

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141820/FH/2024

Date registered valid: 27 December 2024

Proposal: Erection of part single, part two storey extension to rear, single storey side and installation of dormer to rear following hip to gable conversion, and installation of 1.4 metre high boundary treatment to front boundary and 1.4 metre high and 1.8 metre high boundary treatment to side boundary, with installation of 1.8 metre high automatic sliding gates.

Address: 41 St James Road, Manchester, M7 4XP

Ward(s): Cheetham Ward

Applicant: Mrs Akhtar

Agent (if any): Mr M Ahmed M1 Architecture Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 April 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 January 2025

Standard consultations:

Printed: 10 January 2025 Expired: 31 January 2025

Neighbour notifications

Printed: 10 January 2025 Expired: 31 January 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 41 St James Road within the north Manchester ward of Cheetham. The application site relates to a semi-detached, two storey dwellinghouse constructed of red brick, characterised by box bay windows, white timber gable, UVC front porch, hipped roof, and large conservatory/ part brick rear extension sited close to the junction of St James Road and Hacking Street. Boundary treatment is evident to the front and side of the boundary in the form of a low red brick wall with timber fence panels, although boundary treatment further south of the side boundary has been removed. The external amenity space consists of paved hardstanding.

Description of area

The surrounding area is residential in nature, with the Salford City Council boundary sited to the north of St James Road.

Description of development

The current application seeks consent for the erection of part single, part two storey extension to rear, single storey side and installation of dormer to rear following hip to gable conversion, and installation of 1.4 metre high boundary treatment to front boundary and 1.4 metre high and

1.8 metre high boundary treatment to side boundary, with installation of 1.8 metre high automatic sliding gates.

The existing conservatory would be demolished to allow the proposal to be built. The existing kitchen would be retained. At ground floor level, a single storey side extension would be erected which would wrap into the existing rear extension. The side extension would have a width of 3.2 metres and the rear extension would project approximately 3.5 metres beyond the original rear building line of the property. The part two storey rear extension would sit above the existing rear extension, be set 0.9 metres off the shared boundary with the adjoining neighbour and have a projection of 2 metres. The part two storey rear extension would have a valley roof form.

A hip to gable conversion is proposed and would result in the continuation of roof form with a ridge height to match that of the highest point of the roof as existing. This would allow space for the erection of a rear roof dormer. The rear roof dormer would have an approximate volume of 12 cubic metres.

The proposal would involve the insertion of one window within the primary elevation, two windows within the side elevation and a door and four windows within the rear elevation. Three skylights would be inserted in the existing ground floor rear extension.

The proposal would also involve the installation of 1.4 metre high boundary treatment to front boundary and 1.4 metre high and 1.8 metre high boundary treatment to side boundary, with installation of 1.8 metre high automatic sliding gates (see Figure 1 and 2).



Figure 1, Existing boundary treatment at the site

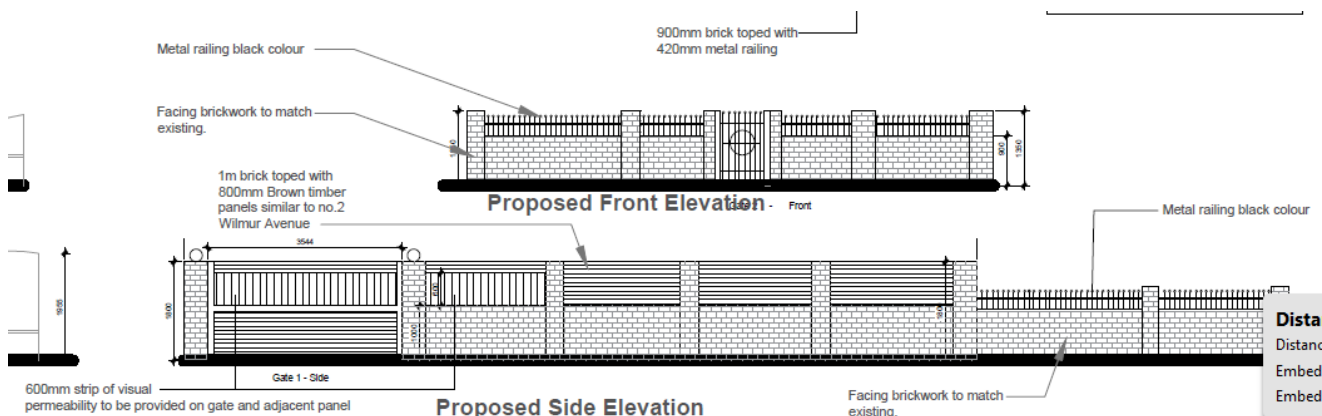


Figure 2, Proposed boundary treatment at the site

Materials to be used for the extension works are listed as:

- double glazed upvc windows and doors in grey (different to existing white colouration)
- red brick facing brickwork to match existing
- tiles to match existing for extension and rear roof dormer
- grey roof overing to dormer flat roof.

Materials to be used for the boundary treatment works are listed as:

- red brick walls with metal railings in a black colouration
- 800mm brown timber panels (similar to no.2 Wilmur Avenue)
- sliding gate with 600mm strip of visual permeability to be provided on gate and adjacent panel (see image below as provided for the agent- figure 3).



Figure 3, Proposed gate

The application has been declared as a disabled access scheme and supporting medical information was supplied to support the applicant's position.

Negotiations during the Course of the Application

An email was sent to the agent on 24 January 2025 stating that the introduction of the front dormer could not be supported. The LPA's concern with the introduction of the front dormer element was expressed to the agent at pre-application stage. Within the application form, reference is made to a new on-site car parking space to be created to the front of the property where dropped kerbs are present. Highway Services requested information on the proposed access as no plans were provided for such element of works. Further information was requested in relation to materials.

The agent responded on 8 February 2025 with revised plans showing the front dormer removed. The agent requested the boundary treatment be included within the current submission.

The LPA made the decision that the boundary treatment could be included within the current application. A scheme was presented and a short re-notification was undertaken to neighbours and consultees.

Further information was supplied in relation to the proposed materials to be used across the site.

Following sight of further Highway Services comments, the agent was asked to make further changes to the proposed boundary treatment. The latest version of the boundary treatment is assessed within this report.

Planning History

140795/LP/2024- Erection of boundary wall, gate and fence with a maximum height of 1710mm and a minimum height of 1370mm.
Refused 22 October 2024.

140160/FH/2024- Erection of two storey side and rear extension with installation of rear dormer, creating new gates and boundary treatment to a height of 1.8m.
Withdrawn 23 July 2024.

067028/FH/NORTH1/03- Single storey rear extension.
Approved 25 March 2003.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Highway Services

Highway Services were consulted and the following comments of note was received:
It is noted from the application form that a new on-site car parking space is to be created to the front of the property where dropped kerbs are present.

Highways request that a dimensioned plan is provided to demonstrate the proposed onsite car parking space.

It is unclear whether there will be changes to the boundary treatment associated with the property.

Further information on any changes to the boundary treatment is requested and should be demonstrated on a dimensioned plan.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway.

The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to:
highwaylicences@manchester.gov.uk

The applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Further Highway Services comments dated 13 March 2025:

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

PARKING AND ACCESS

1no. car parking space is proposed within the site's curtilage.

Vehicular access to the car parking space is gained from Hacking Street, with dropped kerb present at this location.

It is noted that the dimension of the car parking space is 3.0m x 6.0m in line with MCC guidelines. This is acceptable in principle from a Highways perspective.

BOUNDARY TREATMENT:

The following new boundary treatment is proposed at the site:

- o A 1800mm high boundary treatment at the side elevation;
- o A 1350mm high boundary treatment at the side elevation; and
- o A 1350mm high boundary treatment at front elevation.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

Highways recommend that the proposed sliding gate is visually permeable.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

REFUSE AND SERVICING:

Clarification is sought on the location of the refuse bins associated with the site. This should be located within the site curtilage.

CONSTRUCTION MANAGEMENT:

A Construction Management Plan should be submitted prior to the start of works and should be conditioned. This should include:

- o Phasing and quantification / classification of vehicular activity.
- o Routeing of vehicles both within the site and on the adjacent highway - evidenced with appropriate swept-path assessment.
- o Consideration of ongoing construction works and contractor parking in the locality.
- o Material Loading and Unloading location including storage areas.

The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

The applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Environmental Health

Environmental Health were consulted on the application and requested the following condition be attached to any approval granted:

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).

As part of the re-notification process, Environmental Health had no new comments to make beyond those detailed above.

Issues

POLICY

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities.
- ii. Chapter 12. Achieving well-designed places.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management),
Policy SP1 (Spatial Principles),
Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 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.

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of part single, part two storey extension to rear, single storey side and installation of dormer to rear following hip to gable conversion, and installation of 1.4 metre high boundary treatment to front boundary and 1.4 metre high and 1.8 metre high boundary treatment to side boundary, with installation of 1.8 metre high automatic sliding gates. This is considered acceptable in principle as many people prefer to alter and adapt homes rather than move, to meet the changing residential needs of families. The application has been applied for as a scheme to support disabled access needs and the principle of changing a property in this manner is supported. The installation of boundary treatment to appropriately secure the boundaries of a property is again acceptable in principle especially given permitted development rights available for such development. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area, impact on the neighbouring properties' residential amenity and impact to pedestrian/ highway safety for the proposed boundary treatment. As the property is to remain a single family dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The applicant site is a corner plot sitting close to the junction of St James Road and Hacking Street. As such, there is no immediate neighbour to the east of the applicant site due to the road.

Impact to adjoining property no.43 St James Road:

As existing, the adjoining property feels the existing rear extension of the applicant site and the applicant's conservatory. As such, this neighbour feels approximately 7.5 metres of built form along the shared boundary. As a result of the proposal, the existing conservatory would be demolished to retain the existing 3.5 metre rear extension. The reduction in the amount of built form is welcomed and would result in less overbearing and tunnelling than the neighbour currently experiences.

The adjoining neighbour as a result of the proposal would experience built form at first floor level. This would take the form of a 2 metre rear extension that would be sited 0.9 metres off the shared boundary. Such similar development with the introduction of full width 2 metre rearward extensions can be seen at no.8 Wilmur Avenue (see planning ref: 116455/FH/2017). Given the properties along this stretch of St James Road would be facing due south, given the 0.9 metre set in off the shared boundary and given the small projection of the first floor element, it is not considered this extension would give rise to adverse loss of light/ overshadowing to such an extent that the application would warrant a refusal. Given the small projection, the set in, the resultant roof form and given the precedence of similar development in the immediate area, the level of tunnelling is not considered to be so severe to the neighbour's first floor rear windows to warrant a refusal on the scheme.

Four windows would be inserted in the rear elevation of the proposal- two in the rear dormer and two within the 2 metre first floor rear extension. Whilst the windows would look into the rear garden and could offer the opportunity to look into the neighbour's rear garden, due to the relationship of the applicant's existing first floor rear windows, the level of overlooking as a result of the proposal is not considered to be severe.

Due to the location of the rear roof dormer sited on the roof of the existing property, the dormer would not cause any adverse harm to the adjoining property.

Impact to properties to the rear of the applicant site:

Properties to the rear would be primarily impacted by the first floor rear extension and rear roof dormer.

The first floor rear extension would involve the insertion of two windows facing no.2 Wilmur Avenue. This would relate to bedroom 2 and a bathroom. The bathroom window would be conditioned within the decision notice of any approval granted to be obscure glazed, to protect the privacy of the applicant and surrounding properties. The introduction of a window in bedroom 2, given the privacy distances already approved through the similar development of no.8 Wilmur Avenue is considered acceptable, to not give rise to direct overlooking to the properties to the rear.

The windows within the rear roof dormer would retain the same privacy distances to no.2 Wilmur Avenue as to the existing first floor rear windows and so would not give rise to adverse privacy implications.

Although properties to the rear would look onto the additional built form (extension and rear roof dormer), given the limited projection and roof form of the first floor rear extension, such development is not considered to give rise to an overbearing feature to properties to the rear.

Impact to wider streetscene:

St James Road would feel the addition of a hip to gable roof conversion. Given the proposal would retain the same ridge height of the host property and use the same materials to construct such hip to gable conversion, the feature is not considered to give rise to any adverse visual implications.

Hacking Street would feel the erection of the side extension and first floor rear extension plus rear roof dormer.

The single storey side extension would project 3.2 metres beyond the existing gable elevation of the host property and a 1 metre gap would be retained to the side boundary of the site. The side extension would be in keeping with the style of side extensions seen in residential settings, and given the extension is limited to single storey, it is not considered to cause any visual harm in terms of being overbearing.

Two windows would be inserted in the side elevation of the side extension. One would relate to a wet room for disabled access purposes and would be conditioned within the decision notice of any approval granted as being obscure glazed. The other window is considered the applicant's preference, with the boundary treatment offering a level of screening from the streetscene for the window to protect the applicant's privacy.

Both the first floor rear extension and rear roof dormer would be seen when travelling south to north along Hacking Street to reach St James Road. Given the dormer would be considered appropriate in size and form and be built in materials to match and given the small projection of the first floor rear extension, it is not considered to give rise to any adverse visual amenity implications.

The proposed boundary treatment would be visible from both St James Road and Hacking Street. The boundary treatment would replace the existing timber fencing at the site, some of which has already been removed. Given the proposed boundary treatment offers a sense of visual permeability after 1 metre on the proposed front and side elevation, the proposal creates a sense of openness to not be considered overbearing. Whilst the boundary treatment is amended along the rear elevation to red brick with timber fencing and then red brick with some visual permeability, it is considered to this point the higher boundary treatment is considered acceptable, given the existing circumstances. As such, this element is not considered to create a visually dominant structure to the detriment of visual amenity.

Overall, it is not considered that the proposal would have a significant adverse impact upon residential or visual amenity, and harm has been mitigated within the revised drawings received. A condition restricting the further insertion of windows or doors would ensure no adverse privacy implications could occur as a result of the proposal. A further condition would result in two windows being obscure glazed to reduce any adverse overlooking implications. In short, the proposal is therefore considered pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Part single, part two storey extension to rear:

The part single storey rear extension would wrap into the existing rear extension and therefore is considered acceptable as it would use the existing form of development to inform the design. The part two storey rear extension would have a projection of 2 metres and so would be considered pursuant to Policy DC1.3 of the UDP. The use of the valley roof would seek to mitigate harm to the adjoining property and is therefore considered acceptable in size and form.

Single storey side extension:

Given the use of permitted development rights available and given the side extension would have a hipped roof and wrap into the existing rear extension, the proposal is considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Installation of dormer to rear following hip to gable conversion:

Given the use of permitted development rights available, both of these elements could be achieved through the route of Permitted Development. The hip to gable conversion would be done in materials to match the host property and would align with the existing ridge height of the host property and so be a sympathetic addition. The use of gable roofs can be found in the streetscene and so is not out of keeping with the existing form of development. The rear roof dormer would sit no higher than the ridge height of the existing property, sit above the eaves and would also be in materials to match. As such, this element is not considered overly large and considered to relate well to the existing dwelling, pursuant to Policy DC1 of the UDP.

Materials for the extension works:

The materials to be used across the extension works are considered acceptable and would match the host property, except for the use of the flat roof material for the rear roof dormer, and introduction of grey windows and doors. The materials chosen are considered appropriate for the residential setting and a materials condition to this effect would be attached to any approval granted. The change from white to grey colouration of doors and windows proposed, whilst they would not match the existing circumstances of the host property, given the rights available through PD and given the property does not sit in a Conservation Area nor is listed, it is considered acceptable in this instance.

Installation of 1.4 metre high boundary treatment to front boundary and 1.4 metre high and 1.8 metre high boundary treatment to side boundary, with installation of 1.8 metre high automatic sliding gates:

The boundary treatment proposed would replace the existing boundary treatment at the site and involve the insertion of further boundary treatment than seen on site given the applicant had started to remove the existing boundary treatment.

In this location with both primary and side elevations being sited against a highway, under permitted development any new boundary treatment would be restricted to a height of 1 metre. However, it appears that the existing taller boundary treatment extending beyond 1 metre in height has sat around the site from as early as September 2009. The proposed front boundary treatment would be lower in height than the existing circumstances and would offer a level of visual permeability not currently provided. The proposed side elevations for the boundary treatment would be amended to offer red brick walls with treatment on top and would not increase in height than the existing circumstances. Given this, the height of the proposed boundary treatment is considered acceptable.

At the points closest to the car parking space entrance, there is a level of visual permeability beyond 1 metre in height. This is considered acceptable to ensure a sense of permeability across the scheme to be acceptable in terms of design and appearance.

During the course of the application, the agent was asked to supply further details in relation to the appearance of the sliding gate and the section visual permeability for the panel of boundary treatment closest to the gate. Whilst one image was provided, no product specification was provided and the image differed from the submitted drawings. Further boundary treatment materials were not provided. As such, to ensure the LPA are happy with the resultant proposal of the boundary treatment, a condition requesting further materials information would be attached to any approval granted for details to be agreed at a later date.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Highways Considerations

Highway Services were consulted and reviewed the application.

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Highway Services accepted the proposed parking space and access onto Hacking Street and were happy with the proposed parking dimensions.

Highways requested the proposed boundary treatment and recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. Given permitted development rights allow 1 metre in this location with no level of visual permeability, the request for visual permeability over 600mm can be disregarded, given that in the locations where the applicant's car would exit the driveway there is a level of visual permeability. This is considered acceptable to the LPA.

Highways recommend that the proposed sliding gate is visually permeable. The scheme was amended to reflect Highways comments.

Highways requested clarification as to the location of the refuse bins associated with the site. This should be located within the site curtilage. A bin store condition would be attached to any approval granted.

Highways requested a construction management plan condition be attached to any approval granted. This is considered onerous and would be omitted from the decision notice of any approval granted.

Bin Storage

Highway Services requested sight of identification of the location of bins as a result of the proposal. There is ample space for bins to be stored within the private amenity space and would be bounded by the proposed boundary treatment. A condition requesting such details would be attached to any approval granted.

Environmental Considerations

Environmental Health reviewed the application and requested a gas membrane condition be attached to any approval granted. The pre-commencement condition was sent to the agent and was agreed in writing by the agent on 8 February 2025.

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

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. In this instance officers have worked with the applicant in a proactive manner and have worked with the agent and applicant to include further works as part of the development and have found an acceptable solution. Appropriate conditions would be attached to any approval granted.

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:

-Drawing- Proposed- Floor Plans & Elevations, numbered 03A, stamped as received by the City Council as Local Planning Authority on 15 March 2025.

-Drawing- Existing & Proposed- Site Plan, numbered 01B, stamped as received by the City Council as Local Planning Authority on 3 April 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the ground floor wet room window and first floor bathroom window s shown on the approved 'Drawing- Proposed- Floor Plans & Elevations, numbered 03A', stamped as received by the City Council as Local Planning Authority on 15 March 2025, 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.

5) The materials to be used throughout the part single, part two storey extension to rear, single storey side and installation of dormer to rear following hip to gable conversion hereby permitted shall be implemented in accordance with the approved details as set out in 'Drawing- Proposed- Floor Plans & Elevations, numbered 03A', specified in Condition 2 of this approval.

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, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

6) Notwithstanding the details approved through 'Drawing- Existing & Proposed- Site Plan, numbered 01B', stamped as received by the City Council as Local Planning Authority on 3 April 2025, no above ground works that are hereby approved shall commence unless and until samples and specifications of all materials to be used for the boundary treatment of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - In order to secure the site boundaries, achieve appropriate noise attenuation and in the interests of residential amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

7) Prior to the occupation of the development hereby approved, full details of a secure and ventilated bin storage area, including location and any elevations, shall be submitted to the City

Council as local planning authority for prior approval in writing. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

8) 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).

Informatives

1) The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

2) The applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

4 Wilmur Avenue, Manchester, M7 4UX
39 St James's Road, Manchester, M7 4XP
41 Hacking Street, Manchester, M7 4ZD
39 Hacking Street, Manchester, M7 4ZD
37 Hacking Street, Manchester, M7 4ZD
35 Hacking Street, Manchester, M7 4ZD
43 St James's Road, Manchester, M7 4XP
2 Wilmur Avenue, Manchester, M7 4UX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA