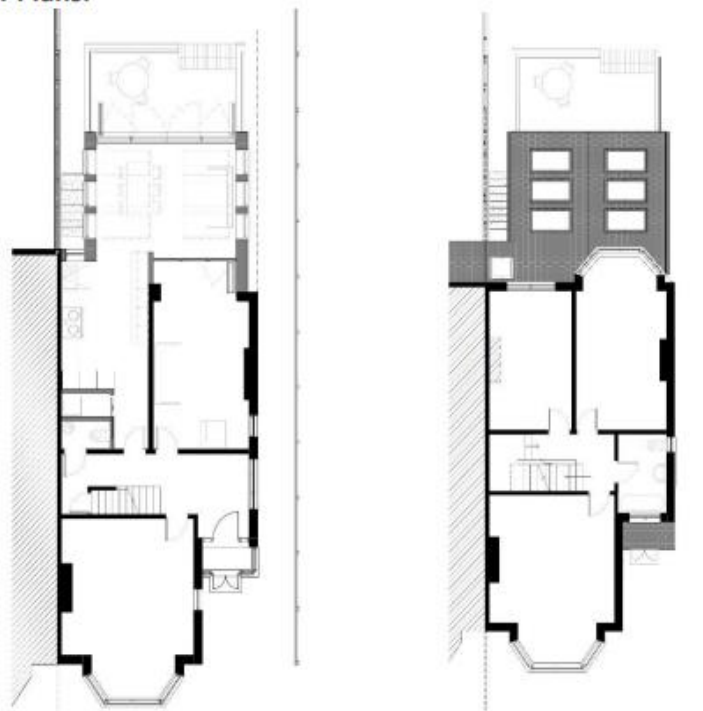


Figure 4. Existing and Proposed Floor Plans

Planning History

121308/FH/2018

Basement conversion involving the creation of lightwell to front elevation and windows to side elevation and erection of single storey

Decision: Approved 06/12/2018

Consultations & Notification Responses

Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

No comments, objections, or representations in respect of this application was received.

Residents Associations and Groups

As per Appendix 1, local residents associations and groups surrounding the application site were notified of the proposal.

No comments, objections, or representations in respect of this application was received.

Site Notice and Press Advertisement

As the site is within the Whalley Range Conservation Area a site notice was posted on 29/06/2023 and an advertisement placed in the Manchester Evening News.

No comments, objections, or representations in respect of this application was received.

Policies & Principle

Relevant Policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:

- Policy DM 1 - Development Management
- Policy SP 1 - Spatial Principles
- Policy EN 1 - Design Principles and Strategic Character Areas
- Policy EN 3 – Heritage
- Policy EN 8 – Adaptation to Climate Change
- Policy EN 16 - Air Quality
- Policy EN 18 - Contaminated Land and Ground Stability
- Policy EN 19 - Waste

[Extant Unitary Development Plan Policies \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.

- Policy DC1 for Residential Extensions
- Policy DC 18 for Conservation Areas
- Policy DC26 for Development and Noise

- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:

- Section 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 16 - Conserving and enhancing the historic environment

The Manchester Core Strategy Development Plan Document 2012-2027 (Core Strategy)

Policy DM 1 of the Core Strategy sets out the principles to which all development in the City should have regard to. It seeks 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 SP 1 of the Manchester Core Strategy 2012 (Core Strategy) sets out the key spatial principles which will guide the strategic development of Manchester to 2027 to meet the strategic objective SO1. *Provide a framework within which the sustainable development of the City can contribute to halting climate change.*

Policy DM 1 of the Core Strategy sets out the principles to which all development in the City should have regard to. It seeks 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.

Policy EN 1 of the Core Strategy sets out the key principles of place making and design in Manchester about strategic character areas. 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. This is aligned to the strategic objective SO6. *Protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change, support biodiversity and wildlife, improve air, water and land quality, recreational opportunities and provide networks of high quality green infrastructure, ensuring that the City is inclusive and attractive to residents, workers, investors and visitors.*

Policy EN 16 of the Core Strategy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. This is aligned to the strategic objective SO6. *Protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change, support biodiversity and wildlife, improve air, water and land quality, recreational opportunities and provide networks of high quality green*

infrastructure, ensuring that the City is inclusive and attractive to residents, workers, investors and visitors.

Policy EN 18 of the Core Strategy set out the principle of development on contaminated land or unstable land. This is aligned to the strategic objective SO6. *Protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change, support biodiversity and wildlife, improve air, water and land quality, recreational opportunities and provide networks of high quality green infrastructure, ensuring that the City is inclusive and attractive to residents, workers, investors and visitors.*

Policy EN 19 of the Core Strategy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings. This is aligned to the strategic objective SO6. *Protect and enhance both the natural and built environment of the City and ensure the sustainable use of natural resources, in order to mitigate and adapt to climate change, support biodiversity and wildlife, improve air, water and land quality, recreational opportunities and provide networks of high quality green infrastructure, ensuring that the City is inclusive and attractive to residents, workers, investors and visitors.*

Extant Unitary Development Plan Policies (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain). Relevant extant policies outline the issues and principles of citywide development control. The relevant extant policies (see below) have been assessed alongside the Core Strategy for this proposal.

Policy DC1. Residential Extensions

The policy outlines the key issues when considering proposed residential extensions.

Policy DC18. Conservation Areas

This policy outlines the key issues when considering the development proposals within Conservation Area.

Policy DC26. Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City

The National Planning Policy Framework (NPPF)

The NPPF sets out the government's planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Section 12 of the NPPF outlines the need to achieve well-designed places. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.

Section 16 of the NPPF (Conserving and enhancing the historic environment) outlines the development management regarding heritage assets.

Section 16 Para 199 onwards – 'Considering potential impacts' – outlines when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

This section of the NPPF has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy

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

In general, the principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable if 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 development is deemed to accord with all relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF.

Manchester Core Strategy Policy DM 1 – Development Management

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

Appropriate siting, layout, scale, form, massing, materials, and detail

The applicant is seeking to erect a single storey rear extension to form additional living accommodation following demolition of existing conservatory together with the installation of raised rear patio and increase in fence height.

The proposal uses facing brick & slate roof tiles to match the materials of the existing property (as stated in the application form).

The proposed development replaces an existing conservatory/orangery with a similar single storey extension which is considered to be acceptable in the context of the character and design of the existing building.

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house, is not excessively large or bulky.

Overall, it is considered that the proposed development has appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in accordance with the development management principle.

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 proposed extension would not be visible from Dudley Road having negligible effect on the local street scene.

The proposed extension replaces an existing conservatory/orangery which has formed part of the massing of the dwelling.

Visual impacts in connection with the proposed development are not considered to have any significant impacts to the character of the area, and therefore the appearance is acceptable.

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 accommodated at the application property and is considered that the proposal would not be incongruous with the existing characteristics of the area.

The proposal is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching as specified in the application form.

Overall, it is considered that the proposed development has minimal impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in accordance with the development management principle.

Effects on amenity, including privacy, light, noise, air quality, and traffic generation.

The proposal includes glazed doors on the rear elevation facing into the Carlton Social & Bowling Club. Given the existing boundary treatment together with the distance to the shared boundary, it is not anticipated that there would be any significant impacts in relation to overlooking, or loss of privacy due the installation of doors to the rear elevation. It is noted the existing conservatory/orangery is predominantly glazed and presents no known issues.

The proposal features a raised patio area with glass balustrade. Given the existing boundary treatment together with the gap to the shared boundary, it is not anticipated that there would be overlooking, or loss of privacy to neighbours in connection with the proposed development.

The proposal is expected to have a negligible effect on Air Quality.

The proposal would have no effect on road safety and traffic generation and is therefore in accordance with this development management principle.

The proposal in of itself has a negligible effect on local noise levels. It is recognised that demolition and/or construction works are often noisy and obtrusive to the local residential amenity. Contractors are expected to follow best practice to minimise the temporary effect on residents referring to Construction Guidance on controlling emissions.

On balance the proposal has minimal effect on privacy, light, noise, air quality, and is therefore in accordance this development management principle.

Adequacy of internal accommodation and external amenity space.

The proposal would increase the level of accommodation within the property whilst having a minimal impact on the amenity of external space. The proposal replaces an existing structure.

The proposal is therefore in accordance with this development management principle.

Refuse storage and collection.

The proposal in of itself has a negligible effect on waste from the site, using existing refuse storage and collection on site. It is recognised that demolition and/or construction works often generate commercial waste. Contractors are expected to follow best practice of waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal has no effect on the existing vehicle access and car parking at the property and is therefore in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

The proposal is in the Whalley Range Conservation Area. Whalley Range conservation area is situated approximately two miles south of Manchester city centre. Much of the area, which is predominantly residential, is contained within 63 acres of flat land purchased for building in 1832. The conservation area was designated in October 1991, with boundaries drawn to include some later housing, extending to Alexandra Road to the east and Upper Chorlton Road to the west. Given the small scale of the development, similarity to existing development in the vicinity of the proposal and not being visible from the street scene, the proposal will have a minimal effect on the Conservation Area. It is of note the proposal replaces an existing conservatory/orange which has formed part of the property and within the conservation area. Furthermore, that there are many properties with extensions in the area which have been accepted into the character of the area.

It is considered that the harm to the conservation area and local heritage assets would be less than substantial (as set out in the NPPF Section 16)

On balance the proposal has minimal effect on local biodiversity, landscape, or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden 22m in length beyond the siting of the existing conservatory extension. As such proposal would have a negligible impact on green infrastructure, with an acceptable balance between the proposed development and retention of the existing green space achieved.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site is not location within a flood risk area and therefore no flood statement or assessment was required to accompany the application.

The proposed development would connect into the existing drainage network on the site. The proposal is therefore in accordance with this development management principle.

Manchester Core Strategy Policy SP 1 - Spatial Principles

The policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy

Manchester Core Strategy Policy EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban Design.

This proposal sits within the 'Southern Character Area'.

This proposal is considered to accord with the principles within Policy EN1 .

Manchester Core Strategy Policy EN 3 – Heritage

This policy outlines the key principles concerning Heritage and development management.

The development is considered to accord with the aspirations within policy EN3.

Manchester Core Strategy Policy EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

The proposed development would not give rise to air quality issues when the development is operational.

Manchester Core Strategy Policy EN 18 - Contaminated Land and Ground Stability

Policy EN 18 of the Core Strategy set out the principle of development on contaminated land or unstable land. No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

Manchester Core Strategy Policy EN 19 - Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

Existing waste management arrangements would be retained and the proposal is considered within accordance with this policy.

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.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, 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. For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. 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. No significant problems have arisen during the consideration of this application.

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:
 - a. Design and Access Statement as received 05/06/2023
 - b. The Location Plan as received 05/06/2023
 - c. Drawing – Proposed Elevations as numbered 21-0031-03-101, as received 05/06/2023
 - d. Drawing – Proposed Floor Plan as numbered 21-0031-03-001, as received 05/06/2023

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. The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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. Before first occupation of the development thereby approved, the windows in the side elevation of rear extension adjacent to the boundary with no.90 Dudley Road, as shown Proposed Elevations plan ref: 21-0031-03-101, and Proposed Floor Plan ref: 21-0031-03-001 received 05/06/2023 ;shall be obscurely glazed to a height of 1.7m above the internal floor level 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 Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum

Whalley Range Conservation Area Group

Flat At, Rowan Lodge, Carlton Road, Manchester, M16 8BE

86 Dudley Road, Manchester, M16 8BR

90 Dudley Road, Manchester, M16 8BR

CARLTON SOCIAL AND BOWLING CLUB, Rowan Lodge, Carlton Road, Manchester, M16 8BE

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

Conservation Area - Whalley Range Conservation Area 1992

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA