Planning

Growth & Development

Delegated officer report for planning application

Application no.	138931/FH/2024
Date registered valid:	5 January 2024
Proposal:	Erection of single storey side and rear extension and conversion of existing attached garage to form additional living accommodation
Address:	17 Weaving Way, Manchester, M18 7SX
Ward(s):	Longsight Ward
Applicant:	Mr Qazi Shabir Ahmed Sulimani
Agent (if any):	Mr Zeeshan Ulhaque
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 February 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 February 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 8 January 2024 Expired: 29 January 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 new build two-storey detached dwellinghouse of red brick construction with attached garage along the side elevation. The existing amenity space along the front and side elevation consists of tarmac driveway with some areas of soft landscaping, and paved areas which continues to the rear of the property, leading to a grassed rear garden. The existing attached garage is sited along the common shared boundary with nos. 26 and 28 Melland Road, whilst retaining a set-back approximately 5350mm from the front building line of the main dwellinghouse, and projecting approximately 2150mm beyond its rear building line. Due to the position of the application site, the garage is not readily visible from the primary highway.

Description of development

The initially submitted application related to a proposed part single, part two storey side and rear extension, together with a roof dormer along the side roof plane to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised and revised plans subsequently submitted, (dated, 26/02/24). The revised proposed scheme would now relate to a single storey side and rear extension and conversion of existing attached garage to form

additional living accommodation, and therefore, the title description has also been subsequently amended to reflect the revised plans. The revised plans would comprise of:

- Removal of the initially proposed dormer along the side roof plane.
- Removal of the first floor extension element.
- Clarification has been proposed regarding the location of wheeled bins.

The proposed revised plan would effectively result in a single storey wrap-around extension, whilst incorporating the existing attached garage.

It is intended to extend single storey forward of the existing attached garage. This element would be sited along the common shared boundary with nos. 26 and 28 Melland Road and would be set back approximately 600mm from the front building line of the original house and would measure approximately 2100mm deep x 1800mm wide x 3412mm maximum height; whilst maintaining a distance of approximately 1157mm from the side elevation of the existing house. It would incorporate a shallow pitch roof design, with the pitch of the roof dropped below that of the existing garage and would include 1no. widow along the front elevation. It is intended to use external facing materials to match the original dwellinghouse.

It is also intended to extend single storey beyond the rear building line of the existing attached garage. This element would be sited along the common shared boundary with no. 30 Melland Road and would measure approximately 3000mm deep x 1700mm wide x 3412mm maximum height; whilst maintaining a separation distance of approximately 7548mm from the common shared boundary with no. 19 Weaving Way. It would also incorporate a shallow pitch roof design, with the pitch of the roof dropped below that of the existing garage and would include 1no. widow along the rear elevation. This element would also be constructed in external facing materials to match the original dwellinghouse.

The proposal would also include of a further single storey conservatory extension projecting beyond the rear building line of the main dwellinghouse. This element would be sited along the common shared boundary with no. 19 Weaving Way. It would project approximately 2150mm deep along this boundary, then come forward of the side elevation of existing garage approximately 60650mm wide. It would incorporate a lean-to pitch roof design with a maximum proposed height of approximately 3498mm and would include French doors along the rear elevation. It would be constructed in facing bricks and upvc glazing matching the original dwellinghouse with the significant façade comprising of upvc glazing.

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.

2. Environmental Health

Environmental Health officers have advised for a gas membrane condition and an informative in relation to Contaminated Land Watching brief to be attached to any recommendation for planning approval.

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 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. Places for Everyone

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must 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 - It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (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) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 (Residential Extensions) is considered relevant.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007

- Chapter 2: Design

ISSUES

Following negotiations, the initially submitted plan has been revised and revised plans subsequently submitted, (dated, 26/02/24). The title description has been subsequently amended to reflect the revised plans.

Principle

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and visual amenity

Impact of works (single storey side and rear extension and conversion of existing attached garage to form additional living accommodation) - In light of the existing contextual relationship along the common shared boundaries with nos. 26, 28 and 30 Melland Road and 19 Weaving Way and the revised plans (dated, 26/02/24), and due to the fact that the proposed development would be contained within the curtilage of the application site - (correspondence from the agent dated, 30/11/23) and proposed rearward projections at (approximately 3000mm and 2150mm deep) would both fall within the guidance set out in saved policy DC1 regarding rearward extensions. Therefore, for these reasons and on balance, and subject to conditions, the proposed extension 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) - In light of the revised plans (dated, 26/02/24), it is not considered that the revised proposal would unduly harm the character of the building or the general area. It is also intended to match materials with that of the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (waste management) - Although the revised plans (dated, 26/02/24), show the storage location for wheeled bins, they would be exposed along the frontage and therefore details of an appropriate bin store covering has not been sufficiently demonstrated. It is therefore recommended that a condition is attached to any planning approval requiring further details, in the interest of residential and visual amenity and pursuant to policy EN19 of the Core Strategy and saved UDP policy DC1.

Impact of works (car parking) - Although the existing garage would be lost to accommodate the garage conversion, the tarmac driveway along the front of the dwellinghouse would be unaffected.

Conclusion - 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) chapters 8 and 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.

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

0) In this instance, following negotiations, the initially submitted plan has been revised and revised plans subsequently submitted, (dated, 26/02/24). The title description has been subsequently amended to reflect the revised plans. The local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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 Location Plan with application site edge in red, Drawing No.107, received by the city council as the local planning authority on 26 February 2024.

o Existing Floor Plans, Drawing No.100, received by the city council as the local planning authority on 26 February 2024.

o Existing Elevations, Drawing No.101, received by the city council as the local planning authority on 26 February 2024.

o Existing Site Plan, Drawing No.105, received by the city council as the local planning authority on 26 February 2024.

o Proposed Site Plan, Drawing No.106, received by the city council as the local planning authority on 26 February 2024.

o Proposed Roof Plan, Drawing No.103, received by the city council as the local planning authority on 26 February 2024.

o Proposed Floor Plan, Drawing No.102, received by the city council as the local planning authority on 26 February 2024.

o Proposed Elevations, Drawing No.104, received by the city council as the local planning authority on 26 February 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 (July 2012).

3) The external facing materials to be used on the extension hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form 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 (July 2012).

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of ground gas protection measures, in order to alleviate any possibility of ground 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.

Any further development shall not compromise any existing remedial measures previously installed at the site as part of Planning Permission 085323/FO/2007/N2. Upon completion of the works, a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority, to ensure that the existing remedial measures have not been compromised.

Reason - The existing development has had remedial measures installed as part of Planning Permission 085323/FO/2007/N2. The current works shall not compromise the protection afforded by these earlier measures. Pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and EN18 of Manchester's Local Development Framework, Core Strategy Development Plan Document (2012).

*Ground gas protection measures include a CO2 membrane and ventilated sub-floor void. The applicant should also be made aware that a clean soil cover system is in place in garden areas at the property and must be retained.

5) Notwithstanding the details on the submitted information (dated, 26/06/24); before any above ground works of the development hereby approved, finalised details of storage arrangements for refuse, including elevational details of screening/enclosure of a bin storage area, shall be submitted to, and approved in writing by, the City Council as local planning authority. Prior to the extension first being occupied the bin storage area shall be implemented in accordance with the approved scheme and shall thereafter be so 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, and DM1 of the Core Strategy (July 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: Proposed Site Plan, Drawing No.106; Proposed Roof Plan, Drawing No.103; Proposed Floor Plan, Drawing No.102; and Proposed Elevations, Drawing No.104, all received by the city council as the local planning authority on 26 February 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 policies SP1 and DM1 of the Core Strategy (July 2012).

7) Before first occupation of the development thereby approved, the proposed window along the front elevation to serve the annotated ("Bath") and as shown on: Proposed Site Plan, Drawing No.106; Proposed Floor Plan, Drawing No.102; and Proposed Elevations, Drawing No.104, all received by the city council as the local planning authority on 26 February 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 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).

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.

Informative

1) 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.

Technical guidance relating to ground contamination can be found at: MCC's Information for Developers webpage

Appendix 1 – List of consultees & neighbours notified

32 Melland Road, Manchester, M18 7SR
15 Weaving Way, Manchester, M18 7SX
13 Weaving Way, Manchester, M18 7SX
24 Melland Road, Manchester, M18 7SR
22 Melland Road, Manchester, M18 7SR
20 Melland Road, Manchester, M18 7SR
25 Weaving Way, Manchester, M18 7SX
23 Weaving Way, Manchester, M18 7SX
21 Weaving Way, Manchester, M18 7SX
19 Weaving Way, Manchester, M18 7SX
30 Melland Road, Manchester, M18 7SR
28 Melland Road, Manchester, M18 7SR
26 Melland Road, Manchester, M18 7SR

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA