MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 140171/FH/2024 |
| **Date registered valid:** | 3 June 2024 |
| **Proposal:** | Alterations to basement including 2 new light-wells and 3 new basement windows/door |
| **Address:** | 74 Dudley Road, Manchester, M16 8DE |
| **Ward(s):** | Whalley Range Ward |
| **Applicant:** | Mr John Sharp |
| **Agent (if any):** | Ms Isabel Britch, Architects Britch |
| **Case officer:** | Joshua Lee<br>Tel: 0161 219 2851<br>Email: joshua.lee@manchester.gov.uk |

**Recommendation:** Approve

**Date of recommendation:** **04/07/2024**

## Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 12/06/2024

**Standard consultations:**
No consultations have been printed and sent.

**Neighbour notifications**
Printed: 10 June 2024 Expired: 1 July 2024

**Site notice**
Posted: 12 June 2024 Expired: 3 July 2024

**Press advert**
Published: 18 June 2024 Expired: 2 July 2024

**Departure from Development Plan:** No

**Environmental Statement:** Not required

**Description of site/building**

The proposal relates to a semidetached dwellinghouse on Dudley Road. The property is gable fronted with a gable end roof, has a shared rear dormer and a bay outrigger feature to the rear. There is hardstanding to the front for off street vehicle parking and garden to the rear.

**Listed building:** Not applicable

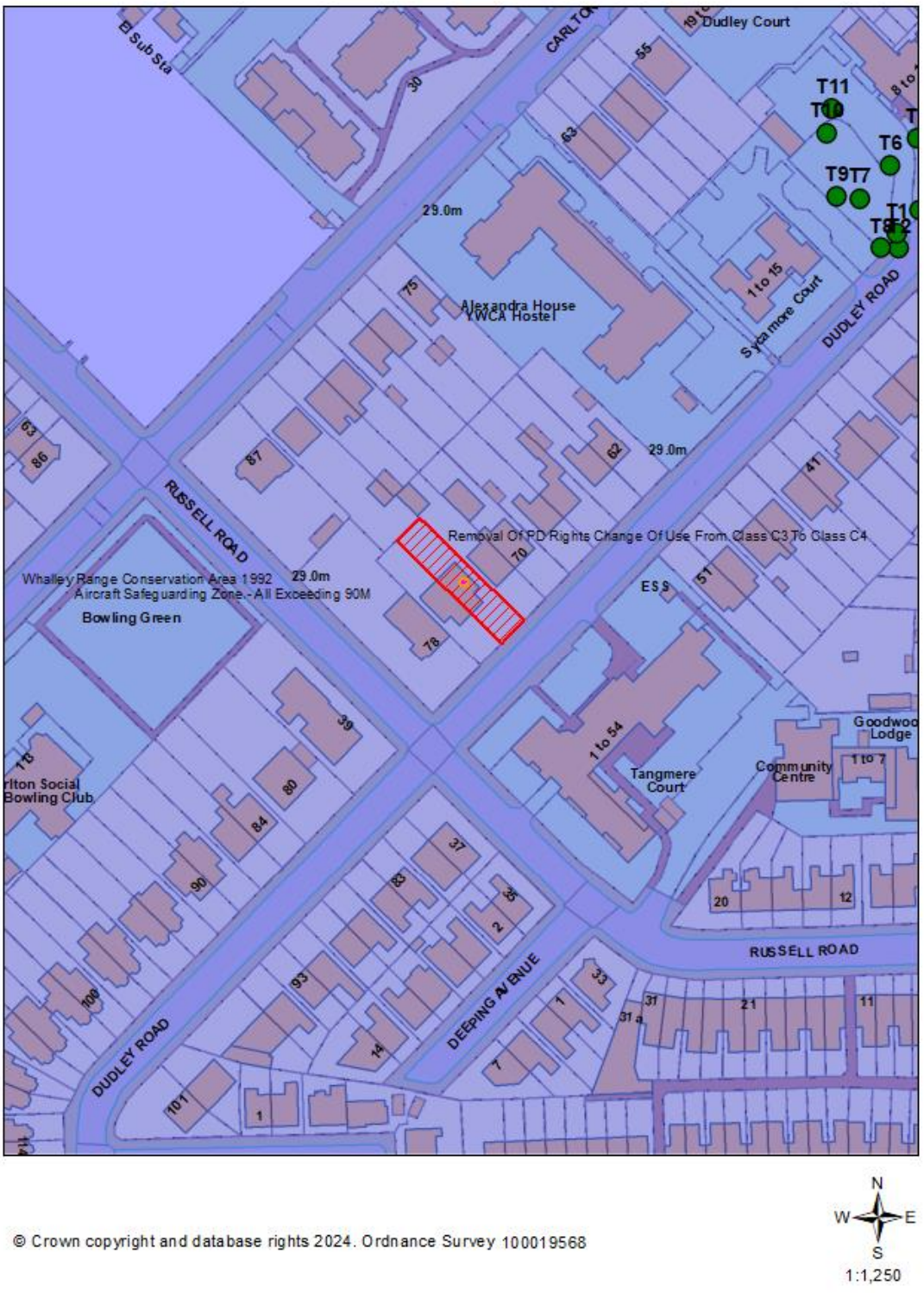
**Conservation area:** Whalley Range Conservation Area 1992

**Tree Preservation Order:** Not applicable

*Figure 1. View from Dudley Road*

**Description of area**

The proposal is located in the mostly residential part of the Whalley Range ward of Manchester. The property sits within the Whalley Range Conservation Area.



**Description of development**

The applicant is proposing the alterations to basement including 2 new light-wells and 3 new basement windows/door.

The ground floor of this property is about 700mm above ground level. There is an existing basement which is currently used for storage. This proposal includes the tanking of the basement and the introduction of two light-wells. The one at the front of the property will have a horizontal grill over to protect from falling and as a security measure. The one at the back will have stairs (fire escape) and will have guarding consisting of a handrail and glass balustrading.

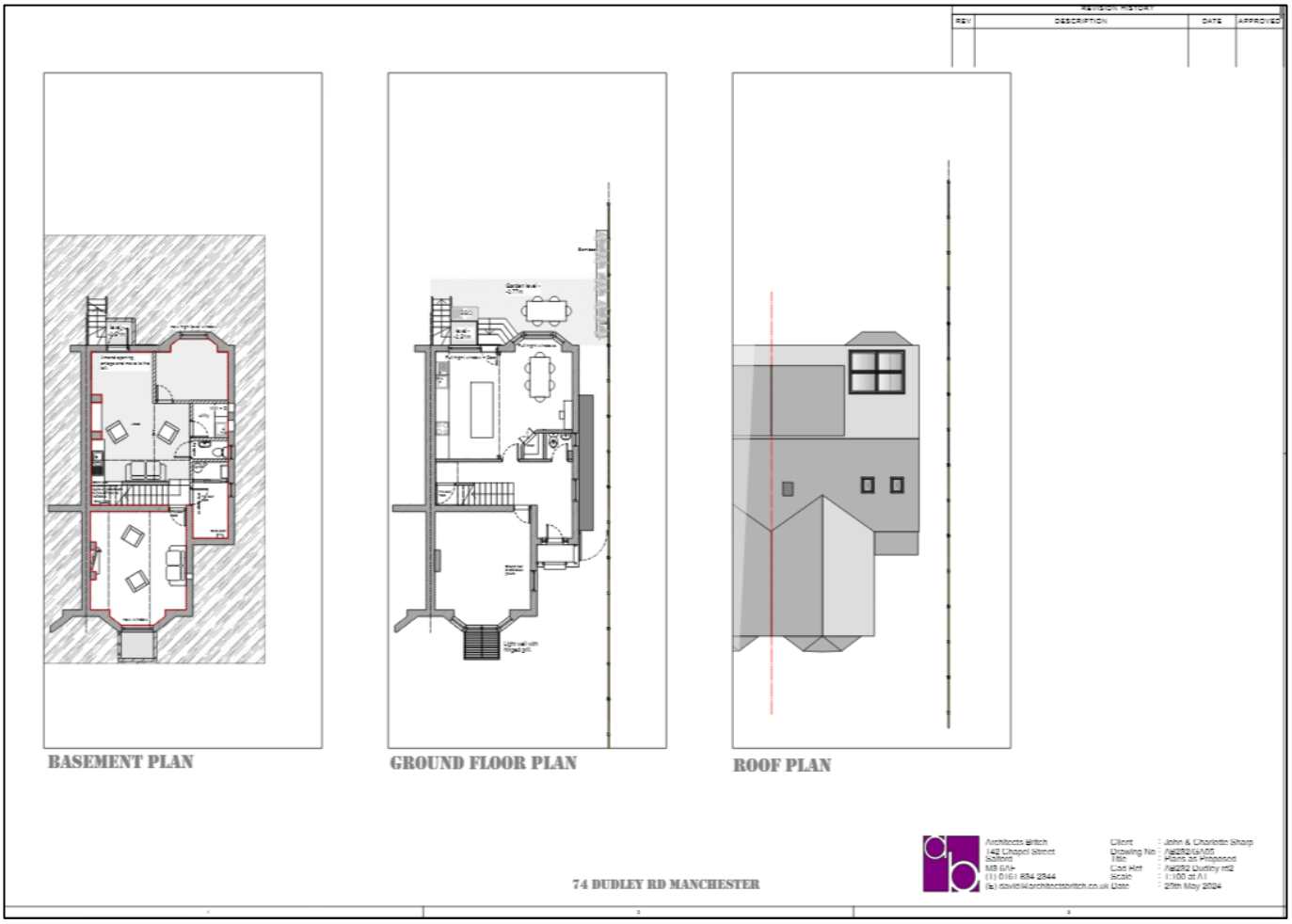



*Figure 2. Proposed plans*

## Planning History

**130406/FH/2021**
Description: Installation of two rooflights to front roof slope and dormer extension to rear roof slope, associated elevational alterations to gable.
Decision: Approved 14/07/2021

## Consultation, notification & publicity responses

**Notifications**

*Local Residents*
As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

**Publications**

*Site Notice and Press Advertisements*
As per Appendix 1, a public site notice and advertisement in the Manchester Evening News was posted.

No one commented, objected, or gave their opinion on this application.

## Relevant policies & the principle of development

**Summary of relevant policy**

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. Parts of the policies have been superseded by the Places for Everyone Plan. We consider the following Core Strategy Policies relevant to this proposal.
    - Development Management and Planning Obligations
        - DM 1 - Development Management
    - Objective 1 - Spatial Principles
        - SP 1 - Spatial Principles (partially superseded)
    - Objective 6 Environment
        - EN 1 - Design Principles and Strategic Character Areas
        - EN 3 – Heritage (partially superseded)
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC1 - Residential Extensions
    - DC18 - Conservation Areas
- Places for Everyone Plan Joint Development Plan Document 2022-2039- 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.
    - Strategy
        - JP-Strat9: Southern Areas
    - Sustainable and Resilient Places
        - JP-S1: Sustainable Development
    - Places for People
        - JP-P1 Sustainable Places

        - JP-P2: Heritage
- The National Planning Policy Framework (The NPPF) – The NPPF was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, 20 July 2021, 5 September 2023 and 19 December 2023. It sets out the government's planning policies for England and how these are expected to be applied. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places
    - Section 16 - Conserving and enhancing the historic environment

**Principle of the development**

Residents can usually expand their homes for more space, as long as it doesn't affect the neighbourhood or property's character.

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, Places for Everyone Plan and the NPPF. This conclusion is based on the assessment in the sections that follow.

## The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

**Development Management and Planning Obligations**

*DM 1 – Development Management*
New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

*Appropriate siting, layout, scale, form, massing, materials, and detail*
The new addition is designed to match the style and features of the current building. This includes the windows.

The proposal is designed to be subservient to the original dwelling house fitting within the current building with limited external alterations.

The proposed basement is to use as ancillary living accommodation for the residents of the main dwelling and not as a separate dwelling. A condition has been attached to ensure this.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

*Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.*
The proposal can be marginally seen from the street but is massing and design does not change the street's character.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

*Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.*
The proposal adds 1no window in the front of the building. It doesn't unduly affect privacy because there are other windows to this elevation.

The proposal is expected to have a negligible effect on local light.

The proposal in of itself has a negligible effect on local noise levels or vibration. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal is expected to have a negligible effect on air quality or odours.

The proposal is expected to have a negligible effect on litter, vermin, or birds.

The proposal is expected to have a negligible effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

*Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.*
The proposal does not change how people can get in and out of the building.

The proposal is therefore in accordance with this development management principle.

*Adequacy of internal accommodation and external amenity space.*
The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

*Refuse storage and collection.*
The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site. We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

*Vehicular access and car parking*

The proposal doesn't change how vehicles access and park at the property, so it follows the development management principle.

*Effects relating to biodiversity, landscape, archaeological or built heritage*

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal is exempt from biodiversity net gain rules.

The proposal is within the Whalley Range Conservation Area.

Whalley Range conservation area is situated approximately two miles south of Manchester city centre.

Much of the area, which is predominantly residential, is contained within 63 acres of flat land purchased for building in 1832.

The conservation area was designated in October 1991, with boundaries drawn to include some later housing, extending to Alexandra Road to the east and Upper Chorlton Road to the west.

The scale of the development minimises any harm to the conservation area and heritage assets and the development is in keeping with existing area.

The proposal is in keeping with the architectural style of the existing property and sits comfortably within the street scene.

The harm to the conservation area and local heritage assets would be less than substantial (as set out in the NPPF Section 16)

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

*Green Infrastructure including open space, both public and private*

The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

The proposal is therefore in accordance with this development management principle.

*Flood risk and drainage.*

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

**Objective 1 - Spatial Principles**

*SP 1 - Spatial Principles*
This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

We consider this proposal to accord with the principles of this policy.

**Objective 6 Environment**

*EN 1 – Design Principles and Strategic Character Areas*
This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the 'Southern Character Area'.

We consider this proposal to accord with the principles of this policy.

*EN 3 – Heritage*
This policy outlines the key principles concerning Heritage and development management. In particular, development that complements and takes advantage of the distinct historic and heritage features of the city's districts and neighbourhoods.

We consider this proposal to accord with the principles of this policy.

## Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

**DC1 - Residential Extensions**

This policy outlines the key issues when considering proposed residential extensions.

We consider this proposal to accord with the principles of this policy.

**DC18 - Conservation Areas**

This policy outlines the key issues when considering the development proposals within Conservation Area.

We consider this proposal to accord with the principles of this policy.

## Places for Everyone Plan (2022 – 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

**Strategy**

*JP-Strat9: Southern Areas*
This policy outlines the spatial strategy for the Southern Areas of the City Region which includes Southern areas of Manchester.

We consider this proposal to accord with the principles of this policy.

**Sustainable and Resilient Places**

*JP-S1: Sustainable Development*
This policy outlines how, to help tackle climate change, development should aim to maximise its economic, social, and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

We consider this proposal to accord with the principles of this policy.

**Places for People**

*JP-P1 Sustainable Places*
This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to accord with the principles of this policy.

*JP-P2: Heritage*
This policy outlines how We will proactively manage and work with partners to positively conserve, sustain and enhance our historic environment and heritage assets and their settings.
We consider this proposal to accord with the principles of this policy.

## The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

**Section 4 - Decision-making**

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

**Section 12 - Achieving well-designed places**

Section 12 of the NPPF outlines the need to achieve well-designed places.

**Section 16 - Conserving and enhancing the historic environment**

Section 16 of the NPPF outlines the development management regarding heritage assets.

Considering potential impacts (Para. 199-208)

These paragraphs outline when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

We consider this proposal to accord with the principles of the NPPF.

## Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manchester Tree and Woodland Action Plan 2024-2034
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (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 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.

## Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

## Recommendation: Approve

**Article 35 Declaration**

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan, and other material considerations. No significant problems have arisen during the consideration of this application.

## Condition(s) to be attached to decision for approval

1. **3-year time limit**

   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. **Specified plans**

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

a. Drawing - Location Plan 03 Jun 2024 THE LOCATION PLAN
b. Drawing - Site Plan 03 Jun 2024 BLOCK PLAN OF THE SITE
c. Drawing - Existing 03 Jun 2024 AB232/SUR03 PLANS AS EXISTING
d. Drawing - Existing 03 Jun 2024 AB232/SUR02 C ELEVATIONS AND SECTIONS
e. Drawing - Proposed 03 Jun 2024 AB232/GA05 PLANS AS PROPOSED
f. Drawing - Proposed 03 Jun 2024 AB232/GA02B ELEVATIONS AND SECTIONS
g. Design & Access Statement 03 Jun 2024 DESIGN AND ACCESS STATEMENT

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

**3. Specified materials**

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 of Places for Everyone.

**4. Ancillary living accommodation**

The development hereby approved is for ancillary living accommodation to the main dwellinghouse. The proposed basement space is not to be used as an additional dwelling at the location or for short term lettings and is explicitly for the private enjoyment of the occupants of the main dwellinghouse unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the exceptional circumstances of a proliferation of HMOs and short term lets 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 the provision of accommodation that is suitable for people living as families pursuant to paragraph 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 Core Strategy for the City of Manchester.

## Appendix 1 – List of consultees & neighbours notified

Flat 28, Tangmere Court, Dudley Road, Manchester, M16 8DF
76 Dudley Road, Manchester, M16 8DE
72 Dudley Road, Manchester, M16 8DE
Flat 22, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 19, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 17, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 14, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 8, Tangmere Court, Dudley Road, Manchester, M16 8DF

Flat 6, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 4, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 38, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 35, Tangmere Court, Dudley Road, Manchester, M16 8DF
83 Carlton Road, Manchester, M16 8BZ
Flat 32, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 3, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 27, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 24, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 33, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 31, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 30, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 29, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 26, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 25, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 23, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 21, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 20, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 18, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 16, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 15, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 12, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 11, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 10, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 1, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 9, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 7, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 5, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 40, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 39, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 37, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 36, Tangmere Court, Dudley Road, Manchester, M16 8DF
Flat 34, Tangmere Court, Dudley Road, Manchester, M16 8DF
85 Carlton Road, Manchester, M16 8BZ

## 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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA