

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136675/FH/2023
Date registered valid: 4 April 2023
Proposal: Erection of a 2 storey side extension to form additional living accommodation
Address: 24 Pembury Close, Manchester, M22 9PU
Ward(s): Sharston Ward

Applicant: Kim Sheldon
Agent (if any): Crawford SmartePlans
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 26.05.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 May 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 May 2023 Expired: 24 May 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a two storey brick built property in the Sharston Ward of Manchester. The property benefits from a lean to canopy along the side elevation, with amenity space to the front, side and rear of the property with off road car parking to the front.

The area is predominantly residential in nature with houses of similar style and design.

Description of development

The application seeks planning permission for the erection of a two storey side extension to form additional living accommodation. The application has been revised since original submission reducing the overall footprint of the extension and introducing a greater layer of subservience to the original dwelling.

Consultations & Notification Responses

Local residents were notified however none responded.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)

- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality 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.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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

DC1.4 In considering proposals for 2 storey side extensions, the council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole
- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

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

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Issues

Principle

The proposed application is for a two storey side extension this is considered acceptable as many people prefer to extend their homes rather than move in order 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's properties' residential amenity.

Residential and Visual Amenity

The proposed two storey side extension has been amended since the original submission to include a greater subservience to the original dwelling. The revised proposal includes a 1.5metre setback from the principal elevation along the first floor and a 0.6 metre dropdown level from the original ridge roof height preventing a terracing impact and making the extension subservient to the original dwelling.

The proposed extension would have approx. dimensions of Height 6.4m x Width 3.5m x Depth 7.4m. The extension would replace the existing lean to canopy and would become flush with the original rear elevation. The extension would be sited approx. 2.5metres from the southern boundary.

Given the existing layout of Pembury Close, the proposed scheme would have potential impact on no. 26 Pembury Close however consideration has been given to its height, size and massing of the proposal and any impact it may have on the neighbouring property. The proposal would flank the existing boundary with the first floor terminating at the principal elevation, situated

within the application's curtilage, preventing an overbearing feature occurring along the shared boundary.

Further, it is anticipated during the morning sun that the side amenity space of the neighbouring property may experience some overshadowing implications however this will be alleviated during the afternoon and evening and would not affect the rear amenity space in any significant terms. Therefore, the proposal is not considered to provide undue harmful impacts to the residential amenity, pursuant to Core Strategy Policies SP1 and DM1.

The proposed extension would be visible from within the streetscene in Pembury Close, but given the extension is setback 1.5metres from the principal elevation along the first floor, and the dropdown in height it is deemed that the proposed extension would be subservient to the existing house and would have an acceptable appearance. The proposal would match the existing dwelling in terms of materials. It should be noted that the approval has been conditioned so that it will match the revised plans submitted by the planning agent on 25.05.2023. For these reasons, it is considered that the proposed extension would not adversely affect visual amenity within the area.

Fenestration elements are situated along the front and rear elevation overlooking the driveway and the rear garden retaining neighbouring occupiers levels of privacy. The first floor rear windows would leave approx.2.5 metres to the rear shared boundary and it is not expected to cause significant overlooking into the rear amenity space of no. 26 Pembury Close. A condition shall be applied to any approval regarding no further windows along the proposal.

Height Scale and Massing

The height of the proposed two storey side extension relates to the height parameters of the existing building. The height of the proposed extensions have tied in with the existing building. The revised proposal includes an acceptable footprint of the extensions that is deemed appropriate for the application site, and it is considered that the proposed extensions responds well to the dimensions, design and siting of the neighbouring properties.

The materials of the proposed extensions will be finished to match the existing dwelling in type, shape and colour and a condition to match will be applied to any approval. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

On this account, it is considered the development would be consistent with the aspirations of saved UDP Policy DC1 and Core Strategy Policy DM1, proposed developments must provide a positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

Car Parking

The proposed development would not affect the existing off-street car parking arrangements within the application property.

Waste Management

The revised proposal received on 25.05.2023 includes a bin storage to the side elevation of the extension and it is deemed acceptable and would not cause significant residential or visual amenity impacts with the interests of the appearance of the streetscene being retained, pursuant to policy DM1 and SP1 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:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to guide the application through all the stages of the planning process and resolve any issues that arose in dealing with the 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 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 following drawings and documents: Local plan and drawings numbers:

Drawing: Location Plan

All stamped as received by the City Council as Local Planning Authority on 04 April 2023

Drawing: Mixed/Combined Plans

All stamped as received by the City Council as Local Planning Authority on 25 May 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 (2012).

- 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) 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 interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 and DM1.

- 5) The development hereby approved shall be carried out in accordance with 'Drawing: Mixed/Combined Plans stamped as received by the City Council as local planning authority on 25 May 2023, in relation to a secure and ventilated bin storage area. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason- In the interests the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

9 Pembury Close, Manchester, M22 9PU
17 Pembury Close, Manchester, M22 9PU
13 Pembury Close, Manchester, M22 9PU
11 Pembury Close, Manchester, M22 9PU
7 Pembury Close, Manchester, M22 9PU
5 Pembury Close, Manchester, M22 9PU
26 Pembury Close, Manchester, M22 9PU
22 Pembury Close, Manchester, M22 9PU
21 Pembury Close, Manchester, M22 9PU
20 Pembury Close, Manchester, M22 9PU
19 Pembury Close, Manchester, M22 9PU
18 Pembury Close, Manchester, M22 9PU
15 Pembury Close, Manchester, M22 9PU

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 45M
Area Team Boundary - Name: SOUTH AREA