

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130041/FH/2021

Date registered valid: 14 April 2021

Proposal: Erection of a single storey rear extension to form additional living accommodation

Address: 40 Hexagon Close, Manchester, M9 8RN

Ward(s): Harpurhey Ward

Applicant: Master Asim Shahzad 40 Hexagon Close, Manchester, M9 8RN

Agent (if any): Mr Brian Taylor Manchester Services for Independent Living - MSIL
Poland Street Industrial Estate, , Poland Street, Manchester, M4 6AZ

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 June 2021

Application details

Type of application: Full Householder Application

Development type: Minor Other

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 April 2021 Expired: 11 May 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: No

Tree Preservation Order: No

The property that is the subject of this householder application is identified as 40 Hexagon Close within the Harpurhey ward of the City. It is a 2-storey red brick end terraced property. To the front there is a low wooden fence. To the rear there is a further hard surfaced area with a fence and pedestrian gate that leads to the car parking area. There is currently a single storey conservatory extension on the property that is to be demolished to facilitate the proposed extension.

The applicant is proposing to erect a single storey rear extension. The existing conservatory would be demolished and in its place erected an extension with a rearward projection of 6m a width of 4m. There would be 2 windows inserted into the extension one in the eastern elevation of the extension and one in the south elevation. The extension is required to accommodate a down stair bedroom and shower room. These adaptations are required to allow a disabled occupant to remain in the property. There will be a door inserted on the side elevation of the property required to effectively reconfigure the down stairs space, however this intervention does not require planning permission.

Consultations & Notification Responses

Local Residents -were informed no representations have been received

Issues

Policies

Core Strategy Development Plan Document - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, Spatial Principles, - 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 and protect and enhance the built and natural environment. This is discussed below.

Policy DM1, Development Management - This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- o Community safety and crime prevention.
- o Design for health.
- o Adequacy of internal accommodation and external amenity space.
- o Refuse storage and collection.
- o Vehicular access and car parking.
- o Effects relating to biodiversity, landscape, archaeological or built heritage.
- o Green Infrastructure including open space, both public and private.
- o The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- o Flood risk and drainage.
- o Existing or proposed hazardous installations.

Saved UDP Policy - There are no site-specific policies relating to the application site. However, the following city-wide policies are relevant to this proposal: DC1 of the Unitary Development Plan for the City of Manchester.

Issues

Principle of the Proposal - The principle of extending a residential property in an established residential area is considered acceptable in principle. Notwithstanding this, consideration must be given to the potential impact upon existing levels of residential and visual amenity.

Design and Siting - The design and siting of the proposed extension is considered acceptable. The extension will be constructed in materials to match the existing host property, the extension would project further rearward than the existing conservatory however is still acceptable in terms of size and sympathetic in appearance.

Residential Amenity - It is not considered that the proposal would have a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties. The proposed extension, in terms of its rearward projection, would increase built form along the shared common boundary with no 42 Hexagon Close. However, the majority of the elevation of the extension would be shrouded by the robust fence dividing the neighbouring properties, also the rear extension has been pulled away from the boundary of the adjoining property. Due to the size and orientation of the extension there would be a small element of shadowing during certain parts of the day however, not enough to warrant refusal of the proposal. There will be one obscurely glazed window that overlooks the garden and one side window that overlooks the side garden and beyond the garden fence a car park area, these afford no view into or out of onto neighbouring properties. The proposal is therefore considered acceptable in terms of residential amenity. Notwithstanding any other matter raised consideration has been given that the adaption of the existing dwelling house would allow for the disabled occupant to remain living in the property and consideration has been given in respect that up to a 6 metre rearward projection would be allowed under the larger homes scheme subject to compliance with the legislation and therefore, taking into account all of the above, the proposal is acceptable.

Visual Amenity - It is not considered that the proposed extension will have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

Car Parking - The parking provision would not be affected as the proposal is to the rear of the property.

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:

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. Further information was sought from officers during the application and amendments were made to the proposal.

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 Elevations, Proposed Floor Plans, the Location Plan and the Design and Access Statement, stamped as received on the 14 April 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 - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) 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 policy EN18 of the Manchester Core Strategy (2012).

5) 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 the approved drawing titled, Proposed Elevations and Proposed Floor Plans, stamped as received on the 14 April 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Prior to the first occupation of the development, the ground floor bathroom window shown on the drawing titled, Proposed Elevations and Proposed Floor Plans, stamped as received on the

14 April 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.

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 Core Strategy.

Appendix 1 – List of consultees & neighbours notified

19 Old School Drive, Manchester, M9 8DR
17 Old School Drive, Manchester, M9 8DR
15 Old School Drive, Manchester, M9 8DR
56 Lawson Street, Manchester, M9 8DP
54 Lawson Street, Manchester, M9 8DP
52 Lawson Street, Manchester, M9 8DP
50 Lawson Street, Manchester, M9 8DP
58 Lawson Street, Manchester, M9 8DP
36 Hexagon Close, Manchester, M9 8RN
38 Hexagon Close, Manchester, M9 8RN
42 Hexagon Close, Manchester, M9 8RN
48 Lawson Street, Manchester, M9 8DP

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
Area Team Boundary - Name: NORTH1