

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135836/FH/2022
Date registered valid: 23 December 2022
Proposal: Erection of two storey side extension and part single and part two storey rear extension to provide additional living accommodation
Address: 57 Elsdon Road, Manchester, M13 0TN
Ward(s): Rusholme Ward

Applicant: Dr Zafar Iqbal
Agent (if any): Mr Saghir Hussain, Create It Studio Architects
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 14 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 February 2023

Standard consultations:

Printed: 7 March 2023 Expired: 14 March 2023

Neighbour notifications

Printed: 7 March 2023 Expired: 14 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to a two storey brick built semi-detached dwellinghouse with a red concrete tiled hipped roof. The property has been extended in the past with a single storey rear extension and front porch. At the side of the property is a car port and gate.

Description of area

The surrounding area is residential in nature comprising of similar scale and designed two storey semi-detached dwelling houses. Major rail connections in and out of the City Centre and Airport also run through the area.

Proposal

Erection of two storey side extension and part single and part two storey rear extension to provide additional living accommodation.

Site History

131493/FH/2021 Erection of two storey side extension and part single and part two storey rear extension to provide additional living accommodation.

Negotiations

The proposal was modified reducing the first-floor rear extension by pulling it away from the common boundary with the non-adjoining property.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representation were received.

HS2 were consulted and raised no objection.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles

DM1 - Development Management 1

The relevant UDP policies for this application are:

DC 1.1 - 1.6 - Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The 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.

Development in this application proposes a part-single/ part-two storey side and rear extension to which there is no objection in principle, subject to satisfactory impacts on residential and visual amenity, parking and bin storage in accordance with the above development plan policies

Residential Amenity and Visual Amenity

Concerns were raised with the applicant regarding the close proximity of the proposal to the shared boundary with no.55 Elsdon Road where the proposed side extension would have gone beyond the original rear wall, as it would have had the potential to be overbearing on No.55 Elsdon Road, in addition the orientation of the property means that if built as originally proposed there would also be some overshadowing should the extension be approved.

The applicant has now amended the drawings to remove the first-floor side element that would have extended beyond the original rear wall of the dwellinghouse and situated close to the shared boundary with no.55 Elsdon Road. there are no windows on the side elevations of the extension.

The side extension will be set back from the front of the dwellinghouse at first floor which would result in a hipped roof with a lower ridge height than the existing dwellinghouse. The setback, together with the reduction in height of the roof of the side extension would result in a subservient structure and provide a contrast between the original dwellinghouse and the extension. The setback will also prevent a 'terracing effect' and allow the gap between the properties to be shared equally.

In terms of the rear extension the applicant is seeking to extend the ground floor extension and create a first-floor extension to form a new bedroom which would occupy half the width of the dwellinghouse.

The property has previously been extended at the rear of the property with a single storey rear extension which has the same rearward projection as the adjoining semi-detached property no. 59 Elsdon Road at approximately 3 metres. The proposal would therefore extend the single storey extension to 6.25 metres, whilst this does go beyond 3.65 metres stated within saved policy DC1, consideration should be given to a fall back position which if the applicant had not extend previously they could have built a 6 metre single storey extension under permitted development rights. Taking this into consideration and that the impacts would be similar, the extension at 59 Elsdon Road would mitigate some of the impact and that if built there would be still sufficient garden/amenity space it is considered on this occasion that the extension could be accommodate.

On balance, due to the position, design and size of the proposed extension it is considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP

Bin storage - Bin storage would be unaffected by the development.

Parking - Parking would be unaffected by the development.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

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 issues arising from 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 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:

AP001 Rev A, stamped as received on the 23 December 2022.

AP003 P2

AP002 P2

AP001 P2, stamped as received on the 6 March 2023.

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) Prior to the first occupation of the development, the ground floor rear wc and the first floor rear wc windows shown on drawing numbers AP003 P2, AP002 P2, AP001 P2, stamped as received on the 6 March 2023 shall be obscurely 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 - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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 drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
High Speed Two (HS2) Limited

44 Elsdon Road, Manchester, M13 0TW
53 Elsdon Road, Manchester, M13 0TN
148 Beresford Road, Manchester, M13 0TF
146 Beresford Road, Manchester, M13 0TF
42 Elsdon Road, Manchester, M13 0TW
59 Elsdon Road, Manchester, M13 0TN
55 Elsdon Road, Manchester, M13 0TN
152 Beresford Road, Manchester, M13 0TF
150 Beresford Road, Manchester, M13 0TF
40 Elsdon Road, Manchester, M13 0TW

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 - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH AREA