

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 135577/FH/2022  
**Date registered valid:** 24 November 2022  
**Proposal:** Retention of front porch  
**Address:** 377 Portway, Manchester, M22 0EJ  
**Ward(s):** Woodhouse Park Ward

**Applicant:** Mr Daniel Mackie  
**Agent (if any):** Mr Richard Elliott MacMarshalls Ltd  
**Case officer:** Katie Raw  
Tel: 0161 234 4164  
Email: [katie.raw@manchester.gov.uk](mailto:katie.raw@manchester.gov.uk)

**Recommendation:** Approve  
**Date of recommendation:** 18 January 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 16 December 2022

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 6 December 2022 Expired: 27 December 2022

### **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

## **Description of area**

The application site relates to 377 Portway within the south Manchester ward of Woodhouse Park. The property relates to a two storey, terraced, brick dwellinghouse. 377 Portway benefits from front amenity space in the form of a double driveway and benefits from rear amenity space in the form of a grassed garden. The front porch being applied for was already in place at the time of the site visit.

## **Description of development**

The submitted application seeks planning permission for the retention of front porch. The front porch has approximate dimensions of Height: 2.5 (to the eaves)/ 3 (to the highest point) x Length: 1.5 x Width: 4.3 metres and is sited against the shared boundary with no.379 Portway. The proposal would involve the insertion of a door within the front elevation and windows within the front elevation and within both of the side elevations. Materials to be used for the proposal would match that of the host property.

## *Planning history*

No planning history exists for this site.

## **Consultations & Notification Responses**

### *Local residents*

Local residents were consulted and no responses were received.

## **Issues**

### **POLICY**

#### *The National Planning Policy Framework (July 2021)*

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

*The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.*

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states 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 the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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 sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: 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.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

#### *Unitary Development Plan Saved Policies*

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 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 the 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 a street scene;
- e. The effect of the loss of any on-site car parking.

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.
- 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.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

## ISSUES

### *Principle of development*

The submitted development application seeks planning permission for the retention of front porch. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, 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. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

### *Visual/ Residential Amenity*

The proposal would have a projection of approximately 1.5 metres and would be sited against the shared boundary with no.379 Portway. The proposal would be larger in scale than other front porches seen along this stretch of Portway. However, the proposal is not considered to create an overbearing impact along the shared boundary as the projection of the front porch is small. Although windows would be inserted which would face onto the shared boundary with no.379 Portway, as the proposal would not create a habitable room, it would not give rise to any overlooking or privacy implications. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent. This neighbour would not be impacted by any loss of light or overshadowing implications.

No.375 Portway would not be negatively impacted by the proposal in terms of visual/residential amenity, as the proposal would be sited approximately 3.1 metres from the shared boundary.

For the same reasons as listed above, the neighbour would not be impacted by any loss of light or overshadowing implications nor any adverse privacy or overlooking implications.

Although the proposal would be larger in size than those other front porches in the immediate area, it would still be reflective of the others and as such would be considered a sympathetic addition and so would not create an incongruous feature, to the detriment of visual amenity.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

### *Design and Appearance*

The materials to be used would match that of the host property and as such would be considered sympathetic and therefore appropriate. A materials condition to that effect would be attached to any consent granted. The front porch would match in terms of the placement of windows and doors to other front porches within the immediate area and the form and scale of the proposal is considered pursuant to Policy DC1 of the UDP. In addition, it is noted a similar extension could have been obtained through the route of Permitted Development. 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.

### *Car parking*

Although the front porch would extend further into the double driveway, space would still be retained for one car to be parked off street.

### *Bin storage*

Bin storage would be unaffected by the proposal.

### *Conclusion*

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

## **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**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner.

### **Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse**

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Drawing- Existing & Proposed- Plans and Elevations, numbered C420 A, stamped as received by the City Council as Local Planning Authority on 24 November 2022.
- Supporting Information- Supporting Planning Statement, stamped as received by the City Council as Local Planning Authority on 24 November 2022.

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.

2) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

## Appendix 1 – List of consultees & neighbours notified

379 Portway, Manchester, M22 0EJ  
375 Portway, Manchester, M22 0EJ  
1 Ashmoor Walk, Manchester, M22 0EH  
476 Portway, Manchester, M22 0FJ  
474 Portway, Manchester, M22 0FJ  
69 Austell Road, Manchester, M22 0NG

## 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 15M  
Airport Noise Index Zone - Noise and Nuisance Index - 40-49  
Area Team Boundary - Name: SOUTH AREA