

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135395/FH/2022

Date registered valid: 22 November 2022

Proposal: Erection of a two storey side extension and single storey rear extension together with a hip to gable roof extension and installation of rear roof dormer to form additional living accommodation

Address: 19 Yewtree Lane, Manchester, M22 4DX

Ward(s): Northenden Ward

Applicant: Mr David Moss

Agent (if any):

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 6 December 2022 Expired: 27 December 2022

Neighbour notifications

Printed: 10 March 2023 Expired: 20 March 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. It has gardens to the front and rear with a driveway alongside the property. There is a free-standing garage/ store at the end of the driveway. The front boundary is enclosed by a brick wall and planting with dividing and rear boundary treatment being timber post and panel fencing. Double metal gates lead through to the rear garden. The property is identified as 19 Yew Tree Lane and is located within the Northenden ward of the City.

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 semi-detached and detached properties, set back from the highway with gardens to the front and wide areas of grass verge and tree planting alongside the pavement and between the highway.

Description of development

The proposal is for a two-storey side extension, single storey rear extension and change of roof from a hip to a gable with a dormer extension to the rear of the property. The additional accommodation created would be cycle storage in the ground floor side and dining room in the single storey rear, with an enlarged family bathroom and creation of landing and staircase up to the loft. Within the hip to gable and dormer extension there will be an additional bedroom with storage. The single storey rear extension would project from the rear by 4 metres and would extend across the rear of the property by 7.8 metres. The two-storey side extension would be 2.5 metres wide and is set back 700mm from the front at first floor. It ends on the rear building line of the existing dwellinghouse and retains a 1 metre gap to the common boundary with

number 21 Yew Tree Lane. The materials to be used would match those of the existing property.

Consultations & Notification Responses

Local residents were informed- through 2 rounds of consultation, no representations have been received.

Flood Risk Management- no objections to the proposal. The drainage of the site can be approved, with the following informative:

The applicant should design and construct a 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 pursuant to policy EN17 of the Core Strategy.

The proposed extension is within the EA Flood Warning Area, floor levels should be set no lower than existing floor levels of the adjoining dwelling

Issues

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 was published on the 27 March 2012. 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

The principle of the proposal is acceptable in that the application proposes works to a residential property in an established residential area to create additional living accommodation.

Residential Amenity - The applicant proposes to erect a two- storey side extension and single storey rear extension together with a hip to gable roof and erection of a rear dormer extension within the plane of the existing roof slope.

The rearward projection of the single storey rear extension is 4 metres off the rear and extends widthways by 7.8 metres. The two- storey side extension has a projection of 2.5metres and is set back from the front of the property at first floor by 700mm. It retains a gap to the common boundary of 1 metre. There is one small window to the ground floor that would serve the utility room, the remaining windows are in the front or rear overlooking the applicants own garden area. This is the same of the rear dormer extension, this is proposed in the rear roof slope of the existing house and only has windows overlooking the applicants' own garden. As such there is no issue with regards to overlooking or loss of privacy for the proposal site and the neighbouring properties. The two storey side element measures 3.5 metres and extends as far rearward as the original rear building line. Taking into consideration the set in from the common boundary, the proposal would not result in the terracing effect.

It is not anticipated that the proposed development will impact upon the existing levels of residential amenity currently being enjoyed by occupants of the host property or adjoining properties including loss of privacy, light or overshadowing.

It is considered that there would be sufficient usable external amenity space retained for the occupants of the property post development.

Design - The design of the extension is acceptable and is typical of extensions of this type on this type of property within the wider area. It is not considered that the proposal would have a detrimental impact upon the character of the property itself, nor the area within which it is located.

Parking - There is sufficient space retained to the front driveway of the house to provide in curtilage parking.

Waste Management- There is sufficient space retained to the side of the property to enable the bins to be brought kerb side on collection day.

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. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/agent to reach a satisfactory resolution. The proposal has been determined in accordance with local and national policies.

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:

002- Proposed Plans and Elevations received 1st March 2023

003- Proposed Eastern Elevation received 7th November 2022 Flood Risk Assessment- received 7th November 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 to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

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.

Informatives

1) The applicant should design and construct a 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 pursuant to policy EN17 of the Core Strategy.

The proposed extension is within the EA Flood Warning Area, floor levels should be set no lower than existing floor levels of the adjoining dwelling.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
MCC Flood Risk Management

21 Yewtree Lane, Manchester, M22 4DX
17 Yewtree Lane, Manchester, M22 4DX
86 Homewood Road, Manchester, M22 4DQ
32 Yewtree Lane, Manchester, M22 4DY

90 Homewood Road, Manchester, M22 4DQ
88 Homewood Road, Manchester, M22 4DQ

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) -

Area Team Boundary - Name: SOUTH AREA