

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131675/FH/2021

Date registered valid: 16 September 2021

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

Address: 13 Essex Road, Manchester, M18 7JR

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr. Muhammad Sufyan 13 Essex Road, Manchester, M18 7JR

Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Manchester, M21 0YW

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 November 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 21 September 2021 Expired: 12 October 2021

Neighbour notifications

Printed: 12 November 2021 Expired: 19 November 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to an end terraced property which is a corner plot at the junction of Essex Road and Ashfield Grove. Originally it was proposed to extend the property by way of a part single storey part two storey side and rear extension, and erection of front and rear dormers. The scheme has since been amended and the front dormers and upper floor side extension have been removed. Also the projection of the upper floor rear extension has been reduced to 3.3 metres and pulled away from the common boundary with no. 15 Essex Road. Therefore the current proposal is for a single storey side extension, a part single part two storey rear extension and the installation of a rear dormer.

The proposed side extension would be set away from the side boundary of the property and would have a slight set-back from the front of the house. It would then wrap around the corner of the existing house, extending up to the common boundary with no.15 Essex Road, and would project 5 metres from the rear of the house. Above the rear element of this extension an upper floor rear extension is proposed. This element would cover approximately half of the rear elevation of the property, on the side closest to Ashfield Grove (i.e. not along the common boundary with no. 15 Essex Road) and would project 3.3 metres from the rear of the property. The extensions would have hipped rooves and would be constructed in materials to match the existing.

In addition a rear dormer extension is proposed, which is of a standard rectangular design and set away from the roof edges.

Originally the proposal also included a front dormer extension, and an upper floor side extension, but these elements have now been removed from the scheme. In addition the proposed side extension has been pulled away from the Ashfield Grove boundary of the site, has been slightly set-back from the front of the property and hipped roofes have been introduced. Also, the proposed upper floor rear extension has been reduced in size by moving it away from the common boundary, with no. 15 Essex Road, and reducing its projection from 3.65 metres to 3.3 metres.

Consultations & Notification Responses

Local residents - In relation to the neighbour consultation exercise, on the original application, four objections were received, from 3 local residents and a person who lives outside the area, for the following reasons:

- This proposal would create a property is out of character for a residential area in Gorton. None of the other houses have been significantly changed since they were built. An example of a modern day 7-bedroom house is normally a detached house on its own plot of land, not in small residential cul de sac. If this planning permission is granted, then it would be possible to have up to 15 - 20 people if not more living in this kind of space.
- If the application were granted the noise level that adjoining occupiers would endure, over a 24-hour period, would be unbearable if that many people were to be living in the property next door. This will impact on their day to day life. There has already been noise disruption from the family that have already moved in. The scale of this extension could take up to or over a year to complete and in that time the noise levels would be unbearable.
- The extension would devalue the price of adjoining properties.
- The extension proposed at the back of the property will block any natural light, to the adjoining property, during the winter months where the days are shorter.
- There will be an extra 3 upper windows to the property that will be overlooking into adjoining gardens..
- The adjoining property owner would not allow access to his garden, so they would not be able to maintain the structure.
- During construction there is no room or turning points for big lorries to drop large loads of materials off. Placing materials off the road or on to the pavement will not be suitable, as this will restrict pedestrian and vehicle access.
- Essex Road is a small cul de sac. There is no parking on the left hand side of the road and no turning point of the cul de sac, making it difficult for people to exit the road. Entering and exiting Essex Road is already a risk to local residents because of the lack of visibility when trying to pull out onto Ashfield Grove. The car parking in and around Essex Road is already at its limit with cars and large vans. The proposal would bring more cars onto Essex Road and Ashfield Grove exacerbating existing problems.
- There are a lot of children who play out on the surrounding streets and the volume of traffic already poses a danger, so a further increase in traffic could put adults and children even more at risk.
- This property does not have access to the rear entry that the other 3 houses have access to. The current owners store their bins at the side of the property. If an extension was approved this would not be possible as there would be no room at the side of the property. There are already problems with vermin and increased levels of waste would contribute to this.
- The extension is of such a size that it is more akin to a house in multiple occupation rather than a family dwelling.

In response to the neighbour consultation, on the revised plans, two of the original objections reiterated their objections to the application.

Strategic Area and Citywide Support Manager - Recommends that a condition is attached, to any permission, requiring the installation of a proprietary gas membrane.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates

better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that 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 DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the 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 on amenity, including privacy, light, noise, vibration, air quality and 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved 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 the 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.

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 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 scene by virtue of design, use of materials or construction details.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Impact of works - The proposal has been considerably reduced in size, compared to the original submission, with proposed front dormers and an upper floor side extension being removed. The upper floor rear extension has also been reduced, in scale and projections, and the ground floor extension has been moved away from the side boundary of the property, with Ashfield Grove, and set-back slightly from the front of the property. The property has an existing side wall/fence/hedge and the extension would be partially visible above this, but the set-back and changing the roof elements to a hipped roof, as well as the removal of the upper storey, has significantly reduced its visual prominence from Ashfield Grove and it is not considered that the single storey side extension would adversely impact upon the established building line on Ashfield Grove.

At the rear the extension projects 5 metres at ground floor level and it is not considered that this element, of the extension, would impact upon the amenities of neighbouring occupiers. This element of the extension does come almost up to the boundary with no. 15 Essex Road, but, potentially, as an alternative, the applicant could have applied for a larger home extension, along this boundary, which could have been longer than the single storey element of the extension shown.

With regards to the upper floor element, this has been reduced in scale, compared to the original submission, and moved away from the common boundary with no. 15 Essex Road, so that it would now lie approximately 2.5 metres from this common boundary, and its projection has been reduced to 3.3 metres. It is considered that these changes have significantly reduced the potential visual impact of the extension, and impact upon neighbouring properties. Most impact would potentially be experienced by the occupiers of the attached property (15 Essex Road) but is considered that the extension now proposed would not lead to any loss of privacy or outlook, to the occupiers of that property.

A rear dormer is proposed, but this is of a typical rectangular flat roof design, that is set away from the roof edges, and which would meet permitted development criteria.

Generally, in terms of design, scale and appearance it is not considered that the proposal would have an adverse impact upon the amenities of local residents or the visual amenity of the surrounding area.

Residents comments - It can be the case that a new residential extension can have some impact on neighbours, by way of introducing new built form, a potential increase in occupiers at a house with a resulting increase in activity, a potential increase in parking demand and some inconvenience during construction works. The needs of surrounding residents though needs to be balanced against the rights of an individual to extend their property, and with regard to the level of development that would be allowed to be built under permitted development allowances. In this case, it is not felt that the associated impacts, of this extension, would be so significant as to warrant refusal of the proposed development. In addition, improvements have been secured in the scale and design of the extension, with a number of elements being removed, in order to reduce its visual impact upon the locality and impact upon local residents, in terms of any loss of privacy/outlook. Whilst some impacts are therefore inevitable, these are not considered to be so great that the application should be resisted.

Gas membrane - The applicant has agreed to the pre-commencement gas membrane condition, as requested by Environmental Health.

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. In this case, negotiations were entered into, which resulted in the removal of the front dormer and upper floor element of the side extension. In addition, other elements were reduced in size and redesigned to reduce their potential impact upon surrounding occupiers and the general area.

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 site location plan and the drawing numbered NA-P01, stamped as received by the City Council, as Local Planning Authority, on 16 September 2021, and the drawings numbered NA-P02 and NA-P03, stamped as received by the City Council, as Local Planning Authority, on 12 November 2021

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

3) The materials used to construct the external elevations of the extension hereby approved 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 surrounding area, pursuant to policy DC1 of the saved 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on drawing numbered NA-P03, stamped as received by the City Council, as Local Planning Authority, on 12 November 2021, unless planning permission is specifically granted.

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

5) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

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, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning

Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

- 1) Construction/demolition works shall be confined to the following hours:
 - Monday - Friday: 7.30am - 6pm
 - Saturday: 8.30am - 2pm
 - Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health

12 Ashfield Grove, Manchester, M18 7SA
8 Ashfield Grove, Manchester, M18 7SA
12 Essex Road, Manchester, M18 7JR
9 Essex Road, Manchester, M18 7JR
10 Ashfield Grove, Manchester, M18 7SA
17 Essex Road, Manchester, M18 7JR
11 Essex Road, Manchester, M18 7JR
10 Essex Road, Manchester, M18 7JR
4 Ashfield Grove, Manchester, M18 7SA
15 Essex Road, Manchester, M18 7JR
20 Turnbull Road, Gorton, Manchester, M18 7AX
6 Ashfield Grove, Manchester, M18 7SA
18 Essex Road, Manchester, M18 7JR
18 Turnbull Road, Gorton, Manchester, M18 7AX
2 Ashfield Grove, Manchester, M18 7SA
16 Essex Road, Manchester, M18 7JR
14 Essex Road, Manchester, M18 7JR

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2