

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134974/FH/2022

Date registered valid: 20 September 2022

Proposal: Erection of a single storey rear extension to form additional living accommodation

Address: 42 Torbay Road, Manchester, M21 8XD

Ward(s): Chorlton Park Ward

Applicant: Mrs Patricia Banno-Thornton, 42 Torbay Road, Manchester, M21 8XD

Agent (if any):

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 14.11.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06 October 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 26 September 2022

Expired: 17 October 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a semi-detached brick built two storey dwelling, in the Chorlton area of South Manchester. The property benefits from a small front garden, with amenity space to the side, with a modest rear garden and shared boundary treatment in the form of masonry wall to the front and timber fencing along the shared and rear boundaries.

The properties along Torbay Road are houses of similar style and design and some benefit from extensions.

Description of development

The application seeks consent for the erection of a single storey rear extension to form additional living accommodation. The proposed extension accommodates an extended kitchen area including one rear elevation sliding French door and one high level non opening window located on the side elevation. The proposed rear extension would have approx. dimensions of Height 4m x Width 3.3m x Depth 5.5m. The extension would become flush with the original rear elevation and be situated approx. 1.3 metres away from the shared boundary with no. 40 Torbay Road.

Consultations & Notification Responses

Local residents were notified however none responded.

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:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) 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.

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

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 proposed development is a single storey rear extension to a residential dwelling, this is considered to be acceptable in principle as many people prefer to extend their home 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 visual amenity of the area and impact on the neighbouring's properties' residential amenity.

Residential and Visual Amenity

It is not considered that the proposed infill extension would give rise to any significant residential or visual amenity to the neighbouring properties. As this is an infill extension the depth of the proposal will match the existing rear elevation. Additionally, it should be noted that no.40 Torbay Road has had a similar single storey rear extension (application ref. 130545/FH/2021) granted and therefore given the comparable footprint it is not considered that the proposal would bring about additional overshadowing or overbearing impacts to neighbouring occupiers.

The roof profile will consist of a pitched lean roof to fit seamlessly in with the original dwelling and the extension's footprint is not considered to create a bulky or disproportionate scale addition to the property. It is considered the introduction of a single storey rear would be minimum in terms of impact and would not be a prominent feature within the streetscene given its position and orientation. The proposed development would allow for amenity space to be retained along the rear and side of the application site; therefore it is considered to be an acceptable addition to the property.

The new window and door features are in keeping with the existing fenestration in the property in terms of visual amenity and appear to be in character of the property. Therefore it is considered that the proposal is acceptable in terms and would not give any adverse impacts on the character of the property or surrounding area.

There is one side elevation window to provide additional natural lighting, this fenestration element will consist of a high level non opening window and a condition shall be applied to any approval granted regarding no further windows in any of the elevations.

Design and Appearance

The proposed rear extension has been designed sympathetically to relate to the existing property and extension. The proposal will include replacement steps into the rear garden from the bifold doors along the rear elevation similar to the existing configuration. The proposed extension would be made of materials to match the existing property. A condition to that effect would be attached to any approval. Therefore, the design of the extension would not adversely affect the appearance of the existing dwelling, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and Saved UDP Policy DC1.

Waste Management

There is sufficient land to the rear of the property without causing any additional residential amenity.

Car Parking

The current off street car parking situated at the front of the dwelling would not be affected by the proposal.

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 guide the application through all the stages of the planning process and resolve any issues that arose n 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 Act 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: Location Plan

Drawing: Elevation ref. 22/418/01

Drawing: Ground Floor Plan ref. 22/418/04

Drawing: Elevations ref. 22/418/02

All stamped as received by the City Council as Local Planning Authority on 20 September 2022

Documents: Email from agent stating the proposed steps layout replacing the existing configuration of the rear access into the garden, dated 15.11.2022

Reason- 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) 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.

Appendix 1 – List of consultees & neighbours notified

39 Hartington Road, Manchester, M21 8UZ
38 Torbay Road, Manchester, M21 8XD
40 Torbay Road, Manchester, M21 8XD
37 Torbay Road, Manchester, M21 8XE
35 Torbay Road, Manchester, M21 8XE
33 Torbay Road, Manchester, M21 8XE
37 Hartington Road, Manchester, M21 8UZ
35 Hartington Road, Manchester, M21 8UZ
44 Torbay Road, Manchester, M21 8XD

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
Area Team Boundary - Name: SOUTH AREA