

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133469/FH/2022

Date registered valid: 7 April 2022

Proposal: Erection of part single, two storey side and part single, part two storey rear extension to provide additional living accommodation

Address: 38 Fordbank Road, Manchester, M20 2TH

Ward(s): Didsbury West Ward

Applicant: Natasha Seaward 38 Fordbank Road, Manchester, M20 2TH

Agent (if any): Mr Ian Grainger Blu Room Architecture 5 Uplands Road, Darlington, DL3 7SZ

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 June 2022



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 05.05.2022
Standard consultations: Printed: 21 April 2022 Expired: 12 May 2022
Neighbour notifications: Printed: 10 June 2022 Expired: 20 June 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 relates to a red brick and render early C20 semi-detached dwelling on the western side of Fordbank Road. There is a concrete hardstanding at the front and rear lawned garden with off-road parking at the front.

Description of area

The site is within a residential estate comprising of a similar housing typology. The western boundary beyond the rear garden is shared with Bradley Fold allotments which forms part of the wider River Mersey floodplain also incorporating Fletcher Moss Park. As a result of the allotment gardens behind the site and Mersey Valley to the south, there is a height difference at this end of the street as the topography slopes down towards the river basin.

Description of development

Erection of part single, two storey side and part single, part two storey rear extension to provide additional living accommodation.

The application has been amended since first submission to off-set the first floor rear extension off the boundary with the adjoining dwelling.

Consultations & Notification Responses

Neighbour notifications – A total of 4no. neighbours and 2no. residents' associations were notified of the proposal. One neighbour objection was received on both notifications:

1st Notification - Objection

I am the owner-occupier of 40 Fordbank Road, which neighbours number 38. Fordbank Road comprises mainly 3 bedroom, semi-detached, bay window fronted properties, with the exception of numbers 38, 40, 42 and 44. These 4 properties differ from the rest of the road because they are smaller houses, without bay windows and also they have noticeably smaller gardens. Only one property, number 40, has a partial rear double extension and no rear single storey extension. This extension projects into the garden on my side, number 40, but only extends half of the width of the house in the direction of the adjoining neighbour number 42. There is no single storey extension impacting occupiers of number 42. Nor is there a side extension.

The plans for the development of number 38 comprise a rear two storey extension of 4 metres in length. The proposed width of upper story extension comes to within 2.175 metres of the party wall and will be highly intrusive especially from my main rear bedroom.

The ground floor extension will come right up to my boundary fence and extend to within 0.7 metres of the boundary with number 36. This design removes all of the existing driveway

encroaching on both immediate neighbours, in fact it would not be possible to make this extension any bigger. The effect of this is to create an oppressive feeling of overcrowding, and result in a construction completely unsympathetic to the neighbouring properties.

There is no precedent for a development of this scale, occupying so much of the property land area, in the smaller Fordbank Road properties.

Manchester City Council specify a number of issues which may be relevant to a planning decision. The following is a list of the relevant criteria with pertinent comments.

The size, appearance, layout and density of the proposed development:

I think there is no doubt that a development of this scale is not in keeping with the general style and character of the neighbouring houses. It is indisputably intrusive for the immediate neighbours, detracting from the appeal and amenity of the properties.

Overlooking and loss of privacy:

This development presents a clear degradation of privacy for both of the neighbours which will only detract from the enjoyment of our properties. In my case I will be overlooked, in my garden, by a four metre two storey rear extension from both the ground and upper floors.

Daylight, sunlight and overshadowing:

All of the four properties mentioned border onto the Bradley Folds allotments. This area of the allotments has many very large mature trees each with tree preservation orders. The gardens are already deprived of light because of this and an extension of this scale will only exacerbate the lack of natural light. Clearly this development will infringe the "daylight, sunlight and overshadowing" criteria.

Noise and Disturbance:

I run my business from home, for the duration of the construction I will not be able to continue without finding alternative accommodation, presumably at my expense. Surely this meets the above criteria.

Flood Risk:

During the most recent floods we were advised by the Environment Agency to evacuate the property because of the dangerously high levels of the River Mersey. The area (sports fields) between this section of Fordbank Road and the river is a sacrificial flood basin and is often flooded to protect properties elsewhere. This advice is a matter of public record.

In summary, I would argue that this extension is too big, the negative effects on the immediate neighbours I would say are unreasonable and could easily be mitigated with a more thoughtful design. I also think it clearly contravenes five of the key "issues to consider". I would respectfully urge the planning team to visit my property to fully appreciate the unique characteristics of this section of Fordbank Road and my reasonable and genuine reasons for objection.

REVISED PLANS NOTIFICATION - Objection

Further comments on the renotification due to revised plans, letter of 10/06/22.

As far as I can see the revised plans reduce the first-floor extension from 4m to 3.5 m. Whilst this is a welcome improvement, I still think an upper floor extension adjacent to a neighbour's bedroom extending in width to only just over 2m from my boundary is excessive. There is no precedent for this degree of intrusion in the immediate area. Given that the house is also being extended in width on the detached side I see no justification to encroach on my property to this extent.

WDRA – No comments received

Didsbury Civic Society – No comments received.

Issues

The proposal is subject to assessment under the following policies of the Manchester Development Plan which are material considerations in this application:

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 – Waste
- o The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable subject to satisfactory impacts on residential and visual amenity.

As amended, development in this application proposes a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity and make adequate arrangements for car parking and bin storage.

Residential Amenity

The proposal will have an acceptable impact on residential amenity. Development of the single storey rear extends off the original rear elevation by 4 metres. It abuts the boundary with No.40 to the south and is 2.3 metres to eaves and 3.8 metres to a monopitch roof with a single rooflight and full height bi-fold doors at the rear. As the height of any intervening fence can be

erected to a maximum of 2 metres between neighbours' gardens, the amount of development that impacts on the neighbour at No.40 is relatively minimal at ground floor.

It is noted that for comparison, this element of the proposal could be completed by the applicant under a Larger Home Extension application up to a maximum of 6 metres in length under current Permitted Development regulations, provided there were no neighbour objections.

At first floor, the extension has been reduced in length from 4 metres to 3.5 metres. It is also off-set from the boundary with No.40 by 2.13 metres and has a hipped roof profile. The gap to the rear first floor bedroom at No.40, together with the fact the extension is sited north of this property means that there is no opportunity for overshadowing. That said, an objection to this element of the proposal as amended has not been removed, with the objector concerned about



the encroaching effect. Assessment of the pattern of 2-storey rear extensions in Fordbank Road indicate that a first floor off-set of 1.5 – 2 metres is typical, including at No.42 to the south and No.32 to the north, together with several other examples in the street.

Furthermore, and for comparison again, had the extension been reduced by a further 0.5 metres in depth and given that it is sited over 2 metres off the neighbouring boundary and 7 metres off the rear boundary, a similarly scaled extension could have been erected under Permitted Development without a Larger Homes Extension application and no neighbour notification. Within the context of the current Permitted Development allowances and against saved UDP policy DC1.3 which permits 2-storey extensions up to 3.65 metres in general, together with the prevailing pattern of approvals of similar rear extensions, the amended proposal is considered acceptable.

Turning to the impacts on the occupiers at No.36 to north, the 2-storey side extension would come to within 750mm of the common boundary where there is a clear glazed window at ground floor, clear landing window and obscurely glazed first floor window. At the rear of this property is a single storey extension with rear-facing windows. There will be some loss of light into the side window at ground floor due to overshadowing. However, this would not amount to a total loss of light as the sun moves round to the west later in the afternoon.



A window is proposed on the side elevation for an enlarged bedroom. This is proposed to be obscurely glazed but would not in any case overlook any habitable room windows at No.36. A condition is appended to ensure this element of the proposal is implemented in the interests of residential amenity.

Visual Amenity

The extension proposes to fit the aesthetic of the original dwelling. It is sited in the most logical place to make use of space at the side and rear and internal constraints. It has a relatively narrow projection of 1.4 metres at the side to provide internal storage space, a pantry, and extended utility room and kitchen, which extends out further at the rear to incorporate the dining room. At first floor, the side extension enlarges the width of bedroom 3 and adds a 4th rear bedroom with en-suite. The front bathroom with characteristic porthole window also comes flush with the front elevation.

The extension is suitable subservient with set back at the side and set down roof to be understood as an add-on and proposes materials to match the existing which will help the extension to assimilate with the original dwelling.

The design, including first floor infill to enlarge the bathroom is a typical design response to extending this house type in the street scene. As such, there are no concerns that the proposal is in conflict with the saved policies within the Development Plan including UDP policy DC1 and Core Strategy policies DM1 and SP1.

Car Parking / Bin Storage

Car parking and bin storage are unaffected by the proposal. The extension does not encroach onto the front driveway so there is no loss of in-curtilage parking, and a 750mm gap at the side is adequate for the storage of bins off the front elevation, to the benefit of the street scene. Accordingly, the proposal complies with Core Strategy policies EN19 and DM1.

Conclusion

Whilst an objection remains on file, the extensions have been assessed as having acceptable impacts on residential and visual amenity, parking and bin storage, being within the limits of the Development Plan for Manchester and closely in line with current Permitted Development allowances which are the applicants' fall-back position should permission be refused.

Conditions are appended at the end of this report for the extension to be built in materials that match the existing and for windows to be obscurely glazed in the interests of the amenity of the applicant and neighbouring occupiers.

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 objections on both first and second notification, following amendments, which have been taken into consideration in the assessment of the amended 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 9th of June or as stated:

Application Form received on the 7th of April 2022

Location Plan received on the 7th of April 2022

Existing and Proposed Plans and Elevations Refs: 01, 02, 03, 03A and 05A received by email on the 9th of June 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, type, 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 first-floor bedroom window on the side elevation and the en-suite bathroom window on the first floor rear elevation shown on drawing numbers 03A and 05A, 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.

Appendix 1 – List of consultees & neighbours notified

Didsbury Civic Society
West Didsbury Residents Association

40 Fordbank Road, Manchester, M20 2TH
29 Fordbank Road, Manchester, M20 2TH
36 Fordbank Road, Manchester, M20 2TH
31 Fordbank Road, Manchester, M20 2TH

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
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Area Team Boundary - Name: SOUTH