

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140767/FH/2024

Date registered valid: 14 August 2024

Proposal: Erection of single storey side and rear extension following demolition of existing conservatory

Address: 1089 Hyde Road, Manchester, M18 7LN

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr M Yameen

Agent (if any): Mr V Alyas Architek

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

Recommendation: Approve

Date of recommendation: 8 October 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 September 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 20 August 2024 Expired: 11 September 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 property is a two-storey, hip roof, bay fronted, semi-detached dwellinghouse with red-brown brick construction. The application site is located in a predominantly residential area in the Gorton & Abbey Hey Ward of Manchester. The property fronts a very busy major arterial road to and from Manchester city centre.



(Officer's site visit 18.09.2024)



At the time of the officer's site visit, a single storey side and rear extension was in situ and was noted to be substantially complete.

There is existing amenity space in-part along the side, and rear elevations; front porch, including a front driveway. Wheeled bins are stored along the side garden behind gated access. There is an existing timber frame outbuilding/garden shed along the rear garden, together with boundary treatment along the side and rear boundaries.

The rear garden is relatively deep, measuring approximately 17.4 metres deep (minimum) - when measured from the rear building line of the original house, and given the broadly triangular shaped rear boundary.

Site History

- 137050/FH/2023 - Erection of a single storey side and rear extension to form additional living accommodation, APPROVED July 2023.
- 126230/NMC/2020 - Non material amendment to planning permission referenced 119134/FH/2018 to allow replacement of garage door with a window, APPROVED March 2020.
- 120394/JO/2018 - Application to vary Condition No. 2 attached to previous approval 119134/FH/2018 to allow an enlargement of the extension to the rear, APPROVED August 2018.
- 119134/FH/2018 - Erection of single storey side and rear extension to form additional living accommodation, APPROVE April 2018.

Description of development

The submitted application relates to the proposed erection of a single storey side and rear extension to form additional living accommodation

The proposed single storey side and rear extension would be sited along the common shed boundary with no. 1087 Hyde Road whilst being stepped away approximately 127mm from this boundary to leave a small gap. It would be set-back approximately 2000mm from the front building line of the original dwellinghouse, whilst maintaining a proposed width of approximately 2133mm along the front elevation. It would then project approximately 10888mm along this boundary, then come forward of the common shed boundary with no. 1091 Hyde Road approximately 8094 mm wide, whilst leaving a small gap of approximately 49mm from this boundary. The proposed maximum rearward projection would be approximately 5235mm.

The proposed extension would incorporate a combined lean-to pitch to hip roof design. The proposed maximum roof height would not exceed 4000mm (along the rear elevation) and 3498mm (along the front elevation).

In terms of fenestration, it would incorporate windows along the front elevation, 3no. windows along the roof elevation, together with bi-fold doors and 2no. tall top opening windows along the rear elevation. It is intended to use external facing materials to match the original dwellinghouse.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections 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) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.

2. 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 policies are considered to be relevant:

- JP-S1 - Sustainable development

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)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

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

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, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

Residential and visual amenity

Impact of works (single storey side and rear extension) - In the case of the application site, there is a recent record of planning consent for a similar development, (ref. no.137050/FH/2023). However, this application under consideration proposes a hip roof configuration along the rear elevation, 3 windows along the rear roof elevation, a 5235mm rearward projection and a set-back of 2000mm along the front elevation; and therefore, in light of these factors, and given the existing context involving built form in-part along the common shared side boundaries with nos. 1087 and 1091 Hyde Road, together with the separation distance that would still be retained from no. 1 Clumber Road along the rear boundary, and due to the fact that the proposed extension would be single storey, and would in-part mirror similar developments along the street scene, it is considered that the proposal could be accommodated in this location in this instance. Moreover, although the proposed maximum rearward projection at approximately 5235mm is (1585mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it is in line with the guidance for a larger homes application. Therefore, for these reasons and on balance, and subject to conditions, the proposed extension is considered to be acceptable in terms of its impact on residential amenity as there are no undue overbearing, overshadowing or loss of privacy impacts.

Impact of works (design and appearance) - The proposed development is considered to be acceptable in design terms as it would in-part be informed by similar development within the immediate neighbourhood, and it is also intended to match materials with those of the host dwellinghouse. However, a materials condition has been attached to ensure that materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

Impact of works (waste management) - It is intended to provide a covered timber frame bin store along the side garden, in front of the proposed side extension, which is considered acceptable; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Impact of works (car parking) - Whilst the existing depth of front driveway at approximately 4.0 metres falls short of the Council's minimum standards by (2 metres), this measurement is historical and pre-dates the standards. Notwithstanding this factor, it is considered that given the proposed set-back along the front elevation, within curtilage depth of car parking, in line with the Council's current standards would still be maintained; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Conclusion - 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, 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 no comments or objections have been received in response to this application from local residents.

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, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval. The local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report.

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 14 August 2024.
- Location Plan and Site Plan with application site edge in red; DRAWING NUMBER A101, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Existing Floor Plans, DRAWING NUMBER A102, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Existing Elevations, DRAWING NUMBER A103, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Proposed Floor Plans, DRAWING NUMBER A104, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Proposed Elevations, DRAWING NUMBER A105, REV P1, received by the city council as the local planning authority on 14 August 2024.
- 3D Impression, DRAWING NUMBER A107, received by the city council as the local planning authority on 14 August 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 (July 2012).

3) The external facing materials to be used on the extension hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 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:

- Location Plan and Site Plan with application site edge in red; DRAWING NUMBER A101, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Proposed Floor Plans, DRAWING NUMBER A104, REV P1, received by the city council as the local planning authority on 14 August 2024.
- Proposed Elevations, DRAWING NUMBER A105, REV P1, received by the city council as the local planning authority on 14 August 2024.
- 3D Impression, DRAWING NUMBER A107, received by the city council as the local planning authority on 14 August 2024.

Reason - In the interests of residential amenity pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policies SP1 and DM1 of the Core Strategy (July 2012).

5) Wheeled bins shall be stored along the front garden, in the specified location and enclosed bin store and as shown on: Location Plan and Site Plan with application site edge in red; DRAWING NUMBER A101, REV P1, and Proposed Floor Plans, DRAWING NUMBER A104, REV P1, both received by the city council as the local planning on 14 August 2024, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

Reason - In the interests of residential and visual amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, DM1 of the Core Strategy (July 2012).

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

1087 Hyde Road, Manchester, M18 7LN
1 Clumber Road, Manchester, M18 7LX
1091 Hyde Road, Manchester, M18 7LN

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
Area Team Boundary - Name: NORTH AREA