

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140507/FH/2024
Date registered valid: 26 July 2024
Proposal: Installation of pitched roof and rear dormer
Address: 1 Cutland Street, Manchester, M40 2EA
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr B Razaq
Agent (if any): David Ormesher Holborow and Ormesher
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 August 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 5 August 2024 Expired: 27 August 2024

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

Description of site / building / area

The application site is a two storey flat roof property with detached garage within the Miles Platting & Newton Heath ward of north Manchester. The front elevation is sited at the back of pavement. There is a gated access along the side elevation leading to a small rear yard.

The site shares an immediate common boundary along the western elevation with a four storey building - (Manchester Plumbing Supplies) which has entrances along Thorp Road and Cutland Street. Immediately along the rear boundary of the application site is a gated entrance to the "EDM" site - (a supplier of training simulators).



(officer's site visit, 14/08/24)

The surrounding area is mixed use in nature. To the west, north west and north of the site are commercial and business uses, including The Sharp Project and Central Park. The area to the east and south of the site is primarily residential in nature.

Site History

1. 022766 - land bounded by Cringle Street, Cutland Street, Ceylon Street and railway sidings, Newton Heath, NEWTON HEATH,

Residential development, APPROVED 11/1984.

Description of development

The consent is sought for the proposed installation of pitched roof and rear dormer to 1 Cutland Street.

Clarification has been sought from the planning agent regarding the existing use of the property. It has been confirmed that the on-going use is as a domestic property, (correspondence dated 24/09/2024). This is further confirmed by Council tax records, dating back since records began in 1993.

In addition, the submitted information indicates that this application was initiated by the recent failure of the existing main flat roof to the dwelling which has resulted in deterioration of internal plasterwork and finishes, of which it is intended to rectify with a new pitched roof with rear dormer.

There are some noticeable slight variances to the existing ground levels at the site, however, the maximum height of the existing flat roof building measures approximately 6432mm high. The proposed pitch roof would add approximately an additional 2560mm to the existing flat roof - (when measured to the proposed roof ridge). The proposed new roof ridge would be set

below the existing roof ridge of the adjoining property, (nos. 2 - 4 Thorp Road) by approximately 1646mm.

In terms of the proposed rear roof dormer (measuring approximately 5608mm wide x 3475mm deep x 1920mm maximum height), this would be sited along the common shared boundary with nos. 2 - 4 Thorp Road, whilst being set away from the gable elevation of the proposed new pitched roof approximately 308mm. It would also be set below the proposed new roof ridge and above eaves level and would include windows along rear elevation. It would serve a combined bedroom, en-suite and store.

Further clarification was subsequently sought from the agent in relation to the proposed external facing materials for the dormer, but has yet to be received. The agent has therefore been advised that the application will be determined, subject to an additional materials condition in relation to the dormer.

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.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2024) -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

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

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

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

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

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

- Chapter 2: Design

ISSUES

Principle

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 this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (installation of pitched roof) - In terms of the proposed new pitched roof, it is not considered that this element would present any significant adverse impacts to residential or visual amenity. It is considered that the proposal would rather eliminate the incongruous, anomaly of the existing flat roof from the street scene and the new pitched roof would rather mirror the roof design along Cutland Street and enhance the character of the wider neighbourhood in design terms.

Impact of works (rear roof dormer extension) - As previously stated, immediately along the rear boundary of the application site is a gated entrance leading to a large industrial/commercial warehousing site, and therefore there is no potential for overlooking. The proposed rear roof dormer is considered acceptable as there no significant adverse impacts to residential and visual amenity, nor would it adversely impact on the character of the property or general area, as there are no undue overbearing, overshadowing, or loss of privacy impacts; and therefore, subject to planning conditions, the proposal could be accommodated in this location in this

instance. It is however recommended that planning conditions attached to requiring the proposed dormer window to serve the ensuite to be obscurely glazed in the interests of privacy, and a materials condition is also recommended requiring samples and specifications of the external facing materials for the dormer to be provided to the local planning authority for further assessment.

Impact of works (Design and appearance) - Whilst the submitted information refers to "slate (artificial)" for the roof, together with timber and upvc to match the existing house, it is unclear from the submitted information the proposed external facing materials for the dormer wall and how it would affect the appearance. It is therefore recommended that a condition is attached requiring samples and specifications to be provided to the local planning authority for further assessment; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1 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).

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, further clarification was subsequently sought from the agent in relation to the proposed external facing materials for the dormer, although to date without the benefit of this information, the agent has been advised that the application will therefore be determined, subject to an additional materials condition in relation to the dormer. The local planning authority had no other issues to raise with the agent but has attached appropriate conditions to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 26 July 2024.
- Location Plan and Site Plan with application site edged in red, drawing number A105, rev A, received by the City Council as the Local Planning Authority on 10 July 2024.

- Existing Plans and Elevations, DRAWING NUMBER 2344 / 24 / 01, received by the City Council as the Local Planning Authority on 10 July 2024.
- Proposed Plans and Elevations, DRAWING NUMBER 2344 / 24 / 02, received by the City Council as the Local Planning Authority on 10 July 2024.

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

3) Notwithstanding the materials referred to on the approved drawings and submitted information, the proposed pitched roof and rear roof dormer that is hereby approved shall not commence unless and until samples and specifications of the external facing materials to be used on the roof and external walls of the rear roof dormer have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority, in the interests of the visual amenity of the area within which the site is located, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995); and policies SP1, DM1, EN1 of 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 development hereby approved other than those shown on: Proposed Plans and Elevations, DRAWING NUMBER 2344 / 24 / 02, received by the City Council as the Local Planning Authority on 10 July 2024.

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 thereby approved, the proposed dormer window along the rear elevation to serve the annotated "ensuite" and as shown on: Proposed Plans and Elevations, DRAWING NUMBER 2344 / 24 / 02, received by the City Council as the Local Planning Authority on 10 July 2024; shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - In the 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).

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning

(Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 3, 2A Thorp Road, Manchester, M40 5BJ
Flat 2, 2A Thorp Road, Manchester, M40 5BJ
Flat 1, 2A Thorp Road, Manchester, M40 5BJ
2 Thorp Road, Manchester, M40 5BJ
1 Thorp Road, Manchester, M40 5BJ
Funeral Parlour, 879 Oldham Road, Manchester, M40 2EE
First Floor Flat, 879 Oldham Road, Manchester, M40 2EE
First Floor Flat, 881 - 883 Oldham Road, Manchester, M40 2EE
889 Oldham Road, Manchester, M40 2EE
Saxon Solicitors, Ground Floor, 879 Oldham Road, Manchester, M40 2EE
881 - 883 Oldham Road, Manchester, M40 2EE
887 Oldham Road, Manchester, M40 2EE
885 Oldham Road, Manchester, M40 2EE

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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA