

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 139376/FH/2024

**Date registered valid:** 26 February 2024

**Proposal:** Basement conversion with front external staircase and lightwell to front & rear of property

**Address:** 99 East Road, Longsight, Manchester, M12 5GY

**Ward(s):** Longsight Ward

**Applicant:** Mr Adnan Malik

**Agent (if any):** Mr Ahmed Choudhry, NADA Architects

**Case officer:** Harriet Aidoo  
Tel: 0161 234 4532  
Email: [harriet.aidoo@manchester.gov.uk](mailto:harriet.aidoo@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 14 April 2024

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 25 March 2024

### **Standard consultations:**

Printed: 7 March 2024      Expired: 28 March 2024

### **Neighbour notifications**

Printed: 7 March 2024      Expired: 28 March 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 traditional end-terrace dwellinghouse situated at the junction of East Road and Patey Street. The site is located within a predominantly residential area and along a distinctive row of terrace of houses comprising of brick elevation with stone cills and lintels, combined 2 storey and single storey rear outriggers (which spans across approximately two-thirds of the rear elevation), hexagonal bay windows and pitched roof dormer windows along the front roof plane, grey slate roofs and recessed doorways. There is existing amenity space along the front and rear elevations - all benefitting from boundary treatment. The small front amenity space is enclosed with low brick walls with stone copings and metal railing above. Car parking is on-street. Longsight Cricket Club is across the road from the application site.

## **Site Planning History**

- o No record.

## **Description of development**

The submitted plan proposes a basement conversion with front external staircase and lightwell to front and rear of the property.

In this instance, the proposal would involve the conversion of the existing basement for use ancillary to the dwellinghouse, (correspondence from the planning agent, dated 08/04/2024) and would serve as a "playroom" - as annotated on the submitted information.

The front garden area would be excavated to allow the formation of stepped access with balustrade, including 1no. enlarged window opening / lightwell and external doorway to the basement. The proposed combined stepped access with balustrade that would be visible above ground level would maintain a distance of approximately 579mm from the existing ground floor bay window, a distance of approximately 177mm from the existing boundary wall to the back along Patey Street, a distance of approximately 1409mm from the common shared boundary with no.101 East Road, and distance of approximately 660mm from the existing front boundary wall ; and would measure approximately 3528mm wide x 1105mm deep x 1053mm maximum height.

The rear yard area would also be excavated to allow the formation of 1no. enlarged window opening / lightwell below ground level with balustrade above ground level. The proposed balustrade would retain a distance of approximately 211mm from the existing boundary wall to the back of pavement along Patey Street and would be sited along the side elevation of the existing combined 2 storey and single storey lean-to rear outrigger, and would measure approximately 1386mm wide x 658mm deep x 1011mm maximum height, whilst retaining a separation distance of approximately 4513mm from the rear building line of the combined outrigger. It is intended to use white UPVC for the fenestration, in addition to black metal railings for the balustrade.

## **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 on this occasion.

### **2. Environmental Health**

No comments to make on this occasion; and there appears to be adequate external space to accommodate additional waste & recycling containers if necessary, and therefore no additional concerns.

## **POLICY**

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

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

- 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. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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 Core Strategy policies are relevant to the proposed development:

- o Policy DM1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy T2 (Accessible areas of opportunity and need)

### 4. Saved Unitary Development Plan (UDP), (1995)

- o Saved Policy DC1 for Residential Extensions.

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

### o Chapter 2: Design

## ISSUES

### Principle of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact 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 residential and visual amenity.

### Residential and visual amenity

**Impact of works ( Basement conversion with front external staircase and lightwell to front & rear of property) -** The proposed development has been assessed with regard to its relationship to neighbouring houses, in addition to an assessment of height, scale, massing and site coverage. The application has also been considered with regard to its subservience to the main dwellinghouse. In this instance, the proposal would involve the conversion of the existing basement for use ancillary to the main dwellinghouse. Therefore, in light of the existing context with the application site being an end of terrace dwellinghouse at the junction of East Road and Patey Street and thereby the site is to the back of pavement along these elevations, and the retained boundary wall would screen the exposed basement area, staircase and lightwell thereby retaining the existing relationship of the house to neighbouring properties and the street scene. The proposal would also be set-away from the boundaries and therefore the siting is acceptable. In terms of the proposed height, scale and massing; the height of the proposal above ground level is considered to be acceptable as there would not be any significant adverse impact on the occupiers of no. 101 East Road. A satisfactory distance would also be maintained between the common shared boundary and thereby the impact of the height would be minimal. On balance, it is considered that the development would represent a proportionate addition to the existing dwellinghouse and thereby be compliant with Core Strategy policies SP1 and DM1 and saved UDP policy DC1; subject to conditions. A condition has been recommended to ensure that the basement accommodation is only used in conjunction with the host house (Class C3) and not as a separate dwelling. This condition is considered necessary given the configuration of the extension in relation to the main house. This approach is considered to be consistent with Core Strategy policies SP1 and DM1. A condition is also recommended to prevent the insertion of any further windows or door openings, apart from those shown on the approved drawings and for the use of the basement conversion to remain ancillary to the dwellinghouse. For the reasons set out in this report, it is considered that any impact on residential amenity are in the margins of acceptability and on this basis it is considered that Core Strategy policies SP1 and saved UDP policy DC1 have been responded to.

**Impact of works (Design and appearance)** - In design terms, the proposed development has been informed by a similar planning consent along the street scene, (ref: 110176/FH/2015/N2) and it is intended to use white UPVC for the fenestration, in addition to black metal railings for the balustrade - which would be consisting with the existing context. Therefore, it is not considered that the proposal would unduly harm the character of the building or the general area. It is considered that the proposal has been appropriately related to the character of the existing building, in terms of the composition of proposed materials. However, a materials condition has been attached to ensure that the materials are adhered to; pursuant to Core Strategy policies SP1 and DM1 and saved UDP policy DC1.

**Impact of works (Car Parking)** - The existing arrangement would be unaffected.

**Impact of works (Waste Management)** - The existing arrangement would be unaffected.

**Conclusion** - For the reasons outlined above, and subject to planning conditions and on balance, it is considered that the proposed development has been suitably related to the existing house and the surrounding context. The magnitude of the proposed development is considered to be acceptable along with its height, scale and massing; and therefore is considered to respond positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1 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 from local residents 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 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 applicant 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:

- 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 26 February 2024.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 26 February 2024.

- o Existing Elevations, dwg no. (01)001, revision PL0, received by the City Council as the Local Planning Authority on 26 February 2024.
- o Existing Floor Plans, dwg no. (03)001, revision PL0, received by the City Council as the Local Planning Authority on 26 February 2024.
- o Proposed Basement and Ground Floor Plans, and Existing and Proposed Site Plan, dwg no. (04)001, revision PL0, received by the City Council as the Local Planning Authority on 26 February 2024.
- o Proposed Elevations, dwg no. (02)001, revision PL0, received by the City Council as the Local Planning Authority on 26 February 2024.
- o Correspondence from the planning agent, dated 08/04/2024).

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to policies SP1 and DM1 of the Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

3) The materials used to construct the external elevations of the development hereby approved shall match the existing dwellinghouse and as stated on the submitted information 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 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 stated on: Proposed Basement and Ground Floor Plans, and Existing and Proposed Site Plan, dwg no. (04)001, revision PL0; and Proposed Elevations, dwg no. (02)001, revision PL0, both 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 policy DM1 of the Manchester Core Strategy (2012).

5) The basement conversion as stated in correspondence from the planning agent, dated 08/04/2024) and as shown on: Proposed Basement and Ground Floor Plans, and Existing and Proposed Site Plan, dwg no. (04)001, revision PL0; and Proposed Elevations, dwg no. (02)001, revision PL0, both received by the City Council as the Local Planning Authority on 26 February 2024 and hereby approved shall not be used as a self-contained living unit, or business, and

shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 99 East Road, Manchester.

Reason: To ensure the proposed use remains ancillary to the principle use on the site, as a single dwellinghouse, in the interest of residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy and for the avoidance of doubt as any proposal to use the basement, as a self-contained living unit, or business would require planning permission.

6) 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**

### Environmental Health

Longsight Cricket Club, 84 East Road, Longsight, Manchester, M12 5GZ  
97 East Road, Longsight, Manchester, M12 5GY  
Flat 19, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 18, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 17, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 16, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 15, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 14, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 12, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 11, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 10, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 9, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 8, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 7, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 6, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 5, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 4, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 3, 2 Armitage Avenue, Manchester, M12 5GP  
Flat 2, 2 Armitage Avenue, Manchester, M12 5GP  
2 Armitage Avenue, Manchester, M12 5GP  
Flat 1, 2 Armitage Avenue, Manchester, M12 5GP  
101 East Road, Longsight, Manchester, M12 5GY  
47 Patey Street, Manchester, M12 5RP  
30 Santley Street, Manchester, M12 5RG

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