

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137295/JO/2023
Date registered valid: 27 June 2023
Proposal: Removal of condition 4 (gas membrane) attached to planning permission referenced 130736/FH/2021
Address: 42 Polefield Road, Manchester, M9 7FL
Ward(s): Charlestown Ward

Applicant: Christopher Farmiloe
Agent (if any):
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 10th August 2023



Application details

Type of application:	Variation or Removal of Condition	
Development type:	Householder	
Date of site visit:	27.07.2021	
Standard consultations:	Printed: 4 July 2023	Expired: 25 July 2023
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

The application site relates to a two storey semi-detached dwelling house in the Charlestown ward of North Manchester. The property benefits from a front garden which provides an area of space to the side and garden to the rear. A private access road is located to the side of the dwelling between no. 44 and 42 Polefield Road. The property has gable front brick bay windows with stone headers. Boundary treatment is brick wall with coping stone to the front and side and timber fencing to the rear. The property benefits from an existing single storey side/rear extension.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The applicant is seeking the Removal of condition 4 (gas membrane) attached to planning permission referenced 130736/FH/2021

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments have been received as a result of this proposal.

Environmental Health - are satisfied that the information received dated 14th June 2023 as part of this application to remove Condition number 4 relating to application reference 130736/FH/2021 is acceptable and that the condition can be removed.

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o Policy EN18 Contaminated Land and Ground Stability
- o The National Planning Policy Framework (NPPF)

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

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) 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 (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that 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 extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Previous planning applications relating to this site as follows:

Planning reference number: 130736/FH/2021 – for the erection of single storey side and rear extension to form additional living accommodation. This application was approved on 04.08.2021

Residential amenity

The property benefits from an existing single storey side/ rear extension along the boundary of a private access road to the side of the property.

This application would see the removal of condition no. 4 relating to the installation of a gas membrane as part of the proposal to erect a single storey side and rear extension planning reference 130736/FH/2021. Environmental Health are satisfied that given the information received as part of this application, that the condition can be removed.

The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN18 of the Manchester Core Strategy (2012). and Saved Policies DC1 of the Unitary Development Plan.

The original application proposes a single storey side and rear extension to create additional living accommodation. The current projection along the site boundary is 6.7m overall. The proposed extension would be in line with the rear wall of the house extending along the side boundary with a projection of 5.2metres and width of 5.3m with an addition projection of 2.1m to a width of 3.8m resulting in an overall projection along the boundary of 7.3m.

A gap would be retained to the shared boundary with no. 40 Polefield Road of approximately 3.6m and 5.1m respectively. The roof would be a dual pitched roof with the inclusion of four roof lights.

No windows are proposed on the side facing the access road; however a window, door and double doors are proposed on the side elevation facing no. 40 Polefield Road. Given the distance to the boundary together with the existing boundary treatment, it is not anticipated that there would be any overlooking or loss of privacy given by the introduction of glazing to the side elevation. No windows are proposed on the rear elevation.

The City Council takes a view that given the presence of a structure is already established along the site boundary, that the introduction of a side and rear extension would not provide any further visual harm to the adjacent or surrounding properties in the area than already exists. In addition, no comments or objections have been received from local residents notified of this application.

The extension would be visible from the public highway and therefore would feature within the street scene. It is considered that the character of the area has been retained and is in keeping with the existing and other houses in the area and therefore the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension a 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 acceptably accommodated at the application property.

The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Siting, scale and massing

Although the extension would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The appearance is acceptable and its impact upon visual amenity is considered negligible. The proposal has been sited and

designed to ensure that it is subservient to the original dwelling house. The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extension is satisfactory and is therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would be an acceptable addition to the property and in terms of the proposed materials it is intended to use matching brick and tile as specified in the application form and on the drawings.

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.

Disabled access

Not applicable

Refuse

The storage of refuse bins are not affected by the proposal which accords with policy EN19 of the Core Strategy.

Parking

Car parking is not affected by this proposal.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the 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

Positive and proactive working - 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. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development must be begun not later than 1 July 2025.

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:

Received on 14th June 2021 numbered 2 of 5 Proposed Ground Floor Plan

Received on 14th June 2021 numbered 3 of 5 Proposed Elevations

Received supporting information 14th June 2023 provided by Jonathan Lord at Curtins

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 hereby permitted shall match those as specified on the application form/drawings 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.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

37 Polefield Road, Manchester, M9 6FN
44 Polefield Road, Manchester, M9 7FL
40 Polefield Road, Manchester, M9 7FL
27 Charlestown Road, Manchester, M9 7AB
25 Charlestown Road, Manchester, M9 7AB
41 Polefield Road, Manchester, M9 6FN
39 Polefield Road, Manchester, M9 6FN
35 Polefield Road, Manchester, M9 6FN

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA