MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140170/FH/2024
Date registered valid:	3 June 2024
Proposal:	Erection of three storey side extension
Address:	2 Tommy Johnson Walk, Manchester, M14 4JA
Ward(s):	Moss Side Ward
Applicant:	Mrs Faustina Owusu
Agent (if any):	
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**22 July 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14th June 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 10 June 2024 Expired: 1 July 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a part-two / part-three storey end-terraced C3 dwellinghouse of buff, grey/blue and redbrick with a grey concrete tile pitched roof with photovoltaic panels to its front-facing slope. The property features grey uPVC windows, a modest front garden/yard bordered by mid-level grey railings, a front porch canopy, a tarmac driveway to the side and a detached outbuilding situated within the rear garden.






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Description of area

Tommy Johnson Walk is a residential street situated within the Moss Side ward of Manchester, close to Moss Side Park, Whitworth Park and Oxford Road. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced dwellinghouses, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a three-storey side extension.

Planning history

090824/FO/2009/S1 - Erection of 65 residential units comprising 20 x 2 bedroom flats, 6 x 2 bedroom houses, 38 x 3 bedroom houses and 1 x 4 bedroom house, involving a mixture of two and three storey buildings together with associated landscaping, access roads and public realm works – **APPROVED** (22.10.2009).

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Policies

The following policies are considered relevant in the consideration of this application.

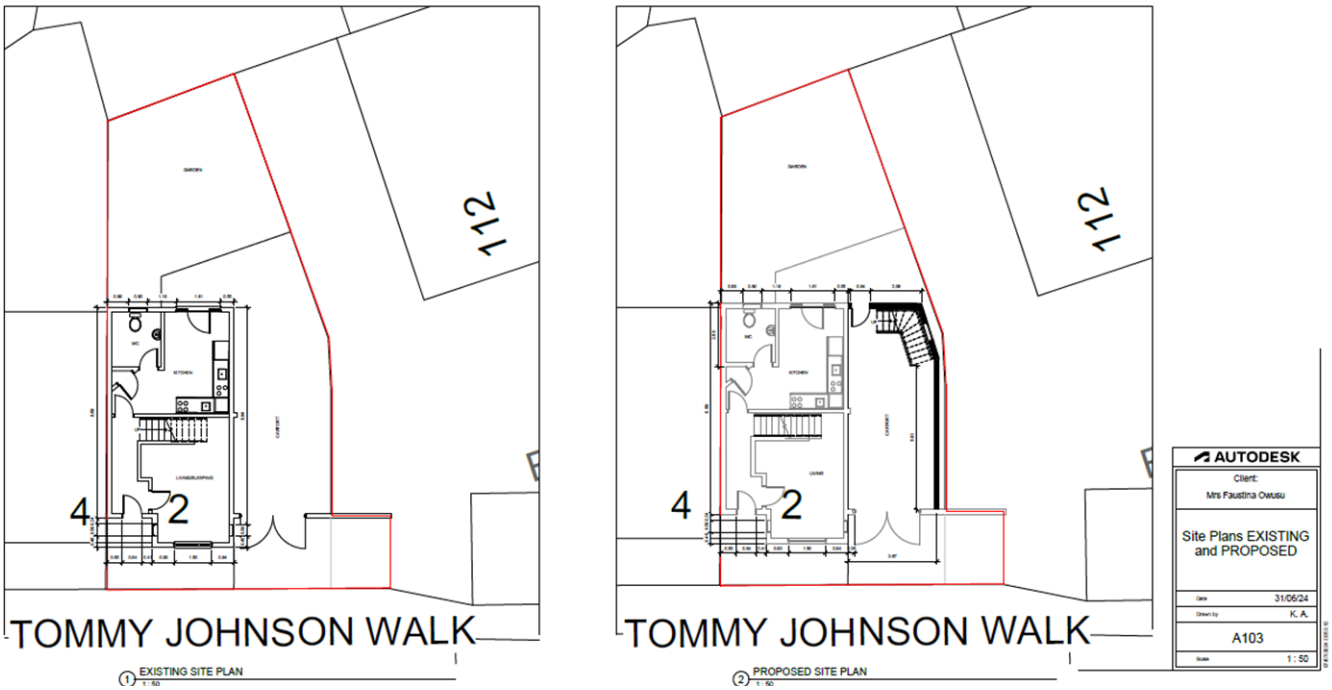
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions
- Policy DC22 – Footpath Protection

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN19 - Waste

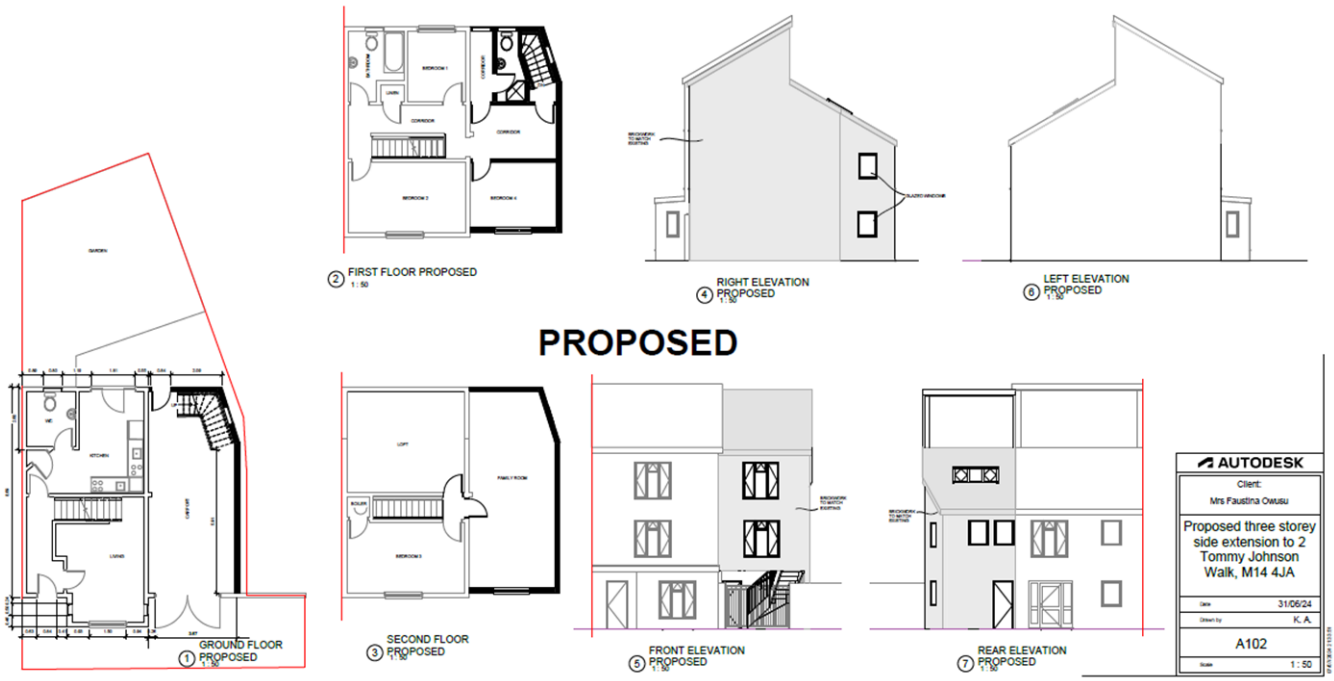
The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1 – Sustainable Places



Amended existing and proposed site plan



Amended proposed plans and elevations

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a three-storey side extension to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking.

Siting, scale, and massing – the three-storey extension would be sited at the side of the property, facing southeast.

At ground-floor level, the extension would accommodate a covered carport (with a parking space measuring to at least 2.4m by 4.8m) in addition to stairs leading to the upper levels of the extension. It would measure to 8.488m in length/depth, 3.765m in width at the front, and 3.033m in width at the rear. A gap of 0.282m would be maintained to No.112 and No.114 Upper Lloyd Street, whilst a gap of approximately 9.596m would be maintained to the boundary shared with No.110 Upper Lloyd Street.

At first-floor level, the extension would accommodate an additional bedroom, a bathroom, two corridors and stairs leading to the second floor. It would measure to 8.488m in length/depth, 3.765m in width at the front, and 3.033m in width at the rear. A gap of 0.282m would be maintained to No.112 and No.114 Upper Lloyd Street, whilst a gap of approximately 9.596m would be maintained to the boundary shared with No.110 Upper Lloyd Street.

At second-floor level, the extension would accommodate a family room. It would measure to 8.488m in length/depth, 3.765m in width at the front, and 3.033m in width at the rear. At the front, the extension would measure to 9.904m in height (0.224m below the existing) with an eaves height of 7.223m (0.116m below the existing). At the rear, the extension would measure to 7.503m in height (same as existing) with an eaves height of 4.725m (same as existing). A gap of 0.282m would be maintained to No.112 and No.114 Upper Lloyd Street, whilst a gap of approximately 9.596m would be maintained to the boundary shared with No.110 Upper Lloyd Street.

The overall siting, scale, and massing of the proposal is considered to be acceptable as the development is understood as being subservient to the host dwellinghouse in terms of its dimensions (on account of its reduced ridge height to the front, and sympathetic ridge height and flush elevation to the rear), would avoid resulting in an 'excessively large or bulky' addition to the property, and would not cause undue harm to the residential amenity of neighbouring occupiers in terms of introducing an overbearing feature into the area. Sufficient private outdoor amenity space would also be retained to the rear.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the extension would be built of brickwork, roof tiles, windows and doors to match the existing, as indicated on the amended plans. However, as the

host dwellinghouse features a mixture of buff, red, and blue engineering brick, a pre-above ground works condition has been attached to the decision notice seeking to clarify the proposal's brick usage, including type, location/positioning, and detailing.

At ground floor level, the extension would feature a set of outward-opening gates to its front elevation. These would measure to 1.904m in height, 2.699m in width and would have a frontward projection of 1.249m when open. They would be visually permeable, featuring a railings-style form. The southeastern side elevation would be blank, whilst the eastern side elevation would feature one obscurely glazed window and the rear elevation would feature an inward-opening door. At first-floor level, the extension would feature one window to the front, two windows to the rear, and one obscurely glazed window to the eastern side elevation. Its southeastern side elevation would be blank. At second-floor, the extension would feature one window to the front, and blank side and rear elevations. Its rear-facing roof slope would feature one flat skylight.

The proposal is considered to be relatively standard in terms of its scale and design and would be in-keeping with the overall character and built form of the surrounding area, which features a variety of dwelling types, sizes, and shapes. Sited at the side of the property, the proposal would be visible within the street scene and public realm, however its use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that the extension does not form a prominent visual feature within the locale. This has been conditioned accordingly to seek further clarification of the proposal's brick usage, including type, location/positioning, and detailing. Subject to the adherence of the condition, the overall character of the dwellinghouse and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposal therefore accords with Core Strategy policies SP1 and DM1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – though the extension represents a relatively sizeable addition to the dwelling, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area.

This is on the basis that the extension would represent a subservient addition to the host dwellinghouse in terms of its dimensions, would not project beyond the current rear elevation of the property and would feature a reduced height to the rear (in line with the existing roof form of the dwellinghouse). Moreover, the nearest residential properties of No.110, No.112 and No.114 Upper Lloyd Street are sited a reasonable distance away from the plot's shared boundary; therefore they should not experience a significant decrease in the standard of their residential amenity. Additionally, a considerable amount of their private amenity space would remain usable throughout the day as it extends both north- and eastwards. The privacy of neighbouring occupiers should also remain unaffected as the proposal's side-facing windows have been conditioned to be obscurely glazed.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the proposed carport includes sufficient space to allow for the accommodation of the property's existing bins in addition to one parking space (measuring to at least 2.4m by 4.8m). Refuse bins could therefore be stored away from the street scene, thereby safeguarding the visual amenity of the area, in line with policies DM1 and SP1 of the Core Strategy.

Parking – the proposed carport includes sufficient space to allow for the accommodation of the property's existing bins in addition to one parking space (measuring to at least 2.4m by 4.8m). These arrangements are considered acceptable. The proposed car parking space has been conditioned to be retained at all times thereafter so as to ensure that the proposal does not result in an unacceptable increase in on-street parking pressures.

Use – in their email correspondence dating to the 9th July 2024, the agent of the application confirmed that the extension would remain as ancillary to the host dwellinghouse, with the property remaining under Class C3a (family dwellinghouse). This has been conditioned accordingly.

Other matters – the amended plans indicate that the gates featured on the property's front elevation should not infringe upon the public footpath or highway and would instead operate within the confines of the application site. These arrangements are considered acceptable, pursuant to policy DC22 of the UDP.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policies DC1 and DC22 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

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

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

-'Proposed three storey side extension to 2 Tommy Johnson Walk, M14 4JA', numbered 'A102', stamped as received by the City Council as Local Planning Authority on the 9th July 2024.
-'Proposed Site Plan', numbered 'A103', stamped as received by the City Council as Local Planning Authority on the 9th July 2024.

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

3) No above-ground works shall commence unless and until samples and/or specifications of all materials to be used on all external elevations of the development, have been submitted to and approved in writing by the City Council as Local Planning Authority.

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, as specified in policies SP1 and DM1 of the Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any 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 the approved plans.

Reason- In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework. The Manchester Core Strategy policy SP1 and DM1.

5) Before first occupation the proposed windows in the side elevation facing No.112 and No.114 Upper Lloyd Street 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) The parking space, accommodated within the proposed carport, shown on amended drawings ‘A102’ and ‘A103’, shall be implemented and be in place prior to the first use/occupation of the extension(s) and shall be so maintained and retained at all times thereafter.

Reason – To ensure off-street parking provisions are retained at the property in the interests of avoiding contributing to an increase in on-street parking pressures in this area, pursuant to policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

7) 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 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

122 Upper Lloyd Street, Manchester, M14 4JB
120 Upper Lloyd Street, Manchester, M14 4JB
118 Upper Lloyd Street, Manchester, M14 4JB
99 Upper Lloyd Street, Manchester, M14 4HS
93 Upper Lloyd Street, Manchester, M14 4HS
133 Upper Lloyd Street, Manchester, M14 4HS
127 Upper Lloyd Street, Manchester, M14 4HS
107 Upper Lloyd Street, Manchester, M14 4HS
103 Upper Lloyd Street, Manchester, M14 4HS
10 Mary Barton Fields, Manchester, M14 4EQ
114 Upper Lloyd Street, Manchester, M14 4JB
112 Upper Lloyd Street, Manchester, M14 4JB
110 Upper Lloyd Street, Manchester, M14 4JB
108 Upper Lloyd Street, Manchester, M14 4JB
11 Mary Barton Fields, Manchester, M14 4EQ
6 Tommy Johnson Walk, Manchester, M14 4JA
4 Tommy Johnson Walk, Manchester, M14 4JA
8 Tommy Johnson Walk, Manchester, M14 4JA
10 Tommy Johnson Walk, Manchester, M14 4JA
123 Upper Lloyd Street, Manchester, M14 4HS
121 Upper Lloyd Street, Manchester, M14 4HS
119 Upper Lloyd Street, Manchester, M14 4HS
117 Upper Lloyd Street, Manchester, M14 4HS
115 Upper Lloyd Street, Manchester, M14 4HS
113 Upper Lloyd Street, Manchester, M14 4HS
111 Upper Lloyd Street, Manchester, M14 4HS
109 Upper Lloyd Street, Manchester, M14 4HS
105 Upper Lloyd Street, Manchester, M14 4HS
101 Upper Lloyd Street, Manchester, M14 4HS
97 Upper Lloyd Street, Manchester, M14 4HS
95 Upper Lloyd Street, Manchester, M14 4HS
139 Upper Lloyd Street, Manchester, M14 4HS
137 Upper Lloyd Street, Manchester, M14 4HS
135 Upper Lloyd Street, Manchester, M14 4HS
131 Upper Lloyd Street, Manchester, M14 4HS
129 Upper Lloyd Street, Manchester, M14 4HS
125 Upper Lloyd Street, Manchester, M14 4HS
1 Tommy Johnson Walk, Manchester, M14 4JA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH AREA