

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136175/FH/2023
Date registered valid: 20 March 2023
Proposal: Erection of a two storey side extension to provide additional living accommodation
Address: 8 Delwood Gardens, Manchester, M22 9SP
Ward(s): Sharston Ward

Applicant: Mr Mitchell Nairn Mpc
Agent (if any):
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 15.05.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 April 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 March 2023 Expired: 10 April 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: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a brick built, semi-detached dwelling situated on the eastern corner plot of Delwood Gardens, in the Sharston Ward of Manchester. The property benefits from what appears to be an unauthorised front extension made of materials that do not match the existing and a single storey lean to canopy situated along the side elevation, there is amenity space to the side and rear of the property with a single storey rear extension protruding from the original rear elevation. Boundary treatment in the form of timber fencing occupy the shared and rear boundaries. Shared off-street car parking space with no. 10 Delwood Garden is currently available to the north of the application site

The site sits within a residential area comprising a similar housing typology of semi-detached brick built properties. Wythenshawe District Centre is located to the south of the application site.

Description of development

The proposal seeks planning permission for the erection of a two storey side extension to form additional living accommodation. The application has been revised since the original submission altering the footprint of the proposed extension.

Consultations & Notification Responses

Local residents were notified and one response was received:

The comments relates to the shared off-street car parking space and possible interferences with the existing arrangement with scaffolding restricting access during the construction phase.

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 a two storey side extension, 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

As mentioned above the application has been revised since the original submission altering the footprint of the extension through implementing a hipped roof to the extension that ties into the original dwelling. The original submission included a flat roof proposal that failed to comply with planning policy DC1.3:

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway

The revised proposal addresses this concern and adequately ties in with the dwelling and does not provide any additional residential or visual amenity concerns to nearby residential dwellings. Further, in this instance it is considered acceptable for the proposal not to include a setback dimension given the existing street-layout and relationship with other properties along Delwood Gardens. The proposed extension would be sited at a 45degree angle from the principal elevation protruding into the rear garden, therefore reducing the impact this element has on the streetscene and mitigating the requirement for a first floor setback dimension. It is therefore considered an acceptable addition to the property, 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.

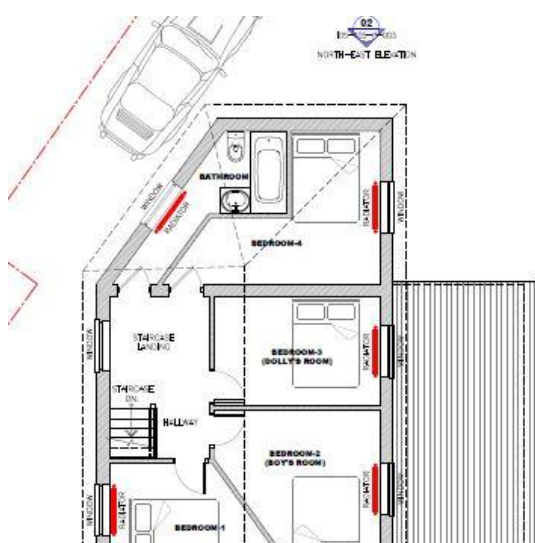


Figure 1: First Floor Plan

The proposal would have approx. dimensions of Height 8.6m x Width 3.7 (at its highest) x Depth 6.7m, the extension would terminate along the original rear elevation. The proposal would be sited approx. 2.9metres away from the shared boundary with no. 10 Delwood Gardens.

In terms of the proposed two storey side extension and the potential impact on no. 10 Delwood Garden, consideration has been given to its height, size and massing of the proposal and any impact it may have on the neighbouring property. The proposed extension would leave a distance of 2.9metres to the shared boundary along the shared off-street car parking area and given this distance and orientation of the host property it is not expected to provide significant overbearing or overshadowing impacts to the neighbouring property.

A fenestration element is proposed along the front elevation of the first floor however this will be obscurely glazed to prevent overlooking and loss of privacy implications to the front amenity space of neighbouring property no.10 Delwood Gardens.

The extension will terminate at the original rear elevation and given the distance to properties along Kenninghall Road 7.8metres at its closest (directly to the east and south of the application site) it is not considered to provide significant overlooking or loss of privacy implications from the proposed window along the first floor.

Height Scale and Massing

The height of the proposed two storey side appropriately relates to the height parameters of the existing building. The height of the proposed extension has 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 extension 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 extension would not affect the existing off-street car parking arrangements with the extension being proposed within the application's curtilage and leaving enough distance/gap to the shared off-street car parking spaces as the applicant confirmed via email dated on 17.04.2023. It should be noted comments were outlined regarding scaffolding and ultimately restricting access to the shared off-street car parking space however this is outside planning jurisdiction for a householder application and is a civic legal matter between both parties. The applicant has shown on plans that access will be available to the off street car parking port.

Waste Management

It was noticed during the scheduled site visit that the refuse storage is along the principal and side elevation and given the extension's footprint and siting it is considered acceptable for a bin store condition to be attached to any approval to maintain the visual amenity for neighbouring occupiers.

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:

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 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: GF Plans ref. P-001 03

Drawing: 1F Plans ref. P-002 03

Drawing: Elevations ref. P-003 03

Drawing: Site Plan ref. 004 03

All stamped as received by the City Council as Local Planning Authority on 03 May 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 submitted 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, SP1.

- 5) The first floor window located on the front elevation of the first floor 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

3 Oakmere Close, Manchester, M22 9SQ
14 Kenninghall Road, Manchester, M22 9SJ
12 Kenninghall Road, Manchester, M22 9SJ
10 Kenninghall Road, Manchester, M22 9SJ
7 Oakmere Close, Manchester, M22 9SQ
5 Oakmere Close, Manchester, M22 9SQ
6 Delwood Gardens, Manchester, M22 9SP
10 Delwood Gardens, Manchester, M22 9SP

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 45M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA