MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140639/FH/2024
Date registered valid:	9 August 2024
Proposal:	Erection of a single storey side and rear extension.
Address:	49 John Heywood Street, Manchester, M11 4BG
Ward(s):	Clayton & Openshaw Ward
Applicant:	Mr Mario Aleksandrov
Agent (if any):	Mr Kevin Rippingham One Architectural Design Group Limited
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	2 October 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 21 August 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 12 August 2024 Expired: 3 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 relates to a 2-storey, hipped-roof, semi-detached dwellinghouse situated within a predominantly residential area of Clayton & Openshaw Ward. The site is visibly slightly elevated in-part, thereby, there are some slight variances in floor levels.

To the south-east of the site is a short parade of retail and commercial units along Vale Street. The application dwellinghouse benefits from amenity space along the front, side and rear elevations. There is an existing garage, together with a hard surfaced driveway along the front and side elevation. Bins are store within curtilage, screened behind boundary treatment.





(Officer's site visit, 21.08.2024)

John Heywood Street has a 20mph speed limit in place along its entirety and sits within the Etihad Stadium Car Parking Zone 24 hours.

Site Planning History

o 068816/VO/2003/N2 - CITY COUNCIL DEVELOPMENT Refurbishment of council housing including renewal of porches and canopies, new bay windows and new roofs, APPROVED 09/2003.

Description of development

The submitted application relates to a proposed single storey side and rear extension, following demolition of existing garage.

The submitted plans would also include some elevational alterations, as annotated on the submitted information. These would comprise of:

o Reduce low level boundary retaining wall to ground level, (side boundary with no. 47 John Heywood Street elevation).
o Removal of existing conifer to create additional off-street parking space.
o Raise cill heights to existing window openings along the first floor side elevation of original dwellinghouse to accommodate roof height of new extension.

In this instance, further clarification was sought from the planning agent regarding the proposed storage location for wheeled bins, including if on-site car parking would still be retained as the existing garage be removed and the existing side access would be significantly lost to accommodate the proposed development. Clarification and revised plans were subsequently submitted, (dated, 24/09/24). It is intended to park cars along the front driveway and bins would be stored in front of the house, in a specified location, within a covered bin store.

With regards to the proposed single storey side and rear extension, it would be sited along the along the common shared boundary with no. 47 John Heywood Street, whilst being set away approximately 614mm from this boundary. It would be flush with the front building line of the host building, whilst maintaining a proposed width of approximately 2746mm. It would then project approximately 7412mm along the common shared boundary with no. 47 John Heywood Street, then comes forward of the common shared boundary with no. 51 John Heywood Street approximately 7936mm wide, then returns forward of the rear building line of host dwelling approximately 1575mm deep, whilst leaving a small gap of approximately 125mm from the common shared boundary with no. 51 John Heywood Street. The extension would incorporate a combined hip to pitch roof design with a maximum proposed roof height at approximately 3744mm. In terms of fenestration, it would incorporate windows along the front elevation; together with bi-fold doors and further windows along the rear elevation. It is intended to use matching materials.

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 polices 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

In this instance, further clarification was sought from the planning agent regarding the proposed storage location for wheeled bins, including if on-site car parking would still be retained as the existing garage be removed and the existing side access would be significantly lost to accommodate the proposed development. Clarification and revised plans were subsequently submitted, (dated, 24/09/24).

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 (single storey side and rear extension) - In light of the revised plan (dated, 24/09/24) and given the existing contextual relationship along rear elevation and side boundaries, and due to the fact that the existing garage would be removed in its entirety, and the proposal would be stepped away from the common boundaries, and the proposed extension would be single storey, coupled with the fact that it would face the blank gable of 47 John Heywood Street, thereby mitigating any adverse impact from undue massing. In addition, the overall proposed rearward projection at approximately 1575mm is within the limitations of the City Councils saved policy DC1.3 (a) regarding rearward extensions. Therefore, for these reasons and on balance, and subject to planning conditions, the revised submitted plan is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or loss of privacy impacts.

Impact of works (design and appearance) - The proposed extension would be in-part informed by similar developments along the street scene, and therefore within this context , it is not considered that the proposal would unduly harm the character of the host building or the general area. Materials on the submitted forms are indicated as matching the existing dwellinghouse and an appropriately worded condition is proposed.

Impact of works (waste management) - It is intended to provide a covered timber frame bin store in a specified location along the front garden, (revised plan dated, 24/09/24), 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) - The existing front driveway would be unaffected. In addition, it is intended to remove the existing conifer along the front garden to create additional off-street parking space, which is considered to be acceptable; 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 revised 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 neighbour comments or objections have been received in response to this application.

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 polices 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 sought from the planning agent regarding the proposed storage location for wheeled bins, including if on-site car parking would still be retained as the existing garage be removed and the existing side access would be significantly lost to accommodate the proposed development. Clarification and revised plans were subsequently submitted, (dated, 24/09/24). The local planning authority had no other issues to raise with the agent but have 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:

o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 29 July 2024.

o Location Plan with application site edge in red, received by the City Council as the Local Planning Authority on 29 July 2024.

o Proposed Plans and Elevations, Drawing Number 1619.02, Revision B, received by the City Council as the Local Planning Authority on 24th September 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans and submitted information; 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) The materials to be used on the external elevations of the development hereby approved shall match those of the existing dwellinghouse in type, size, texture and colour as stated on the submitted application forms 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 (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 stated on: Proposed Plans and Elevations, Drawing Number 1619.02, Revision B, received by the City Council as the Local Planning Authority on 29 July 2024.

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

5) Refuse bins shall be stored along the front garden, in the specified location and enclosed timber frame bin store and as shown on: Proposed Plans and Elevations, Drawing Number 1619.02, Revision B, received by the City Council as the Local Planning Authority on 29 July 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).

Appendix 1 – List of consultees & neighbours notified

41 Vale Street, Manchester, M11 4NR
35 Vale Street, Manchester, M11 4NR
2 Slaithwaite Drive, Manchester, M11 4BA
4 Slaithwaite Drive, Manchester, M11 4BA
14 Halton Road, Manchester, M11 4HN
33 Vale Street, Manchester, M11 4NR
150 John Heywood Street, Manchester, M11 4HW
37 Vale Street, Manchester, M11 4NR
39 Vale Street, Manchester, M11 4NR
51 John Heywood Street, Manchester, M11 4BG
47 John Heywood Street, Manchester, M11 4BG
148 John Heywood Street, Manchester, M11 4HW

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