

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136182/FH/2023

Date registered valid: 2 March 2023

Proposal: Erection of a two storey side and a single storey side and rear extension and hip to gable roof conversion to provide additional living accommodation

Address: 27 Adria Road, Manchester, M20 6SQ

Ward(s): Didsbury East Ward

Applicant: Mr M Cullen

Agent (if any): Mr Tim Hopkinson, Core Design

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 10 May 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 April 2023

Standard consultations:

Printed: 20 March 2023 Expired: 10 April 2023

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

Description of site/building

Listed building: Not applicable

Conservation area: NO

Tree Preservation Order: NO

The site comprises a two-storey brick built semi-detached residential property in the Didsbury East area of Manchester. The property has a fronted bay window with canopy across the front elevation. The property benefits from previous extensions to the rear. There is hardstanding to the front to provide off road car parking. A large tree is situated within the curtilage of the neighbouring property.

Erection of a two-storey side and a single storey side and rear extension and hip to gable roof conversion to provide additional living accommodation.

The first floor rearwards projection and roof profile was amended during negotiations to improve visual and residential amenity.

Consultations & Notification Responses

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

The Tree Section- The measured drawing does show their interpretation of the tree's root spread, however, the system used by arb consultants to calculate the root zone based on a number of different factors shows a much more accurate proposed root zone.

Due to the close proximity to the tree the tree section requested a tree assessment made by an arboricultural consultant who could provide us with AIA. The report was provided, and the tree section confirmed the calculations offered by the arboricultural consultant suggest that the developments impact will be less than the accepted tolerance levels for root encroachment, we would have no objection to the proposed development from an arboricultural perspective subject to the Contractor work activity will need to take place within the RPA of T1. Protective tree fencing, however, to the trunk side of T1 may be prudent to avoid accidental damage to it. The protective fence specifications are noted in the Recommendations, section 5 of the report and will be added to the specified drawing condition.

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.

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.

Policy

The following policies within the Core Strategy are considered relevant in the determination of this application:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and that all development in the City should:

Make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character.
- making a positive contribution to the health, safety and wellbeing of residents
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- protect and enhance the built and natural environment.

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 sets out the development principles for all development in Manchester and that the issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety.

Saved policy DC1 provides criteria to be considered in determining applications for extensions to residential properties.

The policy states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. the general character of the property;
- b. the effect upon the amenity of neighbouring occupiers;
- c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. the overall appearance of the proposal in the street-scene;
- e. the effect of the loss of any on-site car parking.

The policy states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP 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 the original buildings);
- b. they do not create an 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 street scene by virtue of design, use of materials or constructional details;
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on street parking problem that unacceptable additional pressures would be created.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity

Ground Floor

The ground floor element extends along the length of the side of the dwelling house and projects 2 metres beyond the rear elevation of the dwelling house. A gap between the gable of the extension is maintained to the boundary and only obscurely glazed windows are inserted on

the side elevation of the property. Therefore, due to its position and distance from the neighbouring property no 29 and 25 Adria Road the proposal would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

First Floor

The first-floor element of the proposal would be setback from the front wall of the property extending along the side and terminating before the rear elevation. The roof would be set down significantly from the existing ridge height and gabled to reflect the existing roof design of the property. There is one obscurely glazed window in the side elevation. The two-storey extension brings build form closer to the properties to the rear and side of the application site however, due to the distance between the extension and the neighbouring properties there is no overlooking or loss of privacy on the adjacent neighbouring properties.

Given the retained gap to the shared boundary of the adjacent semi-detached property and the distance between the properties, rear of the application site together with the orientation of the property, it is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers. Furthermore, given the relationship to the adjacent property angle and the setback provided by the extension, it is considered that the proposal would not provide terracing or any loss of amenity within the street scene.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use brick and tiles as specified in the application form. The first-floor front extension mimics the first-floor extension within the area, as do a variety of different first floor elevation arrangements that forms part of the vernacular. Therefore, the overall, design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

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

Trees

A tree report was provided and the tree section confirmed the calculations offered by the arboricultural consultant suggest that the developments impact will be less than the accepted tolerance levels for root encroachment, we would have no objection to the proposed development from an arboricultural perspective subject to the Contractor work activity will need to take place within the RPA of T1. Protective tree fencing, however, to the trunk side of T1 may be prudent to avoid accidental damage to it. The protective fence specifications are noted in the Recommendations, section 5 of the report and will be added to the specified drawing condition, along with a tree condition added to the consent.

Parking

Off street car parking space would be retained to the site and therefore it is considered that car parking arrangements are not affected by this 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

Positive and proactive working 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. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

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:

202 Rev C, 204 Rev A and 205 Rev A, and the Design and Access Statement Rev A, Site Tree Appraisal by Rowbottoms Tree Services, TCP 001 and TPP 001 Plans, received electronically on the 24 April 2023, the Location and Site Plan, stamped as received on the 7 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 Core Strategy.

3) The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form and drawings 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows in the side elevation facing no. 29 Adria Road and the first floor rear en suite and bathroom windows, shall be obscure 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)

26 Willoughby Avenue, Manchester, M20 6AS
22 Willoughby Avenue, Manchester, M20 6AS
24 Willoughby Avenue, Manchester, M20 6AS
29 Adria Road, Manchester, M20 6SQ
25 Adria Road, Manchester, M20 6SQ
30 Adria Road, Manchester, M20 6SG
28 Adria Road, Manchester, M20 6SG
26 Adria Road, Manchester, M20 6SG

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) -
Area Team Boundary - Name: SOUTH AREA