

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130712/FH/2021	
Date registered valid:	10 June 2021	
Proposal:	Remodelling and extension of front porch together with elevational alterations to form additional living accommodation.	
Address:	20 Belhaven Road, Manchester, M8 4NS	
Ward(s):	Crumpsall	Ward
Applicant:	Salah 20, Belhaven Road, Manchester, M8 4NS	
Agent (if any):	Mr Karim 58 Rectory Lane, MANCHESTER, M25 1BL	
Case officer:	Janet Tel: 0161 234 Email: janet.lawless@manchester.gov.uk	Lawless 4535
Recommendation:	Approve	
Date of recommendation:	14 April 2022	

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23.07.2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 March 2022 Expired: 12 April 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

Description of site/building

The property that is the subject of this householder application is a brick built semi- detached property that is located at the junction of Belhaven Road and Highclere Road. It is identified as 20 Belhaven Road and is located within the Crumpsall Ward of the City. It sits at a 45 degree angle to the road, and occupies a roughly triangular plot. There have been additions to the property over the years, which form a staggered side building line. The access to the property is currently via a porch on the side of the property. In recent times, the bay windows had been removed and built out to make an apron front, and a large porch was added to the front of the property.

There is a low wall with a high decorative railing atop that runs along the front of the site abutting the footpath, the boundary treatments between properties is a timber panel fence. The vehicular access point was moved to the junction, accessing the driveway by the use of the tactile pedestrian crossing. The applicant has been advised that this is unacceptable, and the access is to be re-located and planning applied for in relation to the access and the boundary treatment under a separate application.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature and comprises of houses of a similar age and style to the proposal site. The majority of the windows are bay windows, of which some are semi-circular and some are three angled panel bays.

Description of development

The proposal is to regularise the works however the original submission was considered unacceptable, and negotiations have taken place with the applicant and agent resulting in the works now currently under consideration. It is proposed to re-instate the bay windows and reduce the size of the porch proposed on the front of the property. The works carried out to date will be demolished, and the bricks to be used will match those of the existing property rather than those that have currently been used.

The porch will have a dual pitched roof with one window and a central door in the front elevation and a single window in the side. it will measure 4.4 square metres. The revised plan now pulls the porch in from the reinstated bay window to the front of the property. The existing porch on the side of the property is to have the door bricked up and this will now be used as a downstairs WC to assist with the use of the property by a disabled occupant.

Consultations & Notification Responses

Local Residents- were informed one letter of objection to the original proposal was received. A second round of consultation took place, and no further objections have been received.

Concerned that the work has been carried out before receiving planning permission. The work is sub- standard, the vehicular access to and from the property has been altered without permission which is now a hazard for pedestrians.

Issues

Principle- The proposal is for the erection of a single storey porch extension to form a new front entrance to the property. The existing entrance porch which is located on the side of the property would have elevational alterations in the form of the doorway being bricked up and the resultant space then being used as a downstairs WC. Saved policy DC1 seek to support extensions to existing residential properties where it would help homeowners improve the quality of accommodation, subject to being appropriate in terms of residential and visual amenity.

Matters which require consideration in this instance are whether the proposal is acceptable in residential and visual amenity terms.

Visual amenity- The porch extension would create additional space of 4.4 square metres. In its partly constructed form, it was much larger in footprint, and the materials used were not acceptable, as they were not a close match to the materials of the host property. Negotiations have taken place and have resulted in the reduction of the footprint, together with the partly constructed porch to be demolished, and will be built in materials to match the original brickwork of the host property. It would have a dual pitched roof with a central door and one window in the front elevation, and one window to the side elevation. With the proposed revisions, it is considered that the proposal would not result in visual disamenity to either the property itself, or of that of the neighbouring properties.

The brickwork to be used on closing up the doorway on the side entrance shall match that of the existing entrance. A condition relating to matching up of materials will be attached to any consent granted.

Unauthorised works had also taken place through the building out of the original front bay windows, creating an apron front with flat windows. Again, this was considered unacceptable,

and through negotiations revised plans have been submitted which reinstate the three panelled angle bay windows. The apron front as installed shall be demolished, and the mismatching brickwork shall be replaced with materials to match the host property. This would also form part of the materials condition. It is considered that the revised elevational alterations will not have a detrimental impact upon the visual amenity of either the property itself, nor, the area within which it is located.

It is considered that the revised scheme is in accordance with DC1 and enables people to adapt their homes to meet changing household needs.

Residential amenity- The proposed reinstatement of the front bays will take them back to the original shape and projection, Whilst the proposed porch would project beyond the front building line of the host property, there is a sufficient gap retained between the porch and the common boundary with number 26 Highclere Road , that together with the boundary treatment between the pair of semis identified as 20 and 26 Highclere Road results in a modest subservient addition.

As previously stated the unauthorised works to the front boundary wall and railings together with the creation of the gated vehicular access at the junction of Belhaven Road and Highclere Road do not form part of this application, and are not under consideration, however will be considered under a separate planning application.

On balance it is not considered that the reinstatement of the bays, the bricking up of the doorway within the existing side entrance, and the creation of the new entrance porch to the front of the property would result in a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties.

Waste Management- The proposal will not have an impact upon the current arrangements for the storage and kerb side collection of bins.

Response to objection received- It is acknowledged that the partly constructed works were implemented without the benefit of planning permission, however this application seeks to regularise that position. Negotiations have taken place between the City Council as local planning authority and the applicant/ agent and the scheme has been revised to that which is currently under consideration. This includes demolition of the previously constructed works, new materials to be used to match the host property, and the reinstatement of the character of the property through the re-introduction of the original design bays to the front of the property. The scale of the front porch has also been reduced. It is therefore considered that through negotiation the issues raised as concerns, have now been addressed. As such it is considered that the proposal is now in accordance with policy saved policy 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 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 based on seeking solutions to problems arising in relation to dealing with the planning application. Negotiations have taken place to resolve problems that have arisen during the consideration of this application and the revised application has been determined in accordance with policy in particular policies DC1 and DM1 with the attachment of appropriate conditions.

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:

DW 005 Rev B1- Site Setting Out Plan

DW 006 Rev B1- Proposed Ground Floor Plan

DW 007 Rev B1- Proposed Side Elevation

DW 008 Rev B1- Proposed Front Elevations

All received 24th March 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, including patching in and mortar, as stated on the Householder Application Form.

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 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 Core Strategy for the City of Manchester.

5) Notwithstanding the boundary treatment and location of vehicular access on drawing DW 005 Rev B1 Site setting out plan, details of the proposed boundary treatment shall be submitted to and approved in writing by the local planning authority, the details should include a plan indicating the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

23 Boardman Road, Manchester, M8 4NT
26 Highclere Road, Manchester, M8 4FG
28 Highclere Road, Manchester, M8 4FG
15 Belhaven Road, Manchester, M8 4WR
18 Belhaven Road, Manchester, M8 4NS

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH1