

Application Number	Date of Appln	Committee Date	Ward
111945/FH/2016/N1	27th Apr 2016	30th Jun 2016	Moston Ward

Proposal Erection of single storey side and rear extension to form additional living accommodation

Location 59 Eastwood Road, New Moston, Manchester, M40 3TE

Applicant Amy Jones , 59 Eastwood Road, New Moston, Manchester, M40 3TE

Agent

Description

This Householder Planning Application relates to 59 Eastwood Road, New Moston.

59 Eastwood Road is a two-storey family dwellinghouse, the end property of an attached row of three properties, located in a residential area.

59 Eastwood Road is located adjacent to a small area of public greenspace, which contains footpaths. This adjacent land is not identified within the Citywide Open Space, Sport and Recreation Study, which audited and mapped the City's accessible open spaces.

Planning permission was granted on 9th April 2015 for the change of use of a section of the public land to garden area within the curtilage of 59 Eastwood Road, together with the erection of a maximum 1.8 metre high timber and concrete post fence to the side elevation, and a 0.9 metre high timber fence to the frontage (ref.108005/FO/2015/N1).

Planning permission is now sought for the erection of a 'wrap-around', single-storey side and rear, mono-pitch extension, to the existing house, to form additional living accommodation. The external materials of the extension are proposed to be red facing bricks, grey concrete tiles, with white uPVC window frames.

The single-storey extension will project by 3.75 metres from the existing side building line of the property, will measure 9 metres in length, and will project by 2.9 metres from the existing rear building line.

The Application site includes the extended area of curtilage. The curtilage of the property has not to date been extended, however, the land is now in the ownership of the Applicant. The current Application includes the erection of boundary treatments to the extended curtilage, including 1.8 metre and 1.5 metre high timber panel fencing to the rear and side elevations of the curtilage, and a brick wall and pier boundary treatment to the front elevation, to match the existing boundary treatment to the frontage. The timber boundary treatment will be 1.8 to the rear and part of the side, stepping down to 1.5 metres in height towards the front.

The submitted proposed layout plan is annotated to show the continued provision of one off-street car parking space within the curtilage of the property. The provision of

bin storage for segregated waste recycling is proposed to be within the rear curtilage of the property.

This Application is to be determined by Planning and Highways Committee, as the Applicant is an employee of Manchester City Council.

Consultations

Neighbours - One representation has been received, which enquires as to what hours the contractors will work? And will the noise and pollutant levels be monitored?

POLICY CONTEXT:

The following policies are applicable to this scheme.

National Planning Policy Framework (NPPF):

The National Planning Policy Framework defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so.' It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.'

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 14 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless:

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or Specific policies in this Framework indicate development should be restricted.

Manchester's Core Strategy (2012):

The following Core Strategy policies are applicable to the proposed development:

Policy SP1 - Core Development Principles:

Development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
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 or income.
protect and enhance the built and natural environment.

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 states - All development should have regard to:

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on 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.

Effects upon amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green infrastructure, including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques in terms of Code for Sustainable Homes and BREEAM.

Policy EN 8 (Adaptation to Climate Change) states:

All new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In achieving developments which are adaptable to climate change developers should have regard to the following, although this is not an exhaustive list:

Minimisation of flood risk by appropriate siting, drainage, and treatment of surface areas to ensure rain water permeability

Reduction in urban heat island effect through the use of Green Infrastructure such as green roofs, green walls, increased tree cover and waterways

The need to control overheating of buildings through passive design

The opportunity to provide linked and diverse green space to enhance natural habitats which will assist species adaptation

Developers will be permitted to use green infrastructure elements such as green roofs, green walls, street trees and waterways to contribute to compliance with CO2 mitigation under Policy EN6, subject to sufficient evidence to quantify their contribution to compliance.

Policy EN 9 (Green Infrastructure) states:

New development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in

accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Key features of Manchester's green infrastructure will include:

The continued development of a network of green spaces, water bodies, canals, paths and cycleways, with priority given to those parts of the City where there is an identified existing lack of open space. The Council will seek to protect existing street trees and promote new planting, particularly where this can enhance green links in the urban area.

The continued maintenance and management of the Rivers Mersey and Irwell and their tributaries, for example the River Irk, River Medlock, Chorlton Platt Gore, Gatley Brook, Moston Brook and adjoining land, with regard to their multiple functions including recreation, flood management, and biodiversity.

The provision of new, and improvements to the quality and accessibility of existing green infrastructure assets, to mitigate for any loss of green infrastructure as a result of development such as the Metrolink extension programme.

The encouragement of green roofs, green walls, tree planting and other forms of green infrastructure to allow for the adaption to climate change in heavily urbanised areas.

New green infrastructure provision should be an exemplar of best practice and innovation in terms of both its design and management.

Policy EN 14 (Flood Risk) states:

In line with the risk-based sequential approach contained within PPS25, development should be directed away from sites at the greatest risk of flooding, and towards sites with little or no risk of flooding; this should take account of all sources of flooding identified in the Manchester-Salford-Trafford Strategic Flood Risk Assessment (SFRA).

In addition to the requirements for site-specific Flood Risk Assessments (FRAs) set out in PPS25, an appropriate FRA will also be required for all development proposals, including changes of use, on sites greater than 0.5ha within Critical Drainage Areas (CDAs) and Canal Hazard Zones identified in the SFRA.

All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure.

Developers should have regard to the surface water run-off rates in the SFRA User Guide. In CDAs, evidence to justify the surface water run-off approach / rates will be required.

Policy EN 18 (Contaminated Land and Ground Stability) states:

The Council will give priority for the remediation of contaminated land to strategic locations as identified within this document. Any proposal for development of contaminated land must be accompanied by a health risk assessment.

All new development within former mining areas shall undertake an assessment of any associated risk to the proposed development and, if necessary, incorporate appropriate mitigation measures to address them.

Unitary Development Plan (UDP) for the City of Manchester (1995):

The following saved UDP policies are applicable to the proposed development:

Policy 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 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 street-scene;
- e). the effect of the loss of any on-site car parking.

Policy 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 an 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 street scene by virtue of design, use of materials or constructional details;
- d). they would not result in the loss of off-street parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a). rearward extensions greater than 3.65 metres 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).

Policy DC1.4 states in considering proposals for 2 storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance issued. In particular, the Council will seek to ensure that:

- a). the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b). the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c). the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the

other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

DC1.6 For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

PLANNING ISSUES:

The proposed development is considered acceptable in terms of the National Planning Policy Framework (NPPF), Manchester's Core Strategy, including policies SP1, DM1, EN8, EN9, EN14, EN18, and saved policies DC1 of the Unitary Development Plan.

Design:

The proposed single-storey, side and rear, 'wrap around' extension, and the erection of boundary treatment to enclose the approved larger curtilage, will appear in keeping with the character and appearance of the existing property, the streetscene of Eastwood Road, and the wider environment, including the adjacent greenspace.

The extension will appear in keeping as, in accordance with policies DC1 and DM1, the design of the proposed extension incorporates appropriate siting, layout, subservient scale and massing, materials, and detail, in relation to the context. The single-storey extension will project by 3.75 metres from the existing side building line of the property, will measure 9 metres in length, and will project by 2.9 metres from the existing rear building line.

A condition of Planning approval is required to ensure the volume of the proposed extended curtilage is available in conjunction with the construction of the extension, as the curtilage has not as yet been extended, and it is not considered there is sufficient space, in the interests of amenity, context, and policies DM1 and DC1, without the larger curtilage.

A further related condition is required to remove the Permitted Development rights normally enjoyed under Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, in order that structures are not constructed/sited within the larger curtilage without Planning Permission. This is in the interests of visual amenity, due to the proximity to the open space, in the interests of the amenities of the occupiers, as advocated within policies DM1 and DC1.

The external materials of the extension are proposed to be red facing bricks, grey concrete tiles, with white uPVC window frames. A condition to ensure the external materials of the extension, and front boundary wall and piers, match the existing, is required, in the interests of visual amenity, pursuant to policy DM1 and DC1, which require materials appropriate to the context.

The boundary treatment, in accordance with policies DC1 and DM1, will appear visually acceptable within the street scene and open space, and will provide defensible space. The side and rear boundary treatment adjacent to the greenspace will be timber, and the front boundary will be brick walling with piers to match the existing. The use of timber fencing within the greenspace will soften the appearance of boundary treatment within the wider area, whilst providing defensible private curtilage.

A condition requiring the installation of the approved boundary treatment in conjunction with the construction of the extension and enlargement of the curtilage is required, in accordance with policies DC1 and DM1, to ensure the curtilage is appropriately bounded in the interests of visual amenity and the provision of defensible space.

The continued provision of one off-street car parking space within the curtilage of the property is considered to be an appropriately sustainable level of provision, in terms of the context, policy DM1 and policy DC1, which require adequate vehicular access and car parking. A condition to ensure the continued provision of one car parking space is accordingly required.

Conditions of Planning approval are required to ensure, pursuant to policies DM1, EN8 (adaption to climate change), and EN14 (Flood Risk) of Manchester's Core Strategy, the provision to direct surface water run-off from hard landscaping, to a permeable, or porous area, or surface, within the curtilage of the dwellinghouse.

The provision of bin storage for segregated waste recycling, within the rear curtilage of the property, is considered to be acceptable in terms of amenity, sustainability and policy DM1, which states that all development should have regard to appropriate refuse storage and collection.

As the development site lies within 250 metres of a registered landfill site, or in close proximity to a potential historical source of landfill gas, a scheme for the installation of a proprietary gas protection membrane, is required by condition of Planning approval. This is required, as regards the alleviation of the possibility of landfill gas ingress to the building, pursuant to policies DM1 and EN18 of the Core Strategy.

Amenity:

The proposed fencing and extension will not have an undue adverse affect upon the amenities of the occupiers of neighbouring residential properties, pursuant to policies DC1 and DM1, including adjoining property, 61 Eastwood Road. This is due to the context, separation distances, the location of the fencing, the design of the extension, which incorporates a modest 2.9 metre rear extension at single-storey, with no openings to the side elevation adjacent to 61, and as the house will remain as one family dwellinghouse, with a commensurate level of activity.

In the interests of addressing any potential future privacy and overlooking issues, pursuant to policies DM1 and DC1, a condition is required to be imposed to ensure openings are not provided in the side elevation adjacent to 61 Eastwood Road without prior consent.

It is not considered that the inclusion of the land within the private curtilage will be to the undue detriment of amenity. This is as the land is not identified within the Citywide Open Space, Sport and Recreation Study, which audited and mapped the City's accessible open spaces; the land was occupied by overgrown foliage, and therefore, inaccessible; the extension of curtilage does not affect access along any pathways; and as discussed, the proposed timber boundary treatment will not appear visually intrusive, due to the proposed appearance of the treatment. This element of the scheme has been previously considered, and granted Planning Approval under 108005/FO/2015/N1.

In response to the response received from the occupier of a neighbouring property, as detailed above; in the event hours of construction, and noise and pollution levels became a nuisance, the City Council could investigate and take appropriate steps to secure resolution.

Conclusion:

The proposed development will allow the occupiers of 59 Eastwood Road to sustainably adapt their family home to meet their needs, and by reason of design, the proposal will be a positive contribution to the neighbourhood, in accordance with policies SP1, DM1 and DC1.

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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 / Agent in a positive and proactive manner in order to guide the Application through all stages of the Planning process, and have resolved issues that have arisen whilst dealing with the Application.

Conditions to be attached to the decision

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:

Householder Planning Application form, received 22/4/16
Drawing A000, received 27/4/16
Drawing A002, received 22/4/16
Drawing A003 Rev. C, received 27/4/16
Drawing A004 Rev. A, received 16/5/16

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Manchester's Core Strategy, including policy DM1, and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

3) The materials used to construct the external elevations of the extension, and the boundary wall and piers, hereby approved, including bricks and tiles, shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and street scene, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

4) Prior to the commencement of above ground works, appropriate and comprehensive construction designs shall be submitted, for approval in writing by the City Council as Local Planning Authority, for the installation of a proprietary gas protection membrane. The approved scheme shall be implemented as part of development, and retained and maintained in situ.

Reason - The development site lies within 250 metres of a registered landfill site, or in close proximity to a potential historical source of landfill gas, and a scheme is required to alleviate any possibility of landfill gas ingress to the building, pursuant to policies DM1 and EN18 of the Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no windows or doors shall be inserted within the side elevation of the extension adjacent to 61 Eastwood Road, in

accordance with drawing A003 Rev. C, received 27/4/16, unless Planning Permission is specifically granted.

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

6) Prior to the first occupation of the extension hereby approved, the proposed boundary treatments, including timber panel fencing and brick wall and piers, as shown in drawing A004 Rev. A, received 16/5/16, shall be erected, and shall be so maintained at all times thereafter.

Reason - In the interests of the amenities of the occupiers of the residential accommodation, and the character and the appearance of the streetscene, pursuant to policy DM1 of Manchester's Core Strategy, and saved policy DC1 of the Unitary Development Plan.

7) Notwithstanding the provisions of Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the area to be incorporated into the existing garden area of number 59 Eastwood Road shall remain as garden area, and shall not be developed with physical structures, without the benefit of planning permission.

Reason - In the interests of residential amenity, and to safeguard the character of the area, pursuant to policies SP1 and DM1 of Manchester's Core Strategy.

8) Prior to the commencement of above ground works, full details of a scheme to direct surface water run-off from hard landscaping to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall be submitted to the City Council as local planning authority for approval in writing. The approved scheme to direct surface run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, shall be implemented not later than 12 months from the date the extension is first occupied, and shall be so maintained.

Reason - In the interests of achieving a sustainable drainage system for surface water run-off from the installed hardstanding within the curtilage, pursuant to policies DM1, EN8, and EN14 of Manchester's Core Strategy.

9) Parking space for one car shall be provided within the curtilage of the property, as shown within drawing A004 Rev. A, received 16/5/16, not later than 12 months from the date the extension is first occupied, and shall be so maintained.

Reason - In the interests of sustainable parking provision, and the flow of traffic on the highway, pursuant to policy DM1 of Manchester's Core Strategy.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 111945/FH/2016/N1 held by planning or are City

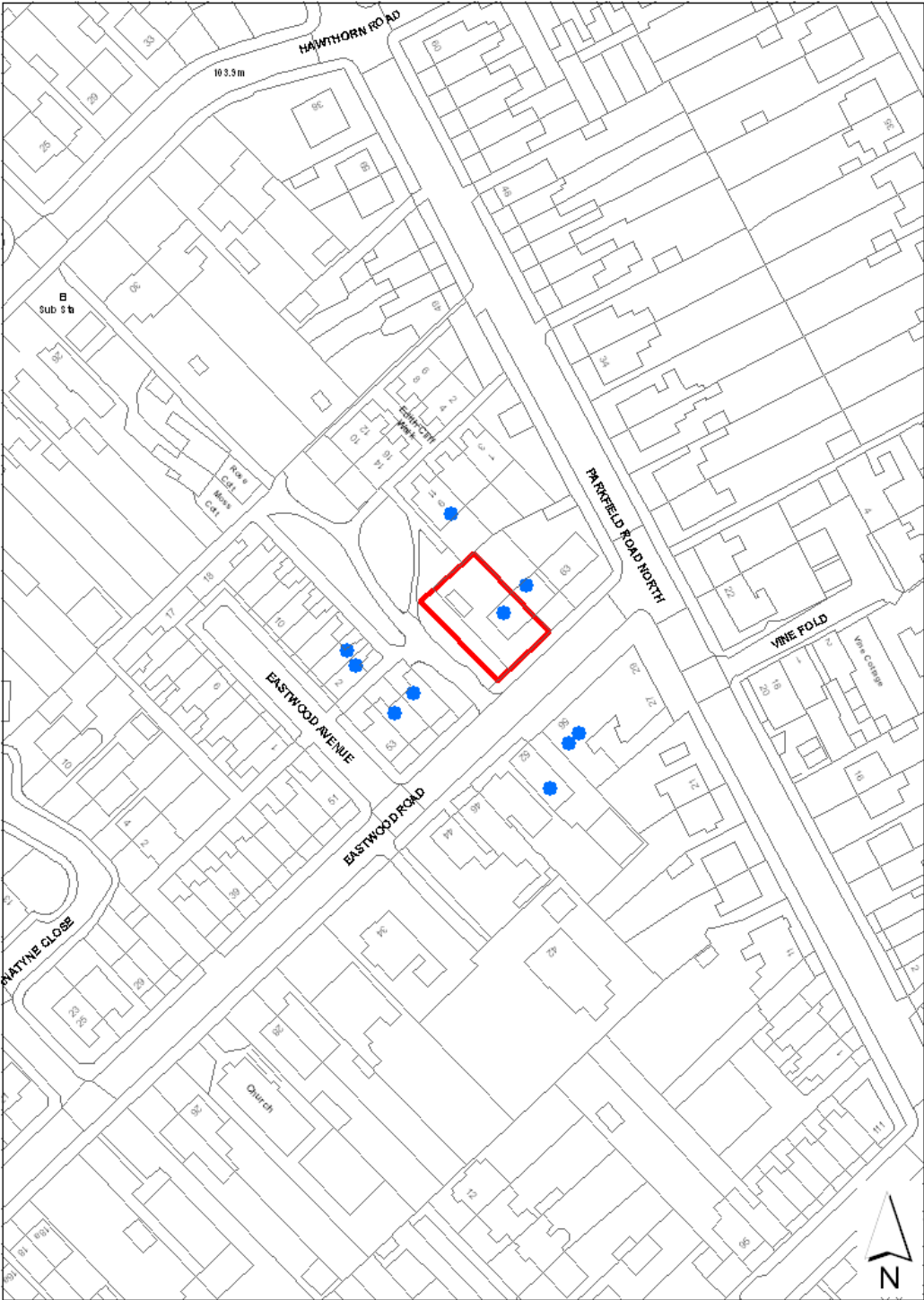
Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.



The following residents, businesses and other third parties in the area were consulted/notified on the application:

Environmental Health

A map showing the neighbours notified of the application is attached at the end of the report.

Relevant Contact Officer : Helen Hodgett
Telephone number : 0161 234 4533
Email : h.hodgett@manchester.gov.uk



 Application site boundary  Neighbour notification
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