

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133154/FH/2022
Date registered valid: 5 May 2022
Proposal: Erection of a single storey side extension to form additional living accommodation
Address: 129 Manley Road, Manchester, M16 8WE
Ward(s): Chorlton Park Ward
Applicant: Mrs N Bibi, 129 Manley Road, Manchester, M16 8WE
Agent (if any): Mr Aslam Khan, LBV Developments, 412 Barton Road, M32 9RW
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 25 July 2022



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 07.06.2022
Standard consultations: Printed: 6 May 2022 Expired: 27 May 2022
Neighbour notifications: Printed: 6 May 2022 Expired: 27 May 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/building

The application site is a 2-storey inter-war red brick property on the south side of Manley Road, close to Morville Road in the Chorlton Park ward.

There are front and rear gardens, the front being block paved and access along the side secured by a 1.8-metre-high steel gate.

At the rear is a single storey extension of 2.13 metres in depth with flat roof which spans the full width of the rear elevation. There is no planning history for this extension but given that the height is 2.75 metres, indicates that the extension could have been completed under Class A of the TCPA GPDO 2015 regulations.

Description of area

The site is within a residential area of a similar housing typology, and within Flood Zone 2.

Description of development

Erection of a single storey side extension to form additional living accommodation.

The extension provides a WC to the front and extended kitchen to the side. The extension has a width of 1.7 metres and extends along the depth of the original side elevation.

The agent was asked to amend the proposal to remove/re-locate 2no. side windows.

Consultations & Notification Responses

The application was notified to 5no. neighbours and the Flood Risk Management team. An objection was received from a neighbour on the original scheme:

Neighbours

Original scheme

Object to the windows on the side of the extension which will overlook my property and cause loss of amenity.

The proximity of the opening windows to my boundary will cause an issue if I build a similar extension in the future, it will make it difficult to service/open the windows and any extension that i build will restrict light entering the side windows, the proposed windows will be better positioned on the front/rear/roof of the extension.

Amended scheme

No comments received

Flood Risk Management

The drainage of the site can be approved, and we have the following recommendation:

The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

As the proposed development is within Flood Zone 2, flood mitigation/resilience measures should be implemented as per the FRS (dated as received on 7th April 2022), such as, floor levels should be set either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level.

Issues

The following policies are material considerations in the assessment of the application:

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Saved policy DC1 (Residential Extensions) is extant within the UDP and therefore material to this application.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. Material considerations include:
 - o Policy DM1 - Development Management
 - o Policy SP1 - Spatial Principles
 - o Policy EN17 - Flood Risk
 - o Policy EN19 - Waste
 - o The National Planning Policy Framework (NPPF)

For reasons set out below, the proposal accords with the above planning policy framework.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is set out in saved UDP policy DC1, subject to acceptable impacts on residential and visual amenity, car parking and bin-storage.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies SP1, DM1, EN17 and EN19 of the Manchester Core Strategy.

Residential Amenity

The amenity of neighbouring occupiers at No.129A Manley Road has been taken into consideration in the revised scheme by removal of 2no. side windows. As such, the overlooking concerns and development gap for the neighbouring occupier have been addressed.

A front window for the WC will be obscurely glazed on condition of any approval, as set out in Condition 4 below.

In residential amenity terms, the proposal will have an acceptable impact on existing levels of amenity enjoyed by neighbouring occupiers. The proposal therefore accords with Core Strategy policy DM1 and saved UDP policy DC1.

Visual Amenity

The proposal is sited to extend living accommodation at the side including the kitchen, and to provide a ground floor WC. It has a width of 1.7 metres which comes close to the boundary with No.129A leaving a nominal 300mm gap, and extends 2.13 metres to key into an existing single storey rear extension. There are no concerns with the siting which responds to internal site constraints.

The design is a simple rectangular brick box with sloping monopitch roof. The repositioned WC window breaks the mass of brickwork at the front, whilst 2no. rooflights provide light and ventilation into the extended kitchen.

The scale of development is proportionate to the main dwelling and, being single storey only, is subservient.

The extension is typical of domestic extensions in the area and so conforms with the pattern and character of extended dwellings in the street scene. A condition is appended for materials to match in the interests of visual amenity.

The proposal therefore accords with Core Strategy policy DM1 and saved UDP policy DC1.

Parking / Bin storage

Bins are stored at the front of the site and parking is off road. The extension has a limited impact on these amenities having a 515mm set back off the front of the site. This can accommodate bins and leaves a 5.5-metre-long parking space forwards of the front elevation which is adequate to accommodate an average length car. As such, the proposal accords with policies EN19 and DM1 of the Core Strategy.

Flood Risk

As the site lies within Flood Risk Zone 2, recommendations have been made by the Flood Risk Management team for drainage and finished floor levels to comply with the recommendations with Core Strategy policy EN17 to avoid future flood risk into the site. The elevations and FRS submitted with the application indicate that the internal finished floor levels will match the existing which should be adequate to mitigate any flood events. An Informative is appended to this effect at the end of this report.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to the conditions below and for the reasons outlined in the delegated report. The application received one comment on first public notification which has been addressed through a revised plan. No further comments were received on the revised scheme.

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 received on the 27th of April 2022 or as stated:

Application Form

Location Plan - Received on the 08.03.2022

Site Plan - AP.01 - Received on the 08.03.2022

Existing Floor Plan - AS.01 - Received on the 08.03.2022

Existing Elevation - AS.01 - Received on the 08.03.2022

Proposed Floor Plan - Received on the 29.06.2022

Proposed Elevation - Received on the 29.06.2022

Flood Risk Assessment - Received on the 07.03.2022

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity pursuant to policy DM1 of the Manchester Core Strategy and saved UDP policy DC1.

4) The ground WC window on the front elevation shown on drawing number 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 properties from overlooking or perceived overlooking in accordance with policy DM1 of the Core Strategy and saved UDP policy DC1.

Informatives

The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

As the proposed development is within Flood Zone 2, flood mitigation/resilience measures should be implemented as per the FRS (dated as received on 7th April 2022), such as, floor levels should be set either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level.

Consideration should also be given to the inclusion of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

156 Manley Road, Manchester, M16 8WD
52 Morville Road, Manchester, M21 0TR
129A Manley Road, Manchester, M16 8WE
127A Manley Road, Manchester, M16 8WE
158 Manley Road, Manchester, M16 8NE

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