

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 130312/FH/2021

**Date registered valid:** 17 May 2021

**Proposal:** Erection of a first floor rear extension and balcony area to form additional living accommodation

**Address:** 150 Waterloo Street, Manchester, M9 8AN

**Ward(s):** Harpurhey Ward

**Applicant:** Mr Vytautas Balciunas 150 Waterloo Street, Manchester, M9 8AN

**Agent (if any):** Mr Talat Zeria HSH Engineering Design Service 428 Cheetham Hill Road, Manchester, M8 9LE

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

**Recommendation:** Approve

**Date of recommendation:** 8 July 2021

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:**

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 18 June 2021      Expired: 25 June 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 inter war semi-detached property facing onto Waterloo Street. The property is a traditional two storey dwellinghouse, and is of an appearance that is typical of properties on the eastern side of this section of Waterloo Street. The property with an existing single storey extension to the rear. The property has amenity space to the front, side and rear .

### Planning History

082735/FH/2007/N1

Erection of a single storey rear extension to create additional living accommodation.  
150 Waterloo Street . Approved 19.06.2007.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

## **Description of area**

The dwellinghouse is located with an area comprising both residential and commercial uses . Directly opposite the property is a residential development comprising houses and apartments built in the last 15 years, together with a paper recycling company located further to the south west . The River Irk lies to the south of the site with an associated area of open space. There are no properties directly to the rear of the dwellinghouse.

## **Description of development**

Consent is sought to erect a first floor rear extension and balcony area to form additional living accommodation. Due to the stepped nature of the original rear façade of the property The rear extension would be 2.7m in depth in part and 4m from the inset element of the rear elevation .

The proposed first floor extension would project no further than the existing single storey extension at the dwellinghouse. The proposed extension would be 3.25m in width, and be offset from the boundary with no.148 Waterloo Street by 2.9m, with this area above the existing ground floor extension being proposed to be used as a balcony (depth 2.7m). A 1.95m obscurely glazed privacy screen is proposed to the boundary of the proposed balcony with no.148 Waterloo Street.

## **Consultations & Notification Responses**

Local residents – No comments received.

## **Issues**

### **POLICIES**

Relevant policies in connection with the proposed development are the National Planning Policy Framework (February 2019) Paragraph 8 - Achieving sustainable development; Manchester Core Strategy Development Plan Document 2012-2027, policy SP1 (Spatial Principles), policy EN1 (Design Principles and Strategic Character Areas) EN14 (Flood Risk) and policy DM1 (Development Management); and saved UDP policies DC1.1, DC1.2 and DC1.3.

### **Principle of development**

It is considered that the development would allow the provision of additional residential accommodation for the occupier of the existing house to meet changing residential needs, and that the proposal would represent a proportionate addition to the existing house. It is therefore considered that the proposed development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

### **Residential Amenity**

The proposed development would comprise a first floor rear extension which would extend part way above the existing extension at ground level. Due to the stepped nature of the original rear façade of the property the existing single storey rear extension projects in part for 2.7m from the rear facade of the house, and 4m from the inset element of the rear elevation, and extends across the full width of the façade.

Due to the location of proposed extension it would be 2.7m in depth in part and 4m from the inset element of the rear elevation, projecting no further than the existing single storey extension at the dwellinghouse. The proposed extension would be 3.25m in width, and be offset from the boundary with no.148 Waterloo Street by 2.9m, with this area above the existing ground floor extension being proposed to be used as a balcony (depth 2.7m). A 1.95m obscurely glazed privacy screen is proposed to the boundary of the proposed balcony with no.148 Waterloo Street. The proposed rearward extension would have a hipped roof. It is considered that the location of the windows within the proposed extension, together with the introduction of a 1.95m high obscure glass panel, for the depth of the proposed balcony area would significantly reduce the potential for any overlooking and loss associated of privacy for the adjoining occupiers, and would be acceptable.

The dwellinghouse has a southeast facing rear garden and as such proposed extension has the potential to reduce the levels of sunlight to the rear garden of no.152 Waterloo Street in the middle of the day. It is considered, however, that although part of the rearward projection would be 4m in depth (due to the inset element of the original house), the rearward projection from the

main rear facade would be limited to 2.7m .and as such any loss of sunlight would not be so significant as to warrant the refusal of planning permission.

#### Design

A juliette balcony arrangement is proposed to the first floor rear extension , which is not a characteristic of the design of houses on the eastern side of Waterloo Road. However, juliette balconies are present on the rear of the recently built apartment block to the western side of Waterloo Street opposite to this dwellinghouse. Furthermore, the location of the juliette balcony to the rear elevation facing onto the open land to the rear between the site in proximity to the River Irk would mean that it would not be readily visible or give rise to impacts to the character of the property to warrant refusal of consent.

#### Flood Risk

The property falls within Flood Zone 2 and is therefore at a risk of flooding from events between the 1 in 1000 (0.1%) and 1 in 100 (1%) year events. However , as no new works at ground level are being proposed a flood risk assessment has not been sought

#### Parking

A driveway is located between nos. 150 and 152 Waterloo Street , but it is not clear which property has the rights to park a vehicle off street. However, the proposed development would not affect the existing arrangement , and the section of Waterloo Street in front of the properties is not subject to any parking restrictions. It is therefore not considered that the proposed development would give rise to parking issues.

#### **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**

The local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. Officers have worked with the applicant in a positive and proactive manner in order to achieve

solutions to problems arising from the consideration of this planning application. In this instance, matters relating to the design of the enclosure of the proposed balcony adjacent to the adjoining house was raised with the agent and revised plans were subsequently submitted and the appropriate conditions have been attached.

**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:

Drawing ref: 01 ( Site layout plan) ; Drawing ref: 02 ( Existing ground and first floor plan); Drawing ref: 03 ( Existing Elevations); Drawing ref: 04 ( Proposed floor plans) received 7<sup>th</sup> may 2021;

Site edged red location plan received 17<sup>th</sup> May 2021

Drawing ref: 5A ( Proposed elevations )received 16<sup>th</sup> June 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 extension hereby permitted shall match those of the existing building 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 Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

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 extension hereby approved other than those shown on drawing ref: Drawing 5A received 16<sup>th</sup> June 2021

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

5. Prior to first occupation of the development hereby approved , the privacy screen shown on Drawing ref: 5A received by email 16<sup>th</sup> June 2021 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. The privacy screen shall be installed prior first occupation of the development hereby approved and be retained in situ thereafter.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).



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

148 Waterloo Street, Crumpsall, Manchester, M9 8AN

152 Waterloo Street, Crumpsall, Manchester, M9 8AN

## **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

Flood Zones Type 2 (low to medium risk) -

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH1