

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133371/FH/2022

Date registered valid: 11 April 2022

Proposal: Erection of a combined single storey rear extension, to both properties, to form additional living accommodation

Address: 3-5 Welby Street, Manchester, M13 0EL

Ward(s): Ardwick Ward

Applicant: Mr Jakub Gashi 3-5 Welby Street, Manchester, M13 0EL

Agent (if any): Mr Ahmed Choudhry NADA Architects 169 Kingsway, Burnage, Manchester, M19 2ND

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 31 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 April 2022

Standard consultations:

Printed: 14 April 2022 Expired: 5 May 2022

Neighbour notifications

Printed: 14 April 2022 Expired: 5 May 2022

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

Nos. 3 and 5 Welby Street are traditional red brick mid-terraced dwellinghouses with a rear yard area, and with the frontage of the dwellinghouses to the back of pavement. Both properties have 2 storey rear outriggers, although no. 5 has an existing single storey, lean-to outrigger measuring approximately, (depth 1737mm x width 1012mm) projecting off its 2 storey outrigger. It is sited along the common shared boundary with no.7 Welby Street, whilst maintaining a separation distance of approximately 3543mm from the common shared boundary with no.3 Welby Street. An alleyway runs immediately behind the rear yard boundary wall. The immediate area around the site is predominantly residential, characterised by similar red brick terraced housing. The immediate site is predominantly a residential area where there are a number of properties in C4 use and student residential blocks. The application site lies to the north of the Victoria Park Conservation Area.

Description of development

The submitted proposal relates to erection of a combined single storey rear extension to both nos. 3 and 5 Welby Street, to form additional living accommodation.

The proposal would involve in-filling the existing space along the existing 2 storey rear outriggers. The extensions would not project beyond the rear building line of the existing 2 storey rear outriggers and would measure approximately (combined width 3075mm x depth 2435mm x maximum height 3529mm). The extensions would have a lean-to roof configuration, with a door in the rear elevation of no.5, and a window in the rear elevation of no.3 to serve a proposed shower room, including a window in each of the roof slopes.

The proposal would also involve an elevational alteration, which seeks to introduce a door along the rear elevation of no.3 to serve the existing kitchen; including internal alterations involving reconfiguration of the existing kitchen to create a shower room. In terms of external facing materials, it is intended to match with the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. An email objecting to the proposed development on the basis that they believe too much demolition work to be done in the area, and that their health would be affected by the dust and debris from the work. They also raise concerns about reduced light, which they feel would affect their property and also their view generally.

2. Environmental Health

Recommendation conditions are attached relating to construction hours and refuse storage .

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 principles 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

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 (combined single storey rear extensions, to both nos. 3 and 5 Welby Street) - In light of the existing context and due to the fact that the proposed development

would be single storey, and it would be contained within the curtilage of the application site, it is considered that the proposal would be acceptable in this location in this instance. In addition, the proposed rearward projection at approximately 3299mm is within the guidance set out in saved policy DC1 regarding rearward extensions. Moreover, the extension aims to adapt the property to meet the needs of a disabled occupier at the property. It is however recommended that in addition to the standard conditions, further conditions are attached limiting further window and door openings and requiring the proposed bathroom window along the front elevation to be obscurely glazed. This is considered necessary to safeguard privacy and in the interest of residential amenity. For these reasons and on balance, the proposed extension is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or privacy impacts.

Furthermore, whilst the concerns raised by a local resident in relation to light have been noted the scheme would involve the infilling of the gap between the two storey outriggers with a single storey extension and would not project rearward beyond the existing outrigger. It is therefore considered any reduction of light to neighbouring residents would not be significant and would not warrant the refusal of the proposed development.

Impact of works (design and appearance) - It is not considered that the proposal would unduly harm the character of the building or the general area, nor would it be adversely prominent in terms of appearance. It is also intended to match materials with that of the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (waste management) - The existing arrangement would not be affected. It is therefore not proposed to attach a refuse condition to any approval.

Impact of works (car parking) – The property has no off street parking.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the 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

The local Planning Authority in its decision has had due regard to the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. 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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 30 March 2022.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 30 March 2022.
- o Existing GA SITE PLAN & ELEVATIONS & FLOOR PLAN, dwg no (01)001, revision PL0, received by the City Council as the Local Planning Authority on 30 March 2022.
- o Proposed GA SITE PLAN & ELEVATIONS & FLOOR PLAN, dwg no (02)001, revision PL0, received by the City Council as the Local Planning Authority on 30 March 2022.

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 external facing materials to be used on the extensions hereby permitted shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

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 stated on: Proposed GA SITE PLAN & ELEVATIONS & FLOOR PLAN, dwg no (02)001, revision PL0, received by the City Council as the Local Planning Authority on 30 March 2022.

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

5) Before first occupation of the development thereby approved, the proposed window along the rear elevation of no.3 Welby Street to serve the "shower room", and as shown on: Proposed GA SITE PLAN & ELEVATIONS & FLOOR PLAN, dwg no (02)001, revision PL0, received by the City Council as the Local Planning Authority on 30 March 2022, shall be opaquely 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 - In the interests of privacy, pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

Informative

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

Appendix 1 – List of consultees & neighbours notified

Environmental Health

6 Welby Street, Manchester, M13 0EL
2 Denham Street, Manchester, M13 0FJ
7 Welby Street, Manchester, M13 0EL
5 Welby Street, Manchester, M13 0EL
8 Denham Street, Manchester, M13 0FJ
4 Denham Street, Manchester, M13 0FJ
1 Welby Street, Manchester, M13 0EL
6 Denham Street, Manchester, M13 0FJ
8 Welby Street, Manchester, M13 0EL
4 Welby Street, Manchester, M13 0EL
2 Welby Street, Manchester, M13 0EL

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
Area Team Boundary - Name: NORTH2