

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140685/FH/2024

Date registered valid: 31 July 2024

Proposal: Erection of a single storey front extension to provide porch and additional living accommodation.

Address: 35 Bridgnorth Road, Manchester, M9 8HQ

Ward(s): Higher Blackley Ward

Applicant: Mrs Afshan Sherbaaz

Agent (if any): Mr M Farooq, Building Design Services

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

Recommendation: Approve

Date of recommendation: 24 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 21 August 2024

Standard consultations:

Printed: 12 August 2024 Expired: 3 September 2024

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 site is a 2 storey, mid-terrace dwellinghouse along a row of 3 properties within a predominately residential housing estate in the Higher Backley ward of north Manchester. The site is visibly elevated along the Bridgenorth Road highway; however, it is significantly set back along the street scene.



(Officer's site visit, 21.08.2024)

Given the nature of the property, there is existing amenity space along the front and rear elevations only. Car parking is along the street, and bins are stored within curtilage, screened behind boundary treatment.

The existing front amenity space (the subject of this application) measures approximately 5.4 metres deep x 7.2 metres wide.

Site Planning History

- No record.

Description of development

The submitted application proposes a single storey front extension to provide porch and additional living accommodation.

The proposed development would serve as a porch and extended lounge.

It would be sited along the common shared boundaries with nos. 33 and 37-39 Bridgnorth Road, whilst leaving a small gap of approximately 260mm and 28mm respectively from these boundaries. It would measure approximately 2000mm deep x 6859mm wide x 3552mm maximum height. It would incorporate a lean-to pitch roof design and would include a door and windows along the front elevation. It is intended to use matching bricks and tiles, together with UPVC fenestration.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. An objection was received from one local resident. The full grounds of their objection are set out below and they wish to highlight several areas of concern:

- They advise of an extension along the rear, which started in early May and is still ongoing. As a result, their garden fence was removed without their permission.
- They state that the applicants disregard neighbour's privacy and cause continuous interruptions and undue noise from the construction work, which is impacting on their health.
- It is advised that builders have trespassed in and out of their property and they state that all the digging has caused subsidence their house, causing cracks in their ceiling and the outside structure. They advise that a city council surveyor has visited their property and has advised that the on-going work has caused the subsidence.
- They are of the opinion that the newly built extension along the rear has restricted their sunlight.

- They advise that the house is overcrowded with approximately 10 people living in a two bedroom house.
- They object to the front extension as they are of the view that it can further damage their building and restrict their sunlight.

2. Environmental Health

Environmental Health officers have advised for the following to be attached to any recommendation for planning approval:

Informative - CONTAMINATED LAND Watching Brief

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

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 (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

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 (combined single storey front extension and porch) - In light of the fact that Householder General Permitted Development Rights allows for front porch extensions to dwellinghouses without the submission of a formal planning application, and provided that certain requirements and limitations are met. In this instance, the combined single storey front extension and porch would measure approximately (2000mm deep x 6859mm wide x 3552mm maximum height). Whilst the proposed depth at approximately 2000mm would be in line with permitted development, the proposed width and height would exceed the limitations by approximately 3859mm and 552mm respectively. Therefore, it is this variance which planning permission is sought.

In the case of this application, the existing front amenity space is sizable, measuring approximately 5.4 metres deep x 7.2 metres wide. The proposed extension would be single storey and would project 2000mm deep forward of the front building line of the application dwellinghouse and the proposed roof design would mitigate from the adverse impact of undue massing. In addition, due to the pre-existing housing layout along this side of Bridgenorth Road - (the north-eastern elevation), combined with the application dwellinghouse being significantly set back from the Bridgenorth Road street scene, it is considered that the resultant contextual relationship could be accommodated in this location in this instance without any significant adverse impacts to residential amenity, nor is it considered that the proposed scale would be unduly overbearing given the proposed depth of front amenity space that would still be retained, combined with the resultant separation distance that would still be retained from the Bridgenorth Road highway would not present any significant adverse impacts from undue visual intrusion along the street scene. Therefore, for these reasons, and on balance, it is considered that the proposal is unlikely to be unduly overbearing, overshadowing, or adversely compromise

the privacy of the immediate neighbouring occupiers; specifically, those occupiers at nos. 33 and 37-39 Bridgnorth Road; pursuant with The Manchester Core Strategy Development Plan Document policy SP1, DM1; and saved policy DC1 of the Unitary Development Plan.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it would broadly mirror similar developments along the neighbourhood, and it is intended to match materials with those of the existing building. 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 (Car parking) - The existing arrangement would be unaffected, pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Impact of works (Waste management) - The existing arrangement would be unaffected, pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Use of dwellinghouse as an HMO - Concerns raised in relation to the extended property in use as an HMO have been noted and a condition regarding this matter is proposed to be attached to any recommendation for planning approval.

Objectors' comments - In terms of planning comments raised by the objector, these have been duly considered in the issues section above. Comments relating to civil matters, trespassing, boundary disputes, party wall issues and issues regulated by building control legislation would fall outside of planning legislation and therefore cannot be considered as part of this planning application.

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, EN19, T2 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, the local planning authority had no 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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 31 Jul 2024.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 31 Jul 2024.
- Existing Plans and Elevations, Drawing Number A2143/1, received by the City Council as the Local Planning Authority on 31 Jul 2024.
- Proposed Plans and Elevations, Drawing Number A2143/2, received by the City Council as the Local Planning Authority on 31 Jul 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) The external facing bricks and tiles used to construct the elevations of the development hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the submitted information.

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 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 A2143/2, received by the City Council as the Local Planning Authority on 31 Jul 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) 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.

Informative

1) CONTAMINATED LAND Watching Brief:

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Flat 39, 31 Lakeside Rise, Manchester, M9 8QF
Flat 2, 31 Lakeside Rise, Manchester, M9 8QF
Flat 47, 31 Lakeside Rise, Manchester, M9 8QF
Flat 41, 22 Lakeside Rise, Manchester, M9 8QE
Flat 7, 22 Lakeside Rise, Manchester, M9 8QE
Flat 11, 22 Lakeside Rise, Manchester, M9 8QE
Flat 27, 22 Lakeside Rise, Manchester, M9 8QE
41 Bridgnorth Road, Manchester, M9 8HQ
39 Bridgnorth Road, Manchester, M9 8HQ
37 Bridgnorth Road, Manchester, M9 8HQ
Flat 46, 31 Lakeside Rise, Manchester, M9 8QF
Flat 1, 31 Lakeside Rise, Manchester, M9 8QF
Flat 26, 31 Lakeside Rise, Manchester, M9 8QF
Flat 6, 31 Lakeside Rise, Manchester, M9 8QF
Flat 19, 31 Lakeside Rise, Manchester, M9 8QF
Flat 21, 31 Lakeside Rise, Manchester, M9 8QF
Flat 35, 31 Lakeside Rise, Manchester, M9 8QF
Flat 34, 31 Lakeside Rise, Manchester, M9 8QF
Flat 24, 31 Lakeside Rise, Manchester, M9 8QF
30 Lakeside Rise, Manchester, M9 8QE
Flat 44, 22 Lakeside Rise, Manchester, M9 8QE
Flat 40, 22 Lakeside Rise, Manchester, M9 8QE
Flat 4, 22 Lakeside Rise, Manchester, M9 8QE
26 Lakeside Rise, Manchester, M9 8QE
25 Lakeside Rise, Manchester, M9 8QE
Flat 17, 22 Lakeside Rise, Manchester, M9 8QE
Flat 12, 31 Lakeside Rise, Manchester, M9 8QF
Flat 4, 31 Lakeside Rise, Manchester, M9 8QF
Flat 43, 22 Lakeside Rise, Manchester, M9 8QE
Flat 21, 22 Lakeside Rise, Manchester, M9 8QE
Flat 46, 22 Lakeside Rise, Manchester, M9 8QE
Flat 47, 22 Lakeside Rise, Manchester, M9 8QE
Flat 36, 22 Lakeside Rise, Manchester, M9 8QE
Flat 6, 22 Lakeside Rise, Manchester, M9 8QE
Flat 22, 22 Lakeside Rise, Manchester, M9 8QE
Flat 35, 22 Lakeside Rise, Manchester, M9 8QE
Flat 34, 22 Lakeside Rise, Manchester, M9 8QE
Flat 41, 31 Lakeside Rise, Manchester, M9 8QF
Flat 54, 31 Lakeside Rise, Manchester, M9 8QF
Flat 29, 31 Lakeside Rise, Manchester, M9 8QF
Flat 7, 31 Lakeside Rise, Manchester, M9 8QF
Flat 32, 31 Lakeside Rise, Manchester, M9 8QF
Flat 3, 31 Lakeside Rise, Manchester, M9 8QF
Flat 42, 31 Lakeside Rise, Manchester, M9 8QF
Flat 16, 31 Lakeside Rise, Manchester, M9 8QF
Flat 55, 31 Lakeside Rise, Manchester, M9 8QF
Flat 37, 31 Lakeside Rise, Manchester, M9 8QF
Flat 31, 22 Lakeside Rise, Manchester, M9 8QE
Flat 32, 22 Lakeside Rise, Manchester, M9 8QE
Flat 50, 22 Lakeside Rise, Manchester, M9 8QE

24 Lakeside Rise, Manchester, M9 8QE
Flat 38, 22 Lakeside Rise, Manchester, M9 8QE
Flat 18, 22 Lakeside Rise, Manchester, M9 8QE
Flat 45, 22 Lakeside Rise, Manchester, M9 8QE
Flat 2, 22 Lakeside Rise, Manchester, M9 8QE
Flat 19, 22 Lakeside Rise, Manchester, M9 8QE
Flat 39, 22 Lakeside Rise, Manchester, M9 8QE
27 Bridgnorth Road, Manchester, M9 8HQ
35 Lakeside Rise, Manchester, M9 8QF
Flat 53, 31 Lakeside Rise, Manchester, M9 8QF
Flat 51, 31 Lakeside Rise, Manchester, M9 8QF
Flat 23, 31 Lakeside Rise, Manchester, M9 8QF
Flat 9, 31 Lakeside Rise, Manchester, M9 8QF
33 Lakeside Rise, Manchester, M9 8QF
Flat 52, 31 Lakeside Rise, Manchester, M9 8QF
Flat 43, 31 Lakeside Rise, Manchester, M9 8QF
Flat 49, 31 Lakeside Rise, Manchester, M9 8QF
Flat 26, 22 Lakeside Rise, Manchester, M9 8QE
Flat 33, 22 Lakeside Rise, Manchester, M9 8QE
Flat 1, 22 Lakeside Rise, Manchester, M9 8QE
Flat 16, 22 Lakeside Rise, Manchester, M9 8QE
Flat 30, 22 Lakeside Rise, Manchester, M9 8QE
Flat 37, 22 Lakeside Rise, Manchester, M9 8QE
Flat 25, 22 Lakeside Rise, Manchester, M9 8QE
Flat 15, 22 Lakeside Rise, Manchester, M9 8QE
Flat 10, 22 Lakeside Rise, Manchester, M9 8QE
33 Bridgnorth Road, Manchester, M9 8HQ
34 Lakeside Rise, Manchester, M9 8QF
Flat 45, 31 Lakeside Rise, Manchester, M9 8QF
Flat 44, 31 Lakeside Rise, Manchester, M9 8QF
Flat 33, 31 Lakeside Rise, Manchester, M9 8QF
Flat 18, 31 Lakeside Rise, Manchester, M9 8QF
Flat 22, 31 Lakeside Rise, Manchester, M9 8QF
Flat 20, 31 Lakeside Rise, Manchester, M9 8QF
Flat 36, 31 Lakeside Rise, Manchester, M9 8QF
Flat 11, 31 Lakeside Rise, Manchester, M9 8QF
Flat 3, 22 Lakeside Rise, Manchester, M9 8QE
Flat 29, 22 Lakeside Rise, Manchester, M9 8QE
29 Lakeside Rise, Manchester, M9 8QE
Flat 8, 22 Lakeside Rise, Manchester, M9 8QE
Flat 38, 31 Lakeside Rise, Manchester, M9 8QF
Flat 48, 31 Lakeside Rise, Manchester, M9 8QF
Flat 10, 31 Lakeside Rise, Manchester, M9 8QF
Flat 25, 31 Lakeside Rise, Manchester, M9 8QF
29 Bridgnorth Road, Manchester, M9 8HQ
Flat 56, 31 Lakeside Rise, Manchester, M9 8QF
Flat 50, 31 Lakeside Rise, Manchester, M9 8QF
Flat 27, 31 Lakeside Rise, Manchester, M9 8QF
Flat 8, 31 Lakeside Rise, Manchester, M9 8QF
Flat 20, 22 Lakeside Rise, Manchester, M9 8QE
Flat 5, 22 Lakeside Rise, Manchester, M9 8QE
Flat 52, 22 Lakeside Rise, Manchester, M9 8QE
Flat 49, 22 Lakeside Rise, Manchester, M9 8QE
28 Lakeside Rise, Manchester, M9 8QE

27 Lakeside Rise, Manchester, M9 8QE
Flat 28, 22 Lakeside Rise, Manchester, M9 8QE
Flat 51, 22 Lakeside Rise, Manchester, M9 8QE
Flat 9, 22 Lakeside Rise, Manchester, M9 8QE
31 Bridgnorth Road, Manchester, M9 8HQ
Flat 31, 31 Lakeside Rise, Manchester, M9 8QF
Flat 15, 31 Lakeside Rise, Manchester, M9 8QF
Flat 5, 31 Lakeside Rise, Manchester, M9 8QF
Flat 30, 31 Lakeside Rise, Manchester, M9 8QF
Flat 14, 31 Lakeside Rise, Manchester, M9 8QF
32 Lakeside Rise, Manchester, M9 8QF
Flat 40, 31 Lakeside Rise, Manchester, M9 8QF
Flat 17, 31 Lakeside Rise, Manchester, M9 8QF
Flat 23, 22 Lakeside Rise, Manchester, M9 8QE
Flat 48, 22 Lakeside Rise, Manchester, M9 8QE
Flat 42, 22 Lakeside Rise, Manchester, M9 8QE
23 Lakeside Rise, Manchester, M9 8QE
Flat 14, 22 Lakeside Rise, Manchester, M9 8QE
Flat 12, 22 Lakeside Rise, Manchester, M9 8QE
Flat 24, 22 Lakeside Rise, Manchester, M9 8QE
Flat 28, 31 Lakeside Rise, Manchester, M9 8QF

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 -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA