

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136280/FH/2023
Date registered valid: 15 February 2023
Proposal: Erection of part single, part two storey extensions to the side and rear to form additional living accommodation and erection of front porch
Address: 7 Yew Tree Crescent, Manchester, M14 7DL
Ward(s): Fallowfield Ward

Applicant: Mrs Samar Khadrah
Agent (if any): Mr Justin Keleghan JK Technical Services (NW) Ltd
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 05.04.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 March 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 February 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a brick built, semi-detached dwelling situated on a long splayed plot along Yew Tree Road in the Fallowfield ward. The plot lies within a Crescent on the north side of Wilbraham Road. In front of the Crescent is an area of landscaping that includes mature trees. To the rear of the site is an area of incidental land bound by a brick wall that provides informal pedestrian access into Plattbrook Close to the north.

The property benefits from a grassed front garden, a lean to pitch canopy along the side elevation with a relatively large grassed area towards the rear of the property. Additionally, an existing single storey rear conservatory is present along the original rear elevation.

The surrounding area is residential comprising mainly of similar inter-war housing. To the east of the crescent is Eden Court, a 4-storey block of flats.

Description of development

The application seeks planning permission for the erection of a part single part two storey rear and side extension, front porch extension rear roof dormer and single storey outbuilding to rear 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 and two responses were received. The objection letters are summarised below:

Because they are too close to my house, this will have an impact on our privacy. As we had been told by planning designers that we were not allowed to have windows at the side because of the privacy when we applied the planning permission. For respect, we gave up to have windows face to them.

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 development is part single part two storey rear and side extensions, and enlarged front porch, this is considered acceptable in principle 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 properties' residential amenity.

Residential and Visual Amenity

Part single part two storey side and rear extension

As mentioned above the application has been revised since the original submission reducing the overall footprint and introducing a layer of subservience to the proposal. The proposal would involve a wraparound extension of approx. dimensions of Height 7.2m x Width 1.89m (along the front elevation) & 7.9m (along the rear elevation) x Depth 10.2m x Rearward Projection 3.736m. The revised scheme would include a 1.5metre set-back from the principal elevation along the first floor and a 0.53metre dropdown level from the original ridge roof height. The extension would be sited approx. 0.15metres from the shared boundary with no.6 Yew Tree Crescent along the front elevation.

In terms of the proposed part single part two storey side extension and the potential impact on no.6 Yew Tree Crescent, consideration has been given to the height, size and massing of the proposal and any impact it may have on the neighbouring property. The proposal would flank the existing boundary and protrude past the original rear elevation by 3.736metres replacing the single storey conservatory's footprint. Given the splayed nature of the property and the ever increasing distance to the shared boundary with no.6 Yew Tree Crescent (measuring 2.63metres from the proposed rear extension's rear elevation) it is deemed acceptable for this application site and not considered to provide significant overbearing implications to the neighbouring occupier. Further, given the orientation of the properties along Yew Tree Crescent it is not considered that overshadowing implications during the evening sun would be significant to warrant a refusal.

The proposed part single part two storey rear extension would run alongside the shared boundary with no.8 Yew Tree Crescent leaving a 0.918metre distance between the western shared boundary and the extension, however the revised scheme has incorporated a 2.2metre first floor set-in dimension from the shared boundary to reduce the bulkiness and prevent an overbearing feature along the shared boundary. It is deemed the set-in dimension would also alleviate loss of sight lines in an eastern direction from the first floor of the neighbouring property.

Additionally, given the single storey nature of the extension and the set-in dimension of the first-floor element, it is not considered that the scheme would add significant harmful overshadowing or loss of light implications to neighbouring properties.

Further, it should be noted that the rearward projection of the proposed part single part two storey rear extension is longer than referred to in with DC1 with an overall length of 3.76metres, however it is deemed that the relatively small scale nature of the projection and the large rear garden alongside the splayed nature of the property that the proposal would not give rise to significant adverse impacts to visual and residential amenity to the neighbouring properties as to warrant refusal to the proposed development.

Fenestration elements are proposed along the rear and side elevations overlooking the rear and side garden. Addressing the objection letters concerns relating to the side facing windows, the proposed first floor side elevation window will be obscurely glazed to prevent overlooking and loss of privacy implications to the neighbouring property no. 7 Yew Tree Crescent. Further, the small non opening window located on the western elevation of the part single rear extension will also be obscurely glazed.

Rear windows are proposed along the first floor element however given the distance to dwellings located to the north of the rear boundary (11.7metres) and the orientation of the neighbouring properties along Plattbrook Close, it is not considered significant overlooking or loss of privacy implications to the neighbours' rear amenity spaces.

The proposed extension would become visible from Yew Tree Crescent's streetscene, however the extension is set-back from front of the main dwelling and, is subservient to the existing house and would have an acceptable appearance with materials to match the existing brickwork, it is considered acceptable and not thought to significantly harm the visual amenity of the house or the wider area, the latter of which is not in a conservation area.

Front porch

The front porch would have approx. dimensions of Height 3.2m x Width 2.1m x Depth 1.65m. The front porch would become visible from within the streetscene in Yew Tree Crescent, but it is considered that as the extension would be subservient to the original dwelling forming a seamless relationship with the original and would have a similar appearance to the original dwelling which are conditioned to match any approval of the scheme and therefore does not provide additional residential or visual amenity to neighbouring properties, pursuant to policies DC1, DM1 and SP1.

Height Scale and Massing

The height of the proposed part single part two storey side and rear appropriately 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 on street car parking arrangements.

Waste Management

The proposal would not leave a sufficient gap to the boundary for transport of refuse bins to the garden, therefore a bin store condition has been attached. The driveway would be retained at the front with space for 1 car, in accordance with policy DM1.

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 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: Floor Plans ref. 03C

Drawing: Elevations ref. 05C

Drawing: Section and Roof Plan ref. 04C

Drawing: Location and Site Plan

All stamped as received by the City Council as Local Planning Authority on 05 April 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 side facing windows located on the first floor element of the side extension and the ground floor non opening window along the side elevation of the part single rear extension shall be obscured glazed to a specification of no less than level 5 of the Pilkington Glass Scale or other such other equivalent and shall remain so in perpetuity.

Reason- To protect the amenity and living conditions of adjacent residential properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

- 6) Details of a secure and ventilated bin store shall be submitted to approved by the City Council as Local Planning Authority. The approved bin store shall be implemented and be in place prior to the first use of the extension and shall be so maintained and retained at all times thereafter.

Reason - In the interests of 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

99 Wilbraham Road, Manchester, M14 7DN
101 Wilbraham Road, Manchester, M14 7DN
6 Yew Tree Crescent, Manchester, M14 7DL
24 Plattbrook Close, Manchester, M14 7AZ
8 Yew Tree Crescent, Manchester, M14 7DL
97 Wilbraham Road, Manchester, M14 7DN

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA