

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140098/FH/2024
Date registered valid: 31 May 2024
Proposal: Erection of single storey rear extension and installation of rear dormer
Address: 20 Cardinal Street, Manchester, M8 0PS
Ward(s): Cheetham Ward

Applicant: Mr M Araf
Agent (if any): Mr T R Patel
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24 July 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 June 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 June 2024 Expired: 24 June 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 two storey, bay fronted, mid terrace dwellinghouse within predominantly residential neighbourhood of the Cheetham ward of north Manchester. There is existing amenity space along the front and rear only, including boundary treatment which is defined by a low brick boundary front wall and a high level brick rear boundary wall.

There is an existing rear roof dormer extension, and a structure in the south east corner of the rear yard which is referred to as a coal bunker, which are both to be removed to make way for the development.

To the south of the application site is an access route to Smedley Fields recreation ground, which lies along the eastern boundary of the site. Directly to the rear of the site is an alleyway which is secured with alley gates and paladin fencing along the boundary of the playing fields.

Site History

- o 129758/FH/2021, Erection of single storey rear extension, together with the installation of a rear roof dormer, APPROVED 05/2021.

Description of development

The submitted plan relates to a proposed single storey rear extension and installation of rear dormer.

This application is a re-submission of planning permission ref. no. 129758/FH/2021, which expired 05/2024.

Following demolition of the existing coal bunker to the south east corner of the rear yard, it is intended to erect a single storey rear extension which would be stepped away from the common shared boundary with no. 22 Cardinal Street approximately 150mm to leave a small gap from this boundary. It would then project approximately 3500mm along this boundary, then forward of the common shared boundary with no. 18 Cardinal Street approximately 3148mm wide, then return forward of the rear building line of the host dwellinghouse, whilst maintaining a separation distance of approximately 2600mm from the common shared boundary with no. 18 Cardinal Street. It would comprise of a mono pitch roof design - (maximum roof height would not exceed 3200mm) and would include 1no.window and 1no. door along the side elevation. It is intended to use matching materials.

In terms of the proposed rear roof dormer extension, it would measure approximately, (4400mm wide x 3000mm deep x 1700mm maximum height) and would be broadly centrally placed along the rear roof plane whilst being set away approximately 709mm and 807mm from the side boundaries. It is also set below the original roof ridge and above the eaves and would include 2no. windows along rear elevation. Whilst it is intended to use felt along the dormer roof, the proposed external facing materials for the dormer wall is unclear.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health

Environmental Health officers recommend a gas membrane condition.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- o Chapter 12: Achieving well-designed places.

2. Places for Everyone (2024) -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- o Policy DM1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o 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.

- o 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:

- o 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 (single storey rear extension and installation of rear dormer) - In light of the existing contextual relationship, the properties along this row of terraced houses have similar characteristics in terms of very small garden areas along the front and short rear yard areas. The proposed single storey rear extension would be site along the shared boundary with

neighbouring terraced property no. 22 Cardinal Street. This property has a two storey rear extension that appears to have been approved under planning application ref. 075292/FH/2005/N1. This two-storey rear extension is site along the shared boundary and occupies the full length of the rear yard. There are no windows on this side elevation of the extension no 22 and therefore there would be no impacts on occupiers at this property due to the presence of this extension. The proposed single storey rear extension would serve as a kitchen. There is 1no. door and 1no. window along the side elevation which is not considered to give rise to any overlooking impacts due to the high level boundary wall. Moreover, the proposed rearward projection at approximately 3500mm deep is also within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extension, which is considered acceptable. In terms of the rear roof dormer element of this application, there are 2no. windows facing the rear yard area, the proposed openings do not pose issues in terms of residential amenity; overlooking or privacy, subject to additional conditions requiring the bathroom window to be obscurely glazed, and specification of the external facing materials for the dormer wall.

Overall the proposed extension and rear dormer are considered to be subservient to the existing property, and therefore, for the reasons outlined, and on balance, and subject to planning conditions, it is considered that the proposed development would not present any significant adverse impacts to residential amenity, nor is it considered that the proposed scale would be unduly overbearing, overshadowing or present any loss of privacy impacts.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as 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 in-part be affected as the existing rear yard space would in-part be lost to accommodate the development. However, the resultant external space along the rear of the site still allows the housing of bins, which are wheeled via the access at the back along the alleyway to the front for collection; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

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) 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 has 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 21 May 2024.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 21 May 2024.
- o Existing and Proposed Plans and Elevations, received by the City Council as the Local Planning Authority on 21 May 2024.
- o Proposed SECTION-AA, Building Notes and Specifications, received by the City Council as the Local Planning Authority on 21 May 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) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

4) Notwithstanding the materials referred to and as annotated on the approved drawings and documents, no above ground development that is hereby approved shall commence unless and until samples and specifications of the external facing materials for the rear roof dormer have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the approved details.

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, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995); and policies SP1, DM1, EN1 of the Manchester Core Strategy Development Plan Document (2012).

5) The external facing materials to be used on the single storey rear extension hereby approved shall match those of the existing dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information and approved drawings.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, 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).

6) 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: Existing and Proposed Plans and Elevations, received by the City Council as the Local Planning Authority on 21 May 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).

7) Before first occupation of the development thereby approved, the dormer window along the rear elevation to serve the proposed bathroom and as shown on: Existing and Proposed Plans and Elevations, received by the City Council as the Local Planning Authority on 21 May 2024; shall be obscurely 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 - In the interest of privacy and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

8) 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

19 Cardinal Street, Manchester, M8 0PS
22 Cardinal Street, Manchester, M8 0PS
18 Cardinal Street, Manchester, M8 0PS
18 Daimler Street, Manchester, M8 0PG

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA