

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131051/FH/2021

Date registered valid: 13 July 2021

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

Address: 41 Leighbrook Road, Manchester, M14 6BG

Ward(s): Old Moat Ward

Applicant: Mr Ghurban Ali Hosseini 1 Bank Street, Accrington, BB5 4HH

Agent (if any): Mr Hasnaat Saeed 1 Bank Street, Accrington, BB5 4HH

Case officer: Melanie Tann
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Email: melanie.tann@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27th September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 July 2021 Expired: 10 August 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

The property is a traditional, two-storey semi-detached house with gardens to the front and rear

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character.

Description of development

Erection of a two-storey side and part single, part two-storey rear extension to form additional living accommodation

Consultations & Notification Responses

Neighbours – One letter of objection has been received. The main comments are as follows:

- The proposed extensions to No 41 are excessively large and totally against the character of Leighbrook Road and the neighbourhood.
- This has all the hallmarks of a student block in which 6,7 or possibly 8 students would be lodged in a residential area of mainly three bedroomed semi-detached houses.
- The two enormous bedrooms planned at the side and rear of the house if allowed to be built, would easily be partitioned into smaller student type bedrooms very quickly.
- The noise and disturbance from the 6 students at No.43 is intolerable for most of the year for nearby residents.
- There is already insufficient road parking so where would all the cars from the 7-8 students lodged at No.41 be accommodated? From No.39 the view of the massive,

featureless brick wall of the side extension next door to it would also severely restrict sunlight to that property all year round.

- This proposed development would be very detrimental and undesirable to the character of the area if allowed. Existing residents want more family based houses in the area, not just an extension to the university halls of Manchester.

Policies

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 a 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 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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be 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.

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.

The National Planning Policy Framework 2021 sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) 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;

b) 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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Issues

Principle

As the proposal seeks to extend a residential property policy DM1 and saved policy DC1 are applicable. Consideration has, however, been given as to whether the scale, massing, design and appearance of the extension is acceptable. In addition, consideration has been given to any impact the proposed development may have on the residential and visual amenity of neighbouring occupiers and the residential area.

Scale, Massing and Design

The proposed part single, part two-storey side extension would be set back from the front elevation by 1.5 metres at first-floor level and would be flush at ground-floor level. The side extension would be adjacent to the shared boundary with no. 39 Leighbrook Road. The roof would be set-down from the main roof.

The proposed part single, part two-storey rear extension would have a rearwards projection of 4 metres at both ground and first-floor levels. The rear extensions would fill the entire width of the rear of the property but the first-floor element would not project beyond the side of the original house and would be stepped away from the boundary with the neighbouring property at no. 43. The side and rear extensions would have hipped and gable roofs with the ground-floor elements having mono-pitched roofs.

It is considered that the proposed extensions would read as subservient additions to the property given the limited width, setback at first-floor level and step down of the roof.

The design and choice of materials for the proposal reflect the existing house and neighbouring properties. This is considered to be acceptable in this location and is not considered to be detrimental to the character of the property and would not form an incongruous feature within the street scene.

Residential amenity/loss of light/visual amenity

There are no windows proposed to the side elevations. Given the relationship with neighbouring properties it is not considered that there would be any significant loss of privacy or increased levels of overlooking to neighbouring occupiers.

The proposed side extension would be to the north elevation and the proposed rear extension would be to the east elevation. However, given the limited height and relationship with neighbouring properties it is not considered that the proposal would give rise to an unacceptable loss of light to neighbouring properties.

As the area has a high concentration of Class C4 HMOs, the applicant has confirmed that the property is in C3 use. A condition to reflect this has been added.

Other issues

The property would still be capable of providing at least one off road parking space. A condition has been added requiring a bin store.

Conclusion

It is therefore considered that the proposals are in accordance with City Council saved policies DC1.1, DC1.2, DC1.3, DC1.4 of the Unitary Development Plan and policies DM1, SP1 of the Core Strategy.

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.

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:

Proposed plans and elevations LEI-02-20 rev 1A, stamped as received 20th September 2021.

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.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

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 additional openings/windows/doors shall be inserted within the side elevation of the extension hereby approved, unless Planning Permission is specifically granted.

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

5) Details of a bin store shall be submitted to and approved in writing by the City Council as local planning authority. The bin store shall be installed within 1 month of the completion of building works and shall remain there in perpetuity.

Reason - To maintain the quality of the street environment in the locality of the development in order to comply with policies SP1 and DM1 of the 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 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.

Appendix 1 – List of consultees & neighbours notified

39 Leighbrook Road, Manchester, M14 6BG
43 Leighbrook Road, Manchester, M14 6BG
44 Leighbrook Road, Manchester, M14 6BR
42 Leighbrook Road, Manchester, M14 6BR
40 Leighbrook Road, Manchester, M14 6BR

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH