

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135446/FH/2022

Date registered valid: 16 December 2022

Proposal: Erection of single storey rear extension and the retention of 1.8m high boundary fence to the rear and side boundaries

Address: 1B Waverton Road, Manchester, M14 7EB

Ward(s): Fallowfield Ward

Applicant: Alina Raina

Agent (if any): Mr Saghir Hussain, Create It Studio Architects

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **9 February 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 January 2023

Standard consultations:

Printed: 12 January 2023 Expired: 2 February 2023

Neighbour notifications

Printed: 31 January 2023 Expired: 7 February 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

Description of area

The application site relates to 1B Waverton Road within the south Manchester ward of Fallowfield. The site relates to a 3 storey modern mid terraced dwellinghouse built with brick with projecting grey windows to the front elevation, with a section of timber cladding on the front elevation. Amenity space to the front of the property consists of a driveway and to the rear a grassed garden.

It is noted at the time of the site visit, groundwork had started for the rear extension and the boundary treatment to the side and rear had already been installed.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension and the retention of 1.8m high boundary fence to the rear and side boundaries.

The single storey rear extension would have approximate dimensions of Height: 2.7 x Length: 3.4 x Width: 4.2 metres and would be sited against the shared boundary with no.1A Waverton Road and 0.7 metres from neighbouring property no.1C Waverton Road. The proposal would involve the insertion of two windows and a door within the rear elevation and would create an additional bedroom. Materials to be used would match that of the host property, apart from the roof which would be made of a flat roof membrane.

The retention of 1.8 metre high boundary fences are inserted to both the rear and two side boundaries. A gate is also inserted in the rear boundary. The fence is made of concrete posts and plinth with timber composite infill panels, with a grey colouration.

Amended plans

Concerns were raised following the site visit of potential adverse privacy implications from the terrace and as such the terrace was removed from the proposal. In addition, the footprint of the proposed extension was amended, as the siting of the proposal on site was different to placement of the extension within the drawings. The fences were already in situ during the site visit and as such the description of development has been amended accordingly. A neighbour re-consultation period took place for 7 days.

Planning history

133762/FH/2022- Conversion of existing garage into additional living accommodation together with elevational alterations.
Approved 9 August 2022.

075417/FO/2005/S1- Former Police Station, Platt Lane, Fallowfield- Revision of part of planning permission ref.no. 072025/FO/2004/S1 for the erection of a 5 storey block creating five additional flats making 20 in total with associated car parking and landscaping.
Approved 29 June 2005.

072025/FO/2004/S1- 185/191 Platt Lane/Old Police Station, Fallowfield- Erection of 2x5 storey blocks of in total 48 apartments and 10x3 storey town houses with associated car parking and landscaping following demolition of existing building.
Approved 28 September 2004.

Consultations & Notification Responses

Local residents

Local residents were consulted and one response was received from a neighbour. Numerous planning concerns were raised including:

- work has already started on the extension and the fence has already been installed,
- the proposal may result in the creation of an HMO at the property and concerns over potential parking implications this may have,
- the proposal would be out of character with homes in the immediate and surrounding vicinity,
- the proposed roof terrace would create adverse privacy implications and concerns over the use of the roof terrace.

Revised plans were received which omitted the insertion of a roof terrace within the proposed extension and the description of development now refers to the fence as being 'retained'. The same neighbour provided a two subsequent objections, however no new planning concerns were raised.

Flood Risk Management Team

The Flood Risk Management Team were consulted and provided the following comments:

The information uploaded to the Planning Portal 14 November 2022 to 13 January 2023 has been considered.

An FRA has been submitted in support of this application.

On the basis that the development will be implemented in accordance with recommended resistance & resilience measures identified by the FRA, we have no further comment and recommend that this application can be APPROVED with no condition required.

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.

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

- a. rearward extensions greater than 3.65m (12 ft) 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;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

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 is for the erection of single storey rear extension and the retention of 1.8m high boundary fence to the rear and side boundaries. 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

Rear extension:

The rear extension would be sited against the shared boundary with no.1A Waverton Road and 0.7 metres from neighbouring property no.1C Waverton Road. Due to the high boundary treatment and since the rearward projection of the proposal is pursuant to Policy DC1.3 of the UDP, with a projection of 3.4 metres, it is not considered to create an overbearing feature against the shared boundary. No adverse privacy implications would occur for the neighbour but no.1A may experience some minimal overshadowing.

The proposal would be sited 0.7 meters from the other immediate neighbour no.1C Waverton Road. Due to the same reason as stated above, the extension is not considered overbearing to no.1C. Due to the orientation of the properties, the neighbour would not experience any loss of light or overshadowing implications, nor any privacy implications from the placement of windows.

The extension would look onto the applicant's remaining amenity space. Since the property would look onto a path in connection with the immediate neighbour's rear amenity space, the two windows and doors within the rear elevation would not cause any adverse privacy or overlooking implications. In addition, a condition would also be attached to any consent granted restricting the further insertion of windows or doors beyond those approved by this consent.

1.8m high boundary fence to the rear and side boundaries:

The retention of the 1.8 metre fence to the rear and side boundaries would help create a sense of privacy for the applicant. The height of 1.8 metres is not considered to create an over dominant and oppressive feature along the boundary and would therefore not create any adverse visual/ residential amenity implications.

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

Design and Appearance

All the materials to be used within the rear extension would match that of the host property, except from the flat roof membrane. The use of the concrete posts and plinth with timber composite infill panels, with a grey colouration, for the 1.8 metre fence is considered acceptable. This is considered acceptable and a materials condition to this effect would be attached to any approval granted.

Rear extension:

The length of the extension would measure 3.4 metres and as such would be pursuant with Policy DC1.3 of the UDP. The proposal is not considered excessively large or bulky within its context and is therefore considered acceptable in size and form.

1.8m high boundary fence to the rear and side boundaries:

The height of 1.8 metres is considered acceptable given Permitted Development rights would allow the erection of 2 metre fence in this location. Therefore, the form of the fences are considered acceptable as they are not excessively large and would be pursuant with Policy DC1.2 of the UDP.

Neighbour objections

The concerns raised within the neighbour's objection are thought to be overcome with amendments to the scheme. The neighbour raised concerns that the development work would result in the creation of an HMO. This was raised to the agent and via email and on the 30

January 2023, the agent confirmed the property would remain a C3 use with no intention to convert it into a C4 use. The neighbour raised concerns regarding the roof terrace and this has been removed from the proposal. In addition, the neighbour noted the proposal would be out of character with homes in the immediate and surrounding vicinity. As discussed within the report above, this is not considered to be the case and the proposal is considered pursuant to planning legislation.

Car Parking

Car parking would be unaffected by the proposal.

Refuse Storage

The agent stated the bins would be stored within the rear amenity space and is considered acceptable.

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. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

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, a revised scheme has been received and appropriate conditions to the approval have also been attached.

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:

- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 14 November 2022.

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 16 December 2022.

- Flood Risk Assessment or Drainage- Flood Risk Assessment, stamped as received by the City Council as Local Planning Authority on 16 December 2022.

- Drawing- Proposed- Block Plan of the Site, numbered A1435(02)001, stamped as received by the City Council as Local Planning Authority on 30 January 2023.

- Drawing- Proposed- Floor Plan, numbered A1435(02)002, stamped as received by the City Council as Local Planning Authority on 30 January 2023.

- Drawing- Proposed- Elevation (Front)- Proposed, numbered A1435(02)003, stamped as received by the City Council as Local Planning Authority on 30 January 2023.

- Correspondence- Email from Agent, stamped as received by the City Council as Local Planning Authority on 30 January 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.

3) 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.

4) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

5) The flat roof of the rear extension hereby approved shall not be used for any purpose other than as a means of escape in an emergency or for maintenance of the building.

Reason - To safeguard the amenities of the adjoining premises from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

16 Waverton Road, Manchester, M14 7EB
Flat 21, 6 Copper Place, Manchester, M14 7FZ
Flat 20, 6 Copper Place, Manchester, M14 7FZ
Flat 19, 6 Copper Place, Manchester, M14 7FZ
Flat 18, 6 Copper Place, Manchester, M14 7FZ
Flat 17, 6 Copper Place, Manchester, M14 7FZ
Flat 15, 6 Copper Place, Manchester, M14 7FZ
Flat 14, 6 Copper Place, Manchester, M14 7FZ
Flat 16, 6 Copper Place, Manchester, M14 7FZ
Flat 12, 6 Copper Place, Manchester, M14 7FZ
Flat 11, 6 Copper Place, Manchester, M14 7FZ
Flat 10, 6 Copper Place, Manchester, M14 7FZ
Flat 9, 6 Copper Place, Manchester, M14 7FZ
Flat 8, 6 Copper Place, Manchester, M14 7FZ
Flat 7, 6 Copper Place, Manchester, M14 7FZ
Flat 6, 6 Copper Place, Manchester, M14 7FZ
Flat 5, 6 Copper Place, Manchester, M14 7FZ
Flat 4, 6 Copper Place, Manchester, M14 7FZ
Flat 3, 6 Copper Place, Manchester, M14 7FZ
Flat 2, 6 Copper Place, Manchester, M14 7FZ
Flat 1, 6 Copper Place, Manchester, M14 7FZ
1C Waverton Road, Manchester, M14 7EB
1A Waverton Road, Manchester, M14 7EB
3 Waverton Road, Manchester, M14 7EB
20 Waverton Road, Manchester, M14 7EB
18 Waverton Road, Manchester, M14 7EB

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA