

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131104/FH/2021

Date registered valid: 27 August 2021

Proposal: Part retrospective application for the erection of single storey side and rear extensions to form additional living accommodation and storage space

Address: 20 Tartan Street, Manchester, M11 4EG

Ward(s): Clayton & Openshaw Ward

Applicant: Mrs Mirfat Mohamed 20 Tartan Street, Manchester, M11 4EG

Agent (if any):

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 1 September 2021

Expired: 22 September 2021

Neighbour notifications

Printed: 1 September 2021

Expired: 22 September 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 an end quasi-semi detached house in Clayton and Openshaw ward. It is understood that the property had a single storey conservatory to the rear elevation, with three storage sheds in the rear garden, but that over the last 12 months, the sheds had been removed and a further large extension has been added to the existing conservatory in the rear garden, together with a side extension. These works do not have the benefit of planning permission, and were drawn to the attention of the local planning authority in the form of a complaint from a local resident. The applicant has advised that all the structures in the rear garden have now been removed, and that the partly constructed side extension is proposed to be retained.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The dwellinghouse is located within a predominantly residential area.

Description of development

Retrospective consent is sought for the retention of a partly built single storey side extension 2.09m in width and 4.12 m in length, with a pitched roof. The proposed development would also include the erection of a pitched roof rear extension, which would extend across the full width of the rear facade at ground level and would project into the rear garden by a depth of 4m. The rear extension would have a height of 3.58m to the ridge of the pitched roof.

Consultations & Notification Responses

Local Residents – Two letters have been received from local residents advising that they have happy for the applicant to carry out work in the applicant's rear garden.

Environmental Health - have no comments regarding the above application, including ground contamination issues.

Issues

Policy

NPPF

The National Planning Policy Framework (NPPF) was published in 2012 and revised in February 2019, and subsequently in July 2021

The aim of the NPPF is to ensure there is a presumption in favour of sustainable development and that positive planning solutions are found to ensure development is brought forward. The NPPF is a material consideration in planning decisions as outlined in Paragraph 2 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Sustainable development is broadly defined in Paragraph 8 of the NPPF as having three overarching 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.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other documents as outlined below:

Manchester Core Strategy

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

Regard should be given to:

Policy SP1 (Spatial Principles) which sets out 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, amongst these include: 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, and; protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) says that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Of relevance in this instance are: appropriate siting, layout, scale, form, massing, materials and detail. Impact on the surrounding areas should be considered 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, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise. In terms of accessibility, buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. There should be regard for community safety and crime prevention. Adequacy of internal accommodation and external amenity space, including refuse storage and collection and vehicular access and car parking must be assessed. The effects relating to biodiversity, landscape, archaeological or built heritage, including green infrastructure, open space, both public and private must be given due consideration. In addition, flood risk and drainage, including existing or proposed hazardous installations will be assessed.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies:

Large elements of the UDP have been superseded by the Core Strategy. Saved policies DC1.1, DC1.2, DC1.3, DC1.4 and DC1.5 which relate to determining planning applications for extensions to residential properties are of relevance in the consideration of this application.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods.

The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

It advises that high quality design is a vital attribute of successful neighbourhoods. Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted application is for retrospective consent for the retention of a partly built single storey side extension, and the erection of a single storey pitched roof rear extension. The principle of the proposal is considered to be acceptable in that it would allow the adaptation of the existing house to meet changing residential needs. On balance it is considered that the proposal represents a proportionate addition to the existing building to create improved living accommodation. It is therefore considered that the development responds positively to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Residential Amenity

Retrospective approval is sought to retention a partly built single storey side extension 2.09m in width and 4.12 m in length , with a pitched roof, and complete the construction works , together with the erection of a pitched roof rear extension, which would extend across the full width of the rear facade at ground level and would project into the rear garden by a depth of 4m. The side extension would be in close proximity to the side boundary with no.22 Tartan Street , however, the combination of the change in ground levels (no.22 Tartan Street lies at a higher level than the location of the partly built side extension) and the height of the wooden fencing forming the boundary would mean that there would be no loss of privacy . It is , however, proposed to attach a condition to any approval to require the glazing to the eastern elevation of the side extension to be obscurely glazed to safeguard residential amenity. Furthermore, the western elevation to the rear extension would incorporate a significant level of glazing close to the shared boundary with no.18 Tartan Street. Whilst at present there is high wanelap and concrete post fence along this boundary, it is recommended that the glazing forming this elevation is similarly conditioned to be required to be obscurely glazed to safeguard the amenity of both the occupiers and local residents.

The rearward projection and modest sized rear garden, would mean that 5.2m of rear garden would be retained between the proposed rear extension and the southern boundary with nos. 7 and 8 Ashurst Avenue . Furthermore a high close boarded fence is located along the southern boundary which would significantly reduce any potential for overlooking. A condition is, however recommended to ensure that only approved windows are incorporated into the proposed extension. On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

It is considered that the proposal would not detract from the character and appearance of the existing house, due to the context, and siting.

Overall the proposal has been designed to be in keeping with the design and character of the existing house. It would therefore not adversely affect the appearance of the existing dwelling or visual amenity within the area, and is considered to be acceptable.

Height, scale and massing

It is considered that the scale of the development and its massing in relation to the surrounding context would be acceptable.

Siting

The proposed extension would be contained within the existing curtilage of the property. The side extension would be set back from the existing front façade by 1.7m so that proposed extension would be viewed as a subservient feature to the main dwellinghouse. It is considered that the proposed siting of the side and rear extensions would not adversely affect neighbouring houses. It is considered that the development meets the requirements of Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Design and appearance

The single storey extensions would be partly visible to the properties to front, rear, and side of the dwellinghouse, but as the rear garden area is well screened by fencing to all three boundaries, any views would be limited. It is considered that the design and appearance of the proposed extensions are acceptable.

Waste Management

Due to the set back of the side extension refuse bins could be stored at the side of the house. It is however proposed to attach a condition to require the submission of finalised details of storage arrangements for refuse, including elevational details of screening/enclosure of a bin storage area. This is due to the front boundary treatment to this row of properties comprising a railing fence, which means any structures in the front garden or along the side elevation are readily visible in the streetscene,

Car Parking

There are no existing off street parking arrangements associated with this house.

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 been undertaken between officers and the applicant to ensure that appropriate consideration has been given to the impact of the scale and design of the proposed extensions and impacts to residential amenity. In all other respects it is considered that sufficient information was submitted to allow the assessment and determination of the planning

application. The application has been determined in a timely manner and in accordance with the guidance contained within saved policies DC1 of the Manchester Unitary Development Plan and to policies SP1 ,EN1 , and DM1 of the Core Strategy and the National Planning Policy Framework.

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, and plan refs: Existing plan and elevations A101; and Proposed plans and elevations A102 received 27th August 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 (2012).

3.The external facing materials to be used on the extensions hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that 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 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy(2012).

4. Before first occupation the windows in the eastern elevation of the single storey side extension hereby approved 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).

5. Before first occupation the windows in the western side elevation of the single rear extension hereby approved , 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. Within 3 months of the development hereby approved first being occupied, finalised details of storage arrangements for refuse, including elevational details of screening/enclosure of a bin storage area, shall be submitted to, and approved in writing by, the City Council as local planning authority. The bin storage area shall be implemented in accordance with the approved scheme and shall thereafter be so maintained.

Reason - In the interests of residential and visual amenity, and to ensure the safety of the occupiers and future occupiers, pursuant to Core Strategy Development Plan Document Policies DM1 and SP1 and saved Unitary Development Plan Policy DC1.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

27 Tartan Street, Manchester, M11 4FG
29 Tartan Street, Manchester, M11 4FG
9 Ashurst Avenue, Manchester, M11 4FP
23 Tartan Street, Manchester, M11 4FG
8 Ashurst Avenue, Manchester, M11 4FP
7 Ashurst Avenue, Manchester, M11 4FP
10 Ashurst Avenue, Manchester, M11 4FP
25 Tartan Street, Manchester, M11 4FG
21 Tartan Street, Manchester, M11 4FG
24 Tartan Street, Manchester, M11 4EG
22 Tartan Street, Manchester, M11 4EG
18 Tartan Street, Manchester, M11 4EG
16 Tartan Street, Manchester, M11 4EG

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2