MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130087/FO/2021
Date registered valid:	27 April 2021
Proposal:	Erection of single storey rear extension to existing dental practice
Address:	Pearl Smiles Dental Practice , 3 Fog Lane, Manchester, M20 6AX
Ward(s):	Didsbury East Ward
Applicant:	Dr Nilesh Bhavsar, Pearl Smile Manchester Ltd 3 Fog Lane, Didsbury, Manchester, M20 6AX
Agent (if any):	Mr Peter Littlewood, Peter Littlewood Associates Ltd 1 Brock Drive, Cheadle Hulme, Cheadle , SK8 6LP
Case officer:	Melanie Tann Tel: 0161 234 4538 Email: melanie.tann@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**21st June 2021**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:
Printed: 4 May 2021 Expired: 25 May 2021

Neighbour notifications
Printed: 4 May 2021 Expired: 25 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

The property is a semi-detached house that has previously been converted for use as a dental surgery

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in character

Description of development

Erection of single storey rear extension to existing dental practice

Consultations & Notification Responses

Neighbours – no comments received

Environmental Health – hours acceptable as applied for

Highways - The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway. Pedestrian access will remain as existing which is acceptable to Highways. Refuse servicing will continue as existing, bins will be stored within the sites curtilage and presented to the highway on waste collection days. The applicant should be advised that all boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 600mm upwards. All gated accesses will need to provide inward opening gates to ensure they do not impact on the

adopted footway or highway. The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Contact Manchester 0161 234 5004.

Policies

Unitary Development Plan

Saved DC26.1 The Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:
a. the effect of new development proposals which are likely to be generators of noise; and
b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.
DC26.2 New noise-sensitive developments (including large-scale changes of use of existing land or buildings), such as housing, schools, hospitals or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the Council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.
DC26.3 Developments likely to result in unacceptably high levels of noises will not be permitted:
a. in residential areas;
b. near schools, hospitals, nursing homes and similar institutions;
c. near open land used frequently for recreational purposes.
DC26.4 Where the Council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following:
a. engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers;
b. layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it; and screening by natural barriers or other buildings or non-critical rooms within a building; and
c. administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all of these factors will be considered appropriate for inclusion in conditions on any planning permission.
DC26.5 The Council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.
DC26.6 Exceptions to the general policy will be considered on their merits. The Council accept, as an example, that the occasional use of outdoor facilities such as sports stadia for concerts can be acceptable in certain circumstances. Any such proposal will be considered in the light of consultation with local residents and others, and the practicability of appropriate conditions on any approval.

The 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.

Policy SP1 identifies 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 including:-
- 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.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

National Planning Policy Framework (NPPF) - 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 re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, the NPPF states that `at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh

the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

Issues

Principle - The proposal seeks to extend an existing dental practice by adding a single-storey rear extension.

The proposed works are considered to be acceptable in principle. Matters which require consideration are whether the extension would be acceptable in visual amenity terms and any impacts the extension may have on the neighbouring residential properties.

Visual amenity/residential amenity – The proposed single-storey rear extension would have a rewards projection of approximately 2.04 metres and would not quite run the full width of the rear of the property. It would have stepped access. The proposed extension would abut the rear boundary and shared side boundary with no. 5 Fog Lane. The proposed rear extension would have a mono-pitched roof.

It should be noted that the ground-level to the rear is higher and therefore, the proposal would also extend at basement level as the ground-floor is raised.

The proposed extension would be to the north-east elevation and given the limited rearward projection and height of the proposal it is not considered that it would create any undue loss of light to neighbouring occupiers.

This is an existing dental practice and given the limited scope of the works proposed it is not considered that the proposal would create any significant increase in numbers of patients being seen and associated comings and goings. The proposal should not create any undue increased loss of residential amenity to neighbouring occupiers in terms of increased noise and disturbance. The hours proposed are considered to be acceptable and would not be anti-social.

The design and choice of materials for the proposal reflect the existing house and neighbouring properties with a mix of modern and traditional materials. This is considered to be acceptable in this location and is not considered to be detrimental to the character of the property and would not form an incongruous feature within the street scene.

Conclusion - Overall the proposal will make for improved facilities at the dental practice and the proposal would have limited visibility within the street scene and would not form an incongruous feature. Therefore, the proposal is considered to comply with saved policy DC26 of the UDP and policies SP1 and DM1 of the Core Strategy.

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 polices 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.

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 floor plans 219/03 B, stamped as received 27th April 2021;
Proposed elevations 219/04 B, stamped as received 27th April 2021;
Proposed side elevation 219/06, stamped as received 27th 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 - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

4) The premises shall not be open outside the following hours:-
Monday to Friday 8am to 5:30pm;

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

3 Knightsbridge Mews, Manchester, M20 6GX
2 Knightsbridge Mews, Manchester, M20 6GX
14 Fog Lane, Manchester, M20 6AL
1A Fairfax Avenue, Manchester, M20 6AJ
1B Fairfax Avenue, Manchester, M20 6AJ
3A Fog Lane, Manchester, M20 6AX
1 Knightsbridge Mews, Manchester, M20 6GX
12 Fog Lane, Manchester, M20 6AL
10 Fog Lane, Manchester, M20 6AL
2 Fairfax Avenue, Manchester, M20 6AJ
5 Fog Lane, Manchester, M20 6AX
1 Fog Lane, Manchester, M20 6AT

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
Area Team Boundary - Name: SOUTH