

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 132191/FH/2021

**Date registered valid:** 10 November 2021

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

**Address:** 59 Heald Place, Manchester, M14 4PF

**Ward(s):** Moss Side Ward

**Applicant:** Mr & Mrs Lewis, 59 Heald Place, Manchester, M14 4PF

**Agent (if any):** Mr Stuart Collier, S J Collier, 142 Gathurst Lane, Wigan, WN6 8HS

**Case officer:** Dave Morris  
Tel: 0161 600 7924  
Email: [dave.morris@manchester.gov.uk](mailto:dave.morris@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 05.01.2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 19 November 2021

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 16 November 2021

Expired: 7 December 2021

### **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**

This application relates to a two storey end terrace property. The property has a two storey bay window at the front and a single storey lean to located centrally on the rear elevation. There is a shallow front garden and a large yard to the rear. The side and rear of the site abuts an alleyway.



**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:**

### **Description of area**

This is a predominantly residential area. To the south separated by an alley are the rear yards of residential properties on Great Western Street. One of which has a single storey rear extension up to the rear yard wall.



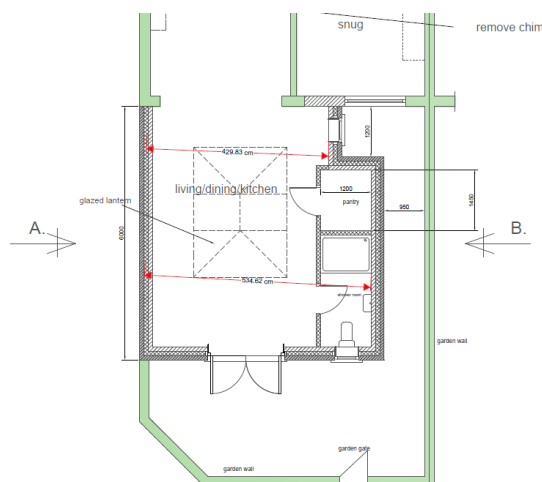
To the east, rear of the property again separated by an alley is are the rear yards of houses on Heald Grove. Adjoining the site to the north is the remainder of the terrace, most of which do not appear to have been extended.



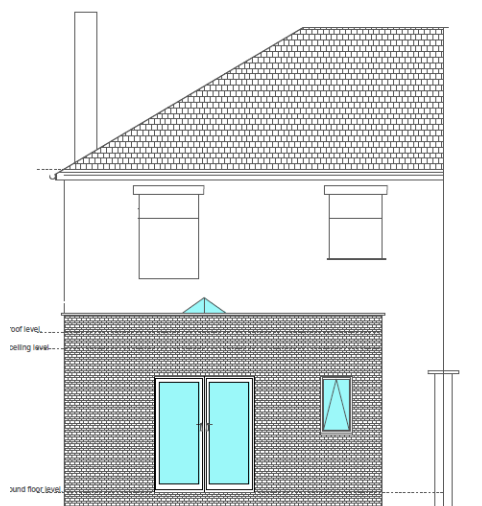
### **Description of development**

Consent is sought to erect a single storey rear extension projecting 6 metres along the boundary with the alley. The extension would be 4.4 metres wide where it adjoins the house widening to 5.4 metres 1.2 metres from the rear wall. The existing lean to would be demolished. The extension which would have a flat roof and a parapet would be 3.5 metres high to the top of the parapet.

There would be a single window in the side elevation of the extension where it is at its narrowest and a window and French doors in the rear elevation. There would be a large lantern light on the roof of the extension.



The extension would be 0.95 metres from the boundary with the adjoining property and 2.9 metres from the bottom of the yard.



Rear Elevation (proposed).

## **Consultations & Notification Responses**

### Local residents

One letter has been received objecting to the proposed development.

### Background

-the proposed extension will materially add to problems of poor light, reduced visual perspectives or views, loss of a feeling of space and privacy already by developments in the area, such as the high-rise student accommodation in Heald Grove and the rear dormer extension(s) to the "houses of multiple occupation" (HMOs) in the part of Great Western Street which border and overlook the rear of the houses in Heald Place.

-The length, height and proximity to the rear external common or party wall of the extension

from the existing structure will result in:

- \* a material loss of natural light
- \* an increase in a feeling of being "hemmed in" and "enclosed"
- \* an enhanced security concern for the rear of the adjoining properties.

## **Policy**

### Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

### Unitary Development Plan

The relevant saved UDP policy is DC1 which sets down the criteria to be considered in determining applications for residential extensions, including the desire to extend to meet the occupiers changing needs and the need to protect the amenity of the area.

## **Issues**

### Principle

The proposed development accords with the principle of extending a property to meet the changing needs of the occupiers as set out in policy DC1.

### Scale

At 6 metres the projection of the extension is quite long. However it is a substantial property with a large rear yard and on balance it is considered that the site can accommodate the extension.

### Design

The design is simple and the use of a flat roof reduces the massing of the extension. There are no design issues.

### Amenity space

The proposed extension retains sufficient amenity space for use by residents.

### Refuse

There remains sufficient space within the rear yard to accommodate refuse and recycling containers.

### Residential amenity

The proposed extension abuts an alleyway across which is the gable wall of an extension to a property on Great Western Street. On the other side the extension at its closest is 0.95 metres from the boundary wall and whilst the adjoining property to the north is on balance considered that the extension would not have a significant over bearing impact.

Principle windows are in the rear elevation and roof of the extension, which will not give rise to any privacy issues. There is a small window in the side of the extension and whilst this is partially screened from the neighbour by the boundary wall an obscure glazing condition is proposed.

#### Crime and disorder

Concern has been raised that the proposed extension would leave the adjoining property vulnerable to criminal behaviour. However, the rear yards are already enclosed by high walls and there are lean to extensions which provide cover and it is not considered that the proposed extension would make this situation significantly worse.

#### Conclusion.

On balance it is considered that the proposed extension is acceptable in all respects.

#### **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 issues arising from the consideration of this 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 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:

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 development hereby approved shall be constructed using materials that match those used in the existing property in terms of size, colour and texture.

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, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

5) Before first occupation the windows in the side elevation 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 property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

70 Heald Grove, Manchester, M14 4PE  
321 Great Western Street, Manchester, M14 4AN  
68 Heald Grove, Manchester, M14 4PE  
57 Heald Place, Manchester, M14 4PF  
66 Heald Grove, Manchester, M14 4PE  
325 Great Western Street, Manchester, M14 4AN  
323 Great Western Street, Manchester, M14 4AN

## **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