

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126202/FH/2020

Date registered valid: 19 February 2020

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

Address: 51 Bennett Street, Manchester, M12 5ND

Ward(s): Ardwick Ward

Applicant: Mr Aram Zeki 51 Bennett Street, Manchester, M12 5ND

Agent (if any): Mr Saadoun Jawad Homestead SDS Ltd 3 Alliot Walk, Manchester, M15 5EW

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

Recommendation: Approve

Date of recommendation: 3 August 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 26 February 2020 Expired: 18 March 2020

Neighbour notifications

Printed: 26 February 2020 Expired: 18 March 2020

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

The application relates to a new build semi-detached dwellinghouse, situated on a corner plot position at the junction of Bennett Street with Wigley Street in Ardwick ward. The application property benefits from amenity space to the front, side and rear elevations, including off-street car parking at the rear of the property with access from Wigley Street, along with all round boundary treatment, in-part approximately 1.8 metres along the rear and Wigley Street elevations. Along the roof plane of the application property are solar panels.

Description of development

The initially submitted scheme has been slightly revised in the interest of crime and safety and the massing impact from the proposed rearward projection. Clarification was also sought on the proposed depth of garden space that would remain. Revised plans were subsequently submitted, (Email from agent dated 23/07/2020 and attached plans and documents): Existing and Proposed Floor Plans and Elevations; and Drawing Number HSDS/2001 - 01, REV B (received 03/08/2020).

The revised plans would consist of:

- The initially proposed window along the side elevation being omitted.
- The proposed rearward projection has been reduced to 3650mm.
- It has been confirmed that the depth of garden space that would remain is 5950mm.

The proposed single storey rear extension, (Length 3650mm x Width 4850mm x Height 2800mm, would have a flat roof design which will incorporate a roof lantern along the roof elevation. A gap of 150mm would be left between the side elevation and the common boundary with no. 53 Bennett Street. Glazed French doors are proposed along the rear elevation facing the garden. In terms of materials, it is intended to match with existing.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Flood Risk Management

Based on the provided evidence, we recommend no drainage condition for this application. The drainage of the site can be approved and we suggest the following informative to be included within the Decision Notice:

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

Note: Corn Brook a culverted watercourse runs along the northern boundary. If this watercourse is encountered as part of the construction of the extension the Lead Local Flood Authority should be contacted immediately.

3. 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.

In-curtilage parking for two vehicles will remain. It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Highways have no objections to the proposed development.

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.

4. Environmental Health

The development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building, as the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas.

POLICIES

The following policies are considered relevant in the consideration of this application.

1. The National Planning Policy Framework (NPPF), (February 2019)

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

- 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.

- Policy DC1 for Residential Extensions is still considered of relevance.

4. 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 document advises that high quality design is a vital attribute of successful neighbourhoods.
- 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

As previously advised, the initially submitted scheme has been slightly revised in the interest of crime and safety and the massing impact from the proposed rearward projection. Clarification was also sought on the proposed depth of garden space that would remain. Revised plans were subsequently submitted - Existing and Proposed Floor Plans and Elevations, Drawing Number HSDS/2001 - 01, REV B.

The revised plans would consist of:

- The initially proposed window along the side elevation being omitted.
- The proposed rearward projection has been reduced to 3650mm.
- It has been confirmed that the depth of garden space that would remain is 5950mm.

The proposed single storey rear extension, (Length 3650mm x Width 4850mm x Height 2800mm, would have a flat roof design which will incorporate a roof lantern along the roof elevation. A gap of 150mm would be left between the side elevation and the common boundary with no. 53 Bennett Street. Glazed French doors are proposed along the rear elevation facing the garden. In terms of materials, it is intended to match with existing.

Principle of development

The principle of the proposal in providing additional residential accommodation is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Height, scale and massing

In terms of height, scale and massing; given the revisions to the initial plan resulting in a reduction in the proposed rearward projection, and due to the fact that the proposal would be single storey rear, it is considered to be proportionate to the original dwellinghouse. In addition, a proposed gap of 150mm would be left between the side elevation of the proposed extension and the common boundary with no. 53 Bennett Street. The proposed flat roof design which would incorporate a window/roof lantern into the roof elevation is also considered to mitigate any adverse impacts from the proposed height, scale and massing. The proposed extension would also be substantially screened by boundary treatment approximately 1.8 metres in height along the sides and rear elevations. Therefore on balance, it is considered that the proposed extension would create no significant adverse impact in terms of the proposed height, scale and massing on the amenities of the neighbouring occupiers, specifically those at no. 53 Bennett Street, nos. 16 - 26 Hayfield Close and nos. 2 - 4 Morton Hall Road; pursuant to the requirements of Core Strategy policies EN1, DM1 and SP1.

Siting

In terms of siting, the proposed single storey rear extension would be stepped away 150mm from the common boundary with no. 53 Bennett Street and would be flush with the building line of the original house along the Wigley Street elevation, and the existing access along this

location would be unaffected. The overall maximum rearward projection would be 3650m, which falls within the guidelines of saved policy DC1 for rearward extensions.

Given the corner plot position of the application site, the proposal would be in-part visible along the street scene, however given that it would be substantially screened behind boundary treatment, approximately 1.8 metres high, it is therefore not considered that the proposal would adversely affect the street scene or neighbouring houses. There is also significant separation from those properties along the Wigley Street/Hayfield Close elevations, and the rear of the application site. On balance, it is therefore considered that the development meets the requirements of Core Strategy policies EN1, DM1 and SP1 and saved UDP policy DC1.

Residential amenity

Given the revisions to the initial plan, it is considered that the proposed single storey rear extension would allow the adaptation of the existing dwelling to meet the changing needs of the occupiers, and it is not considered that the development would result in undue overlooking or loss of privacy, and the proposed development would not affect the relationship of the site for configuration of neighbouring houses. In addition, a further condition has been recommended to ensure that only approved windows are incorporated into the proposed extension, and proposed materials are in keeping. On this basis, it is considered that the development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

Design and appearance

Given the revisions to the initial plan, it is not considered that the proposed development would unduly harm the character of the building or the general area. In addition, it is intended to match material with those of the existing house; however, a materials condition has been attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Waste Management

The existing waste management arrangements would be unaffected. Bins can still be stored within curtilage, sufficiently screened behind boundary treatment and brought to the back of pavement on collection days; pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

Car Parking / Highways issues

The existing arrangement would be unaffected by the proposal, pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

Location of Culvert

The Corn Brook Culvert runs in an east –west route lying within the rear garden areas of nos. 2-8 Morton Hall Road. As part of the reserved matters planning approval ref: 114678/MO/2016, condition no.33 required that *'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 garages, sheds or extensions shall be erected other than those expressly authorised by this permission in respect of plot nos. 65-72 (all)'*.

These plots are now known as nos. 51- 57 Bennett Street and 2-8 Morton Hall Road. This is why a planning application has been required to be submitted for the erection of a single storey rear extension to no. 51 Bennett Street. The removal of permitted development rights in relation to garages, sheds and extensions was to ensure that an easement of 4m to either side of the culvert could be safeguarded and to enable access for the maintenance of the culvert should it be required in the future.

In this case the proposed extension would not encroach within the area covered by the required easement. However, an informative is proposed to be attached to any approval to ensure that the applicant is made aware that the Corn Brook culverted watercourse runs along the northern boundary, and that if this watercourse is encountered as part of the construction of the extension the Lead Local Flood Authority should be contacted immediately

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. In this instance, the initially submitted scheme has been slightly revised in the interest of crime and safety and the massing impact from the proposed rearward projection. Clarification was also sought on the proposed depth of garden space that would remain. Revised plans were

subsequently submitted, (Email from agent dated 23/07/2020 and attached plans and documents: Existing and Proposed Floor Plans and Elevations; and Drawing Number HSDS/2001 - 01, REV B received 03/08/2020. The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations.

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, Scale: 1:1250, paper size: A4, Reference No.: HSDS/2001 - 02 Rev A, received by the City Council as the Local Planning Authority on 18 February 2020.
- Location Plan, Scale: 1:500, paper size: A4, Reference No.: HSDS/2001-03 Rev A, received by the City Council as the Local Planning Authority on 19 February 2020.
- Supporting Information CIL QUESTIONS, received by the City Council as the Local Planning Authority on 12 February 2020.
- Email from agent, received by the City Council as the Local Planning Authority on 23 July 2020.
- Site Plan, Existing and Proposed, Drawing Number HSDS/2001 - 04, REV A, received by the City Council as the Local Planning Authority on 23 July 2020.
- Existing and Proposed Floor Plans and Elevations, Drawing Number HSDS/2001 - 01, REV A, received by the City Council as the Local Planning Authority on 3 August 2020.

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) Notwithstanding the materials annotated on the elevation plans, prior to erection of the above ground works, samples of the external facing materials to be used on the extension hereby permitted shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

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.

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:

- Proposed Site Plan, Drawing Number HSDS/2001 - 04, REV A, received by the City Council as the Local Planning Authority on 23 July 2020.
- Floor Plans and Elevations, Drawing Number HSDS/2001 - 01, REV B, received by the City Council as the Local Planning Authority on 3 August 2020.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

5) The development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Before above ground works, appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as Local Planning Authority for the installation of a proprietary gas protection membrane. The approved scheme shall be implemented as part of development and retained and maintained in situ.

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 and a scheme is required to alleviate any possibility of landfill gas ingress to the Building pursuant to policies DM1 and EN18 of the Core Strategy.

6) 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 part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Informatives

1) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN17 of the Core Strategy.

Note: Corn Brook a culverted watercourse runs along the northern boundary. If this watercourse is encountered as part of the construction of the extension the Lead Local Flood Authority should be contacted immediately.

2) 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
MCC Flood Risk Management

27 Wigley Street, Manchester, M12 5BA
42C Bennett Street, Manchester, M12 5ND
42B Bennett Street, Manchester, M12 5ND
42A Bennett Street, Manchester, M12 5ND
53 Bennett Street, Manchester, M12 5ND
55 Bennett Street, Manchester, M12 5ND
57 Bennett Street, Manchester, M12 5ND
8 Morton Hall Road, Manchester, M12 5UG
6 Morton Hall Road, Manchester, M12 5UG
4 Morton Hall Road, Manchester, M12 5UG
2 Morton Hall Road, Manchester, M12 5UG
16 Hayfield Close, Manchester, M12 5DB
44 Bennett Street, Manchester, M12 5ND
2 St Benedicts Avenue, Manchester, M12 5LG
26 Hayfield Close, Manchester, M12 5DB
24 Hayfield Close, Manchester, M12 5DB
22 Hayfield Close, Manchester, M12 5DB
20 Hayfield Close, Manchester, M12 5DB
18 Hayfield Close, Manchester, M12 5DB
25 Wigley Street, Manchester, M12 5BA
42 Bennett Street, Manchester, M12 5ND

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH2