

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142173/FH/2025
Date registered valid: 17 February 2025
Proposal: Erection of two storey rear extension to form additional living accommodation
Address: 39 Buller Road, Manchester, M13 0PP
Ward(s): Longsight Ward

Applicant: Mr Mansoor & Tanvir Jilani
Agent (if any): Mr Sakib Ahmed, CGI Works
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 3 April 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 February 2025 Expired: 14 March 2025

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 application relates to a two-storey semi-detached dwellinghouse in the Longsight ward of Manchester. The dwellinghouse fronts onto Buller Road, with a small garden area to the front and a small yard to the rear, with a single storey garage structure which extends across the yard areas of nos. 37 and 39 Buller Road.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The local area is predominantly residential, but with a masjid located directly to the west of the dwellinghouse, and a parade of commercial premises to the northwest.

Description of development

Consent is sought for the erection of a two-storey rear extension. The proposed development would involve the development of a two-storey extension which would project by 4m rearwards and would extend across the whole of the rear façade of no.39 Buller Road.

The accommodation proposed at ground floor is related to a bedroom, utility room and a toilet, with the first floor related to the extension of an existing bedroom and creation of an additional bedroom. The scheme would also involve the incorporation of a window at first floor level in the side gable of the existing house to serve a bedroom.

Consultations & Notification Responses

Local residents and local community facilities – No comments received.

POLICY

National Planning Policy Framework (NPPF), (December 2024, updated February 2025).

The central theme to the revised NPPF is to achieve sustainable development. The government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role. The Framework underlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. Relevant to this application is: • Chapter 12: Achieving well-designed places.

Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications and therefore be given significant weight in the planning balance. The following policy is considered to be relevant: • JP-P1 - Sustainable Places

The Manchester Core Strategy

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies are considered to be relevant to the proposal

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)

Saved Unitary Development Plan (UDP)(1995) policies

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

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

Issues

Principle of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Notwithstanding these factors, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

The proposed development would involve the development of a two-storey extension which would project by 4m rearwards and would extend across the whole of the rear façade of no.39 Buller Road.

The accommodation proposed at ground floor is related to a bedroom, utility room and a toilet, with the first floor related to the extension of an existing bedroom and creation of an additional bedroom.

The scheme would also involve the incorporation of a window at first floor level in the side gable of the existing house to serve a bedroom.

At 4m in depth the proposed development would extend beyond the 3.65m referenced in policy DC1.3, however, the documentation accompanying this application indicates that the extension

is needed to provide accommodation for a disabled person. Saved policy DC1.5, states that the Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

In this instance the existing dwelling has a masjid to the west, and the adjoining dwellinghouse is occupied by the same family. Consideration has been had in regard to a 4m rearward two storey extension as proposed and the adjacent properties. It is considered that the reduced height of the roof to the proposed extension, in association with the siting of the extension would not give rise to significantly impacts in respect of massing and overshadowing to neighbouring occupiers, given the existing situation.

In regard to overlooking, the masjid has high level windows at ground floor level, with a blank façade at first floor on the eastern elevation. It is therefore proposed that the bedroom window at first floor level in the side gable of the existing house be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent a to a height of 1.7 above internal floor level and remain so in perpetuity. Furthermore, whilst the bedroom window at ground floor level on the rear elevation of the proposed two storey rear extension would be screened by the existing garage and high brick walls to the yard boundary, the proposed first bedroom windows would only be 12m from the windows in the two storey rear outrigger of nos. 58 and 60 Campbell Road. It is therefore proposed that these windows are also subject to a condition to require that they are be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent a to a height of 1.7 above internal floor level and retained thereafter.

Therefore, for these reasons, and on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location in this instance, pursuant with The Manchester Core Strategy Development Plan Document Policies EN1, SP1 and DM1 and saved Policy DC1 of the Unitary Development Plan.

Design and appearance

The proposed development is considered to be acceptable in terms of design and appearance, and would not unduly harm the character of the building or the general area. It is also intended to use matching materials, which is considered acceptable; pursuant with the requirements of Core Strategy policies DM1 and EN1 and saved UDP policy DC1.

Waste management

The bins appear to be currently stored along the side gable of the house. The existing arrangements would be unaffected.

Car parking

The existing arrangements for parking are on street.

Conclusions

For the reasons outlined above, and on balance, and subject to planning conditions, it is considered that the proposed development accords with The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and policy JP-P1 - Sustainable development of Places for Everyone (2022 - 2039).

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

It is considered that sufficient information was submitted to allow the assessment and determination of the planning application. The application has been determined in a timely manner and in accordance with the guidance contained within saved policies DC1 of the Manchester Unitary Development Plan and to policies SP1 ,EN1 , and DM1 of the Core Strategy and the National Planning Policy Framework.

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 with application site edged in red plan ref: ref: 031224/24.01 received by the City Council as the Local Planning Authority on 17th February 2025.
- Location Plan with application site edged in red plan ref: ref: 031224/24.02 received by the City Council as the Local Planning Authority on 17th February 2025.
- Proposed ground and first floor plan ref: 031224/24.06 received by the City Council as the Local Planning Authority on 17th February 2025.

- Proposed elevations plan ref: 031224/24.07 received by the City Council as the Local Planning Authority on 17th February 2025.

Content of email from planning agent dated 3rd April 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the existing outbuilding in terms of type, colour, texture, scale, pointing and coursing and as stated on the approved drawings.

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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 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: Proposed ground and first floor plan ref: 031224/24.06 and Proposed elevations plan ref: 031224/24.07 received 17th February 2025.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) Before first occupation of the development hereby approved, the proposed window within the side elevation of the existing dwellinghouse, and the bedroom windows at first floor level in the rear elevation of the two storey extension hereby approved, as shown on: Proposed ground and first floor plan ref: 031224/24.06 and Proposed elevations plan ref: 031224/24.07 received 17th February 2025, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent to a height of 1.7 above internal floor level and shall remain so in perpetuity.

Reason - In the interest of privacy and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

58 Campbell Road, Manchester, M13 0PR

Makki Masjid, 125 Beresford Road, Manchester, M13 0TA

60 Campbell Road, Manchester, M13 0PR

37 Buller Road, Manchester, M13 0PP

38 Buller Road, Manchester, M13 0PP

56 Campbell Road, Manchester, M13 0PR

40 Buller Road, Manchester, M13 0PP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Area Team Boundary - Name: NORTH AREA