

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131156/FH/2021

Date registered valid: 22 July 2021

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

Address: 2D Albert Street, Manchester, M11 3AU

Ward(s): Ancoats & Beswick Ward

Applicant: Mr John Nghiem 2D Albert Street, Manchester , M11 3AU

Agent (if any):

Case officer: Harriet Aidoo
Tel: 0161 234 4532
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Recommendation: Approve

Date of recommendation: 6 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 August 2021

Standard consultations:

Printed: 29 July 2021 Expired: 19 August 2021

Neighbour notifications

Printed: 21 September 2021 Expired: 5 October 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:

Description of site / building / area

The application relates to a 3-storey semi-detached dwellinghouse in a predominantly residential area of the Ancoats & Beswick ward of Manchester. The application property is located within a row of a mixture of two and three storey properties. The three storey properties, including the application site, generally have a monopitch roof, whilst the 2 storey properties have a dual pitched roof, although at the end of the row there is an example of a pair of three storey properties, where one has a dual pitched roof and the other has a monopitch roof. The application building benefits from amenity space along the front, side and rear elevations. There is existing off-street car parking along the side elevation, including a gated access also in this location. The depth of the existing rear garden is approximately 15.3 metres. Two small timber frame outbuildings are sited in the rear garden along the common shared boundary with no. 2C Albert Street. There is a similar extension at 2G Albert Street (ref. 124291).

Description of development

Consent is sought for the erection of two storey side and part single, part two storey rear extension to form additional living accommodation.

Following negotiations, the initially submitted plans have been slightly revised in the interest of residential amenity, (dated 14/09/2021). The revised plan would comprise of:

- The initially proposed side facing windows have been removed.

The proposed two storey side extension, (length 7573mm x width 2210mm x maximum height 6390mm) would be set-back 5992mm from the front building line of the original dwellinghouse, it would then project 2210mm towards the common shared boundary with no. 2C Albert Street, retaining a distance a distance of 1000mm between the side elevation of the proposed extension and the existing boundary fence. The proposed extension would have a pitched roof, with one window along the ground floor front elevation and another along first floor front elevation.

The proposed part single, part two storey rear extension: ground floor (length 4000mm x width 7830mm x maximum height 3423mm) and first floor length 2000mm x width 7830mm) would also retain a distance of 1000mm between the side elevation and the common shared boundary with no. 2C Albert Street. It would be stepped-away 128mm from the common shared with no. 2E Albert Street, leaving a small gap. The proposed roof configuration would be a combination of a pitched and lean-to pitch roof, with 3 windows in the first floor rear elevation - 1 to serve proposed BEDROOM 1 and the other 2 to serve the proposed en-suite. Along the ground floor rear elevation, 3 further windows would be located within the roof slope, including a further window and French doors facing the garden.

In terms of external facing materials, it is intended to match with those on the original dwellinghouse.

Consultations & Notification Responses

1. Local residents/public opinion

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

Following revisions to the initially submitted plan, neighbours were re-notified. No comments, objections or representations were received.

2. Environmental Health

It is recommended that the following be attached to any approval.

DEMOLITION/CONSTRUCTION PHASE

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

- o Monday - Friday: 7.30am - 6pm
- o Saturday: 8.30am - 2pm
- o Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It 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 has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester 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.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 (Residential Extensions) is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout,

design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principle have been satisfactorily incorporated into the development.

ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Following negotiations, the initially submitted plans have been slightly revised in the interest of residential amenity, (dated 14/09/2021)

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (two storey side and part single, part two storey rear extension) - the proposed two storey side would be significantly set back from the front building line of the original house, and a distance of 1000mm would be retained between the side elevation and the common shared boundary with no. 2C Albert Street. It would also be stepped-away 128mm from the common shared with no. 2E Albert Street, and the proposed rearward projection would not exceed 4000mm along the ground floor and 2000mm along the first floor. It is considered that the proposal could be accommodated in this location, and would not give rise to significant impacts to residential amenity. In addition, although the proposed ground floor rearward projection at 4000mm is (350mm) in excess of the guidance set out in saved policy DC1 regarding rearward extensions; it is however within the guidance set out for a larger home extension applications. Furthermore, it is not considered that the revised proposal would result in undue overlooking or loss of privacy as all the proposed windows would either Albert Road, would be located within the roof slopes, or would face the rear garden. It is however recommended that a condition is attached to any recommendation for planning approval requiring the proposed first floor window along the rear elevation to serve the en-suite to be fully obscurely glazed. The proposed development would also allow for amenity space to be retained along the side and rear of the application property, and off-street car parking and the existing refuse management arrangements would be maintained. On balance, it is considered that the revised proposal would not present any significant adverse impacts on residential or visual amenity.

Impact of works (Design and appearance) - The design would reflect the characteristics of development in the area, and in terms of proposed materials, it is intended to use external facing materials in keeping with the original house which are considered to be acceptable in design terms, although a condition has been attached to ensure that materials are adhered to.

Impact of works - (Car Parking / Highways issues) - No impact on existing arrangement.

Impact of works (Waste Management) - The existing arrangement would be unaffected. It is proposed to retain a 1000mm gated access along the side elevation, which would allow bins to be stored in the rear garden.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, following negotiations regarding the location of windows in the side elevation, the initial plan revised. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Location Plan, Existing Floor Plans and Elevations, DWG NO: EX D013/01 received by the City Council as the Local Planning Authority on 22 July 2021.
- Proposed Floor and Roof Plans, DWG NO: PL D013/01, REV: A received by the City Council as the Local Planning Authority on 14 September 2021.
- Proposed Elevations, DWG NO: PL D013/02, REV: A received by the City Council as the Local Planning Authority on 14 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 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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on:

- Proposed Floor and Roof Plans, DWG NO: PL D013/01, REV A: and Proposed Elevations, DWG NO: PL D013/02, REV: A both received by the City Council as the Local Planning Authority on 14 September 2021.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Before first occupation of the development thereby approved, the two proposed first floor windows along the rear elevation to serve the en-suite as shown on: Proposed Floor and Roof Plans, DWG NO: PL D013/01, REV A: and Proposed Elevations, DWG NO: PL D013/02, REV: A both received by the City Council as the Local Planning Authority on 14 September 2021, shall be obscurely 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

21 Orme Close, Manchester, M11 3JX
9 Croston Walk, Manchester, M11 3WD
2F Albert Street, Manchester, M11 3AU
2C Albert Street, Manchester, M11 3AU
13 Croston Walk, Manchester, M11 3WD
41 Orme Close, Manchester, M11 3JX
29 Orme Close, Manchester, M11 3JX
173 Rylance Street, Manchester, M11 3NA
2G Albert Street, Manchester, M11 3AU
2E Albert Street, Manchester, M11 3AU
2B Albert Street, Manchester, M11 3AU
11 Croston Walk, Manchester, M11 3WD
43 Orme Close, Manchester, M11 3JX
39 Orme Close, Manchester, M11 3JX
37 Orme Close, Manchester, M11 3JX
31 Orme Close, Manchester, M11 3JX
27 Orme Close, Manchester, M11 3JX
25 Orme Close, Manchester, M11 3JX

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2