

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135809/FH/2022

Date registered valid: 20 December 2022

Proposal: Erection of a part single/part 2 storey side extension to create additional living accommodation and garage, following demolition of existing garage

Address: 5 Westcroft Road, Manchester, M19 1SU

Ward(s): Burnage Ward

Applicant: Mr Kevin Harper

Agent (if any): Mr Anil Mistry

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

Recommendation: Approve

Date of recommendation: 24 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 February 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 7 March 2023 Expired: 17 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

The property that is the subject of this householder application is identified as 5 Westcroft Road. It is a semi-detached brick built dwellinghouse that is located at the junction of Westcroft Road and Mossbray Avenue. It is positioned at 90 degrees to the neighbouring property number 2 Mossbray Avenue as it turns the corner. It has a good- sized side and front garden, but due to the angled position of the rear garden, this is smaller and tapers as you progress into the garden. There is currently a free-standing garage to the side of the property. The front boundary comprises of low wall and brick pillars and there is sufficient space in curtilage alongside the property to provide parking on site. The access to the rear garden is taken from down the side of the property.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential and the neighbouring properties together with those in the wider area are of a similar size and age to the proposal site. Many have been extended to create good sized family accommodation.

Description of development

The proposal is for the erection of a part two - part single storey side extension following the demolition of the existing garage. The 2- storey side extension is set back from the front and set down from the existing ridge. It stops short of extending in line with the rear of the dwellinghouse. Attached to this on the side is a single storey garage. The materials to be used would match those of the existing property and would create additional accommodation in the form of a lounge and garage to the ground floor and a bedroom and bathroom to the first floor.

Consultations & Notification Responses

Local Residents- 2 rounds of letters were issued informing local residents of the proposal. No representations have been received as a result.

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.

The National Planning Policy Framework (NPPF) - 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 the proposal is acceptable it is creating additional residential accommodation on a residential property within a residential area and meeting the demands of changing household needs.

Residential Amenity - The applicant proposes to build a part single part 2 storey side extension following the demolition of the existing free- standing garage which currently sits alongside the existing dwellinghouse. The single storey element which would create a garage / store sits closest to the common boundary with number 2 Mossbray Avenue. There are no windows within the side elevation facing onto the common boundary with number 2 Mossbray Avenue.

The 2- storey element whilst extending towards the common boundary does not extend beyond the rear of the existing property and given that the juxtaposition of the 2 neighbouring properties has them sitting at 90-degree angles to each other, this means that the proposed extension faces onto the large side garden of number 2 Mossbray Avenue rather than the physical dwellinghouse itself. As such there is no issue with regards to overlooking or loss of privacy either into or out of both properties. The windows to the first floor are on the side, facing onto the side garden area, and the window to the bathroom would be obscurely glazed. A condition to that effect would be attached to any consent granted, together with a condition restricting the installation of any additional fenestration to ensure the level of privacy is maintained. There would be sufficient usable external amenity space retained for the occupants of number 5 Westcroft Road post development.

Visual Amenity- The materials to be used would match those of the existing property and are considered acceptable. Given the relationship between number 2 Mossbray Avenue and number 5 Westcroft Road there would be no potential for terracing. It is considered given the plot size that the proposed extensions retain subservience when viewed in the context of the host property.

It is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, nor on the character of the property itself or the area within which it is located.

Design - The design of the originally submitted single storey element of the extension resulted in an awkward and difficult area to be maintained, and did not provide sufficient space alongside the property for the transfer of bins and gardening equipment etc. The single storey extension has therefore been pulled in off the common boundary with a canopied roof along the side elevation for weather protection, however the rear garden is now much more accessible, and easily maintained. The materials to be used would match those of the existing property.

Waste management - The bins are currently stored within the side or rear garden. This would remain so post development, with the bins still being brought kerbside on collection day.

Parking - The proposal would have no impact on the current parking situation with at least one space being provided in curtilage.

On balance the proposal is acceptable and in accordance with saved policy DC1 and policy DM1 of the Manchester Core Strategy.

Trees- The proposal would require the removal of 1 semi- mature silver birch tree which is located close to the common boundary with number 2 Mossbray Avenue. Whilst this is regrettable, there is good tree cover within the private areas of the site itself and in gardens of neighbouring properties, together with mature trees within the public realm in the vicinity of the site. On balance the removal of the one tree is considered acceptable as it enables the applicant to extend the property to meet changing household needs.

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 resolve any matters arising in relation to dealing with the planning application. The application has been determined in accordance with both national and local policies.

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:

Proposed Floor Plans and Elevations dated 6th of 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) Before first occupation, the proposed first floor window in the eastern elevation serving the bedroom 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester 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 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

2 Mossbray Avenue, Manchester, M19 1PT
10 Westcroft Road, Manchester, M19 1PU
12 Westcroft Road, Manchester, M19 1PU
7 Westcroft Road, Manchester, M19 1SU
16 Westcroft Road, Manchester, M19 1PU
14 Westcroft Road, Manchester, M19 1PU

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