

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135701/FH/2022

Date registered valid: 9 December 2022

Proposal: Erection of a single storey rear extension and rear dormer, installation of two rooflights to front roof slope.

Address: 5 Rolls Crescent, Manchester, M15 5JX

Ward(s): Hulme Ward

Applicant: Mr Wardak

Agent (if any): Mr Gin Fung Yong Studio 805 Associates Ltd

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

Recommendation: Approve

Date of recommendation: 23 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: February 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 December 2022

Expired: 11 January 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 identified as 5 Rolls Crescent and is located within the Hulme ward of the City. It is a red brick detached property with gable detail to the front. It has gardens front and rear with the front being enclosed by low wall and timber railings and timber fencing to the rear. There is no in curtilage parking provision.

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 a mix of house types and apartments. It is located within walking distance of both the district centre and the City centre and is well served by both public transport and local services including retail provision.

Description of development

The proposal is for the part retrospective erection of a single storey rear extension. It has a flat roof and a roof light. It would project 4 metres from the rear of the property and extend the full width of the existing house. There would be a set of bi-fold door in the rear elevation looking out over the applicants own garden.

A rear dormer extension is also proposed, this would be set down from the existing ridge and set back from the eaves.

There are 2 Velux style windows proposed within the front roof slope, however these do not require planning permission.

The materials to be used would match those of the existing property. The use as a single family dwellinghouse would be retained post development.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Issues

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.

Policy EN1 'Design Principles' States that all development in Manchester will be expected to follow the seven principles of urban design in accordance with the National Planning Guidance and states that in any new development the principal features of the local area should be retained.

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 of the Proposal

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.

The principle of the proposal is acceptable in that the applicant proposes to use the extension and dormer for additional living accommodation ancillary to the host property. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Residential Amenity

The applicant proposes to erect a single storey rear extension and rear dormer window to form additional living accommodation.

Amenity space lies to the front of the property forming a small garden area. To the rear is a small garden. The applicant proposes to build a ground floor rear extension projecting off the main back wall of the house for the full width of the property. The proposed extension would be 4 metres projection. The neighbouring property has a single storey rear extension on the property which projects 3 metres. It is not considered that the additional 1 metre on the rear of number 5 Rolls Crescent would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties. The fenestration is in the rear elevation of both the extension and the dormer overlooking the applicants own garden. There are no windows in any of the side elevations, and as such it is not considered that there would be any negative impact from overlooking or loss of privacy.

The dormer is set down from the original ridge height of the property set back from eaves. Materials are set to match the existing property and would be in keeping with the character of the area. There are properties within the neighbourhood that have been extended in a scimilar manner. Given the dormers measurements, matching materials and the fact that it can be built

under permitted development, the proposal is considered to be acceptable and would not provide a detrimental impact on the surrounding neighbouring properties.

On balance, the extensions are not considered to be overly large, are not unduly excessive and are comparable in terms of size and position to others found in the immediate area. The rear extension has been sympathetically designed to take the amenity of neighbouring occupiers into account and therefore it is felt that the proposed extension can be acceptably accommodated at the application property retaining a small but acceptable level of external amenity space for the occupants. With the incorporation of the bi-fold doors that take up most of the rear elevation, it also gives the effect of bringing the outdoors inside making greater use of the amenity space.

Siting, scale and massing

The extension would project off the rear back wall by 4 metres and at the full width of the property would take number 5 Rolls Crescent no closer to the properties at number 3 or number 7 Rolls Crescent. The dormer is also set in from all edges within the roof space

The proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Design

The proposal is of a sympathetic design finished with matching brick and tiles. The design is typical of this type of modest extension and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1, and EN1 and saved policy DC1 of the UDP, in general the design is considered acceptable.

Disabled access

Not applicable

Bins

The storage of refuse bins would not be affected by this proposal.

Parking

There is no off street car parking with the property and as such is not affected by the proposal.

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

The application has been determined in a positive and proactive manner and in accordance with national and local policy. No issues have arisen during consideration of the application and appropriate conditions have been attached to the permission.

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:

Drawing 101 B - Proposed Site Plan received 9th December 2022

Drawing 111 B- Proposed Floor Plans received 9th December 2022

Drawing 121 B - Proposed Elevations received 9th December 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 be similar in appearance to those used during the construction of the original 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 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: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

24E Mallow Street, Manchester, M15 5GD
24F Mallow Street, Manchester, M15 5GD
24D Mallow Street, Manchester, M15 5GD
24A Mallow Street, Manchester, M15 5GD
24C Mallow Street, Manchester, M15 5GD
24B Mallow Street, Manchester, M15 5GD
7 Rolls Crescent, Manchester, M15 5JX
3 Rolls Crescent, Manchester, M15 5JX

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA