

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135322/FH/2022
Date registered valid: 31 October 2022
Proposal: Erection of part single, part two storey rear extension to form additional living accommodation
Address: 5 Delamere Road, Manchester, M19 3NG
Ward(s): Levenshulme Ward

Applicant: S.W. Crookes
Agent (if any): Summit 360
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 November 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 November 2022 Expired: 30 November 2022

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

Description of site / building / area

The site is a two-storey end-terrace, bay fronted dwellinghouse of the Victorian era. The western boundary of the application site abuts an open alleyway, and there is existing boundary treatment approximately 1.8 metres high along the side and rear elevations, which incorporates a timber frame gated access along the western boundary.

A gated alleyway runs along the northern boundary. Most of the mid-terrace houses along Delamere Road are characterised by original 2 storey rear outriggers that project approximately 4.4 metres deep x 3 metres wide, whilst retaining a separation distance of approximately 1.5 metres from the neighbouring boundary. In design terms and given the character of the existing end-of terrace houses along Delamere Road when compared with the application building, it would appear that it is likely the original dwellinghouse would have had some degree of amenity space along the side elevation.

In this instance, there is an existing outrigger which is flush with the western boundary, and as a result, the side elevation of the application building is flush with the back of a public right of way - (the open alleyway). The existing outrigger forms the kitchen of the property along the ground floor, with a bedroom along the first floor - (rearward projections: approximately 5598mm ground floor, and 3882mm first floor), whilst retaining a separation distance of approximately 5897mm from the common shared boundary with no.7 Delamere Road.

There is an existing outbuilding within the rear garden sited along the north-western boundary which retains a separation distance of approximately 6899mm from the common shared boundary with no.7 Delamere Road, and approximately 5031mm from the existing ground floor outrigger. The maximum depth of rear garden is approximately 14360mm.

The rear of the property where the development is proposed is north-facing.

The site is bounded by St Mary of the Angle and St Clare church and hall site to the north, residential properties to the east and south, and an MOT testing station to the west.

Delamere Road is in the Levenshulme District Centre accessed off Stockport Road 35metres west. Being within the District Centre, the surrounding area is a mix of residential, commercial, and retail.

Description of development

The submitted application proposes the erection of a part single, part two storey rear extension to form additional living accommodation.

The submitted plan also proposes elevational alterations along the existing gable elevation and side elevation of the outrigger involving 1no. window along the ground floor side elevation, and 2no. windows along the first floor side elevation. Including windows along the roof elevation of the existing single storey outrigger along the rear elevation.

In terms of the proposed part single, part two storey rear extension: it would be sited along the common shared boundary with no.7 Delamere Road, and project 4200mm deep along this boundary and come forward of the side elevation of the existing kitchen to achieve an extended kitchen / dining room that would measure approximately 6059mm wide. This element would a combined lean-to pitch roof configuration, with the maximum hight of the roof measuring approximately 3621mm. It would incorporate windows along the roof elevation adjacent the common shared boundary with no.7 Delamere Road, 1no. window along the rear elevation, including bi-fold doors. Along the first floor: this proposed element would be stepped away approximately 2179mm from the common shared boundary with no.7 Delamere Road and come forward of the side elevation of the existing first floor rear bedroom approximately 4082mm wide x 4200mm deep and flush with its rear building line to serve as a bedroom, and the existing bedroom would be internally re-configured to serve as a bathroom. This element would have 1no. window along the rear elevation, a pitch roof to mirror the existing design, and the maximum hight of the roof would not exceed the pitch of the existing rear outrigger at first floor.

With regards to the proposed elevational alterations: this would comprise of 1no. window along the ground floor side elevation, 2no. windows along the first floor side elevation; including windows along the roof elevation of the existing single storey rear lean-to extension.

In terms of external facing materials, it is intended to use matching materials.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

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

- a. 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, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;

- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy EN1 (Design Principles and Strategic Character Areas) - States that 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.

Policy EN19 (Waste) - States that developers should have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users, and encourage communities to take responsibility for the waste they create through the provision of accessible facilities.

Policy T2 (Accessible areas of opportunity and need) - States that the Council will actively manage the pattern of development to ensure that in new development:

- o The car parking standards are maximums, and the cycle and disabled car parking standards are minimums. However, the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate.

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance. This states:

DC1.1

In determining planning applications for extensions to residential properties, the council will have regard to:

- a) the general character of the property
- b) the effect upon the amenity of neighbouring occupiers
- c) the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs
- d) the overall appearance of the proposal in the street scene
- e) the effect of the loss of any on site car parking

DC1.2

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 the original buildings)
- b) they do not create an 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 street scene by virtue of design, use of materials or constructional details
- d) they would not result in the loss of off street car parking in a situation where there is so severe an existing on street car parking problem that unacceptable additional pressures would be created

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
- e) extensions which conflict with the council's guidelines on privacy distances (which are published as supplementary guidance)

Policy DC1.6

For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on residential and visual amenity.

Residential and Visual Amenity

Impact of works (part single, part two storey rear extension) - In light of the pre-existing context with the rear of the application building north-facing, natural sunlight is therefore compromised along this elevation, particularly, around mid-afternoon. However, given the existing contextual relationship along the side and rear elevations of the application, and with the western boundary of the application site abutting an open alleyway, and due to the fact that a gated alleyway runs along the northern boundary, there is a distinctive separation distance along the rear of the application site. In addition, whilst the proposed rearward projection at approximately 4200mm would be (550mm) in excess of saved policy DC1, most of the mid-terrace houses along Delamere Road are characterised by original 2 storey rear outriggers that project approximately 4.4 metres deep x 3 metres wide, whilst retaining a separation distance of approximately 1.5 metres from the neighbouring boundary. Moreover, whilst the proposed width would be wider than the existing characteristic of the terraces along this row, the application property is an end-terrace, and the proposal would be stepped away approximately 2179mm from the common boundary with no.7 Delamere Road along the first floor to mitigate the adverse impact from undue massing. For these reasons, and on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location as there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. It is however recommended further conditions are attached limiting any further windows and door openings and a requirement for the proposed windows along the first floor side and rear elevations to serve the annotated "Bathroom" to be obscurely glazed. This is considered necessary to safeguard residential amenity.

Impact of works (elevational alterations) - These would comprise of the installation of new windows, which would involve: 1no. window along the ground floor side elevation, 2no. windows along the first floor side elevation; including windows along the roof elevation of the existing single storey rear lean-to extension; which are considered acceptable as these are unlikely to present a significant adverse impact to residential amenity, subject to planning conditions. It is therefore recommended further conditions are attached requiring the proposed windows along the first floor side and rear elevations to serve the annotated "Bathroom" to be obscurely glazed. This is considered necessary to safeguard residential amenity.

Impact of works (design and appearance) - The proposal would be informed by the existing developments along the neighbourhood, and it is intended to use external facing materials in keeping with the original house, which are considered acceptable in design terms. However, a materials condition has been attached to ensure that materials are adhered to.

Impact of works (car parking) - The existing arrangement would be unaffected.

Impact of works (waste management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 31 October 2022.
- o Existing Location Plan and Existing Block Plan, with application site edged in red, received by the City Council as the Local Planning Authority on 31 October 2022.
- o Existing Floor Plans and Elevations, SHEET N. EX 01 - 5 DE, received by the City Council as the Local Planning Authority on 31 October 2022.
- o Proposed Floor Plans and Elevations, SHEET N. EX 01 - 5 DE, received by the City Council as the Local Planning Authority on 31 October 2022.

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 used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the approved plans and submitted information.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved 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 development hereby approved other than those shown on: Proposed Floor Plans and Elevations, SHEET N. EX 01 - 5 DE, received by the City Council as the Local Planning Authority on 31 October 2022.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Before first occupation of the development thereby approved, the proposed windows along the first floor side and rear elevations to serve the annotated "Bathroom" and as shown on: Proposed Floor Plans and Elevations, SHEET N. EX 01 - 5 DE, received by the City Council as the Local Planning Authority on 31 October 2022, shall all be opaquely 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 - In the interests of privacy, pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

7 Delamere Road, Manchester, M19 3NG

St Marys R C Church, Elbow Street, Manchester, M19 3PY

1A Delamere Road, Manchester, M19 3NG

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

Area Team Boundary - Name: NORTH AREA