

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139475/FH/2024
Date registered valid: 7 March 2024
Proposal: Erection of single storey side and rear extension
Address: 104 Hemsworth Road, Manchester, M18 7SD
Ward(s): Longsight Ward

Applicant: H Waheed
Agent (if any): Mr Stephen Nicholls, Richmond Consultants
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 1 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 13 March 2024 Expired: 5 April 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 area

This application is located in a residential area. In common with surrounding properties, the application property is a 1930's style semi-detached dwelling house with a hipped pitched roof. The house is set within a triangular site, which is formed in response to the configuration of houses and gardens to the west of the site. The property has a front and rear linked rear garden. Car parking is provided within the front garden but is not supported with a dropped kerb.



Fig.1 – Views of the application site from Hemsworth Road

Description of development

The proposed development involves the formation of a single storey flat roof extension. Its front elevation would align with the principal elevation of the house and have a width of 5.6 metres terminating adjacent to the western boundary. The side wall would return southwards following the angle of the shared boundary with a projection of 2 metres beyond the rear wall of the property. The side elevation would be positioned 6.2 metres for the shared boundary with No 106.



Fig. 2 – Proposed elevations

The extension would incorporate a windows and doorway to the front elevation and windows within the rear elevation. It would be linked internally to the main house. The internal layout would incorporate one x two person bedroom, one x one person bedroom and a WC. Matching materials are proposed.

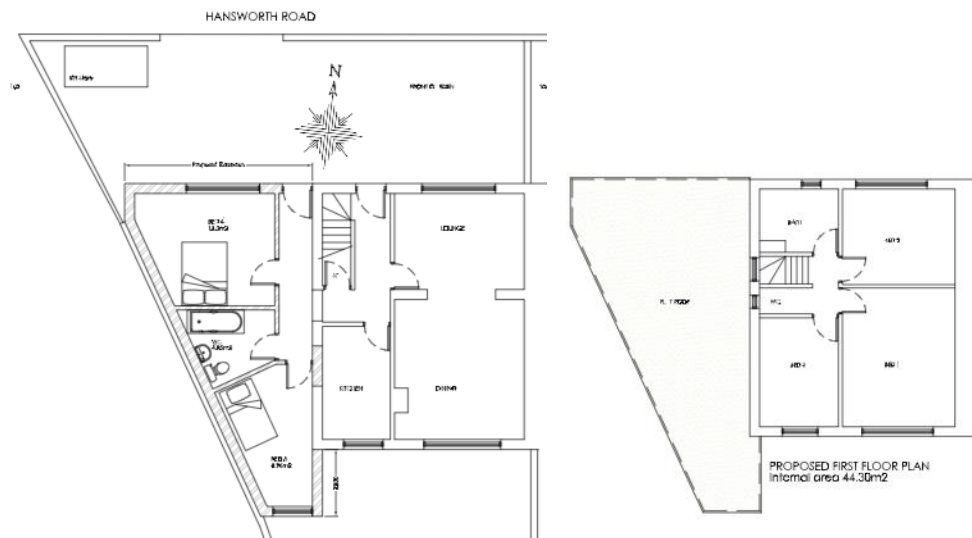


Fig. 3 – Proposed layout

Consultations & Notification Responses

Local residents – No comments received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF have been considered in relation to the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

It is considered that the development would be positively related to these objectives.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. It is considered that the development would respond positively to the above objective and the following aspects of the Framework.

- i. Section 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In this case, it is considered that an appropriate quality of design would be achieved and the development would facilitate the future occupation of the house..

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG is relevant to key planning issues of significance to applicants and local authorities. The assessment of the proposed development has been related to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

The development would accord with specified sections of the PPG, particularly with regard to safeguarding residential amenity and maintaining the character of the locality.

The Places for Everyone Plan - Is a Joint Development Plan Document and provides 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 on the Plan. The Examination of 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 is 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. The following policies are relevant:

- i. JP- S1- Sustainable development
- ii. JP- S2 - Carbon and energy.

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 policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice through: the creation of well designed places that enhance or create character; making a positive contribution to the health,

safety and well-being of residents and responding to the diverse needs of all members of the community and the protection and enhancement of the built and natural environment;

b. Minimises emissions, ensures efficient use of natural resources and reuses previously developed land wherever possible.

Notwithstanding the formation of a flat roof, it is considered that the proposed development would be appropriately related to the existing house, including its setting and context. It would also allow the formation of accommodation to meet residents' needs and thereby aid the sustained occupation of the house. The development would thereby be positively related to policy SP1.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design. Opportunities for good design, which enhance the overall image of the city should be fully realised. For the reasons outlined below, it is considered that proposed design of the extension would be acceptable and satisfactorily related to policy EN1.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) - The development would be constructed to contemporary buildings standards to achieve and reduction in carbon emissions. Given the magnitude of the development, it is considered that policy EN4 would be positively responded to, through the implementation of construction techniques that accord with building regulations.

Policy EN 14 (Flood Risk) - Seeks to reduce the increased risk of flooding and to secure appropriate drainage. The site is located in Flood Zone 1 and it is not apparent that the development would increase the localised risk of flooding. Policy EN14 would thereby be complied with.

Policy EN18 (Contaminated Land and Ground Stability) - Requires that ground conditions that may be potentially harmful to public health and appropriate identified and remediated. In this case, no historic land conditions have been identified affecting the implementation of the development.

Policy EN19 (Waste) - Requires that appropriate arrangement of the storage and collection of waste and recycling are provided. Bin storage within an enclosure has been identified within the front garden. Arrangements for bin storage are related to the development by condition.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o Effects on amenity;
- o Design for health.

It is considered that the development would not unduly harm residential amenity and would be suitably related to neighbouring built form. Policy DM1 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, the application has been satisfactorily assessed on the basis of the submitted details without a requirement for further negotiation.

Principle of the development – The development would facilitate the formation of accommodation in response to the applicant's housing needs. It is acknowledged that proposed pitched roof would be relatively expansive. It also represents a roof style that contrasts with the existing house. However, there are incidence of flat roofs in the locality . including and extension to the neighbouring No 102. Given the configuration of the site and the maintained space above the roof, it is considered that the development would be appropriately related the existing house and its context. At the principle of the development is therefore considered to be acceptable.

Use – An included condition ensures that the extension would only be used in conjunction with the occupation of the application property as a dwellinghouse (Class C3) and shall not be used at any time as a separate or independent dwellinghouse. This condition is required to ensure the appropriate future occupation and management of the property and to safeguard residential amenity.

Residential amenity – The internal arrangement of the proposed extension would secure reasonably sized bedrooms. The position of windows would not result in undue overlooking or otherwise harm neighbouring properties. A condition has been included to ensure that no windows, other than those shown on the submitted drawings are inserted into the elevations. Through the use of matching materials to visual amenities of the area would be safeguarded.

Scale and massing - The height of the development would not exceed 2.3 metres thereby maintaining space above the roof and characteristic spaces across the boundary with No 102. The massing of the extension would be relieved by the incorporation of a doorway and window to the front elevation. On balance, it is considered that the development has been appropriately related to scale and proportions of the existing house.

Siting - The development would relate appropriately to the forward building line of the existing house thereby securing a satisfactory relationship to the streetscene. The semi-detached houses at 102 Hemsworth Road and 53 Wembley Road following the established building line to Hemsworth Road, i.e., these properties are presented at a 45 degree angle to the adjacent junction. The siting of the extension would not, therefore, disrupt the configuration of housing to the west of the application site. The western elevation of the extension would also respond to the angled configuration of the application site with maximum projection of 2 metres beyond the original building line of the house. Given the orientation of No 102, the development would not unduly affect outlook from its habitable room windows or have an overbearing impact on its rear garden. The rear elevation of the extension to No 102 would not be affected as it incorporates and door rather than windows. A distance of 6.2 metres would be maintained between the side elevation of the extension and the boundary with No 106, thereby negating any potential impact. On balance, the siting of the extension is considered to be acceptable.

Design - The design of the extension has been related to a simple elevational form with a layout that responds to the configuration of the site. The proposed roof design responds to the constraints of the site and the internal space to be formed. The development is conditioned to ensure the use of matching materials to ensure a cohesive relationship to the existing house. Further continuity would be secured through the alignment of windows in the existing and proposed front elevations. On balance, the proposed design would be acceptable.

Car parking. – The application property did not originally incorporate on-site car parking. The boundary access to Hemsworth Road has been widened to accommodate a car within the front garden area. However, the parking space is not supported with a dropped kerb and thereby an

appropriate standard of vehicular access has not been formed. The loss of the facility to park within the site has therefore been outweighed by the benefits of providing accommodation to meet changing residential means.

Waste management – The applicant has indicated a location for bin storage within the front garden areas. Details of a bin enclosure has been provided. The proposed position and appearance of the storage enclosure is considered to be acceptable. However, the capacity of the bin enclosure would only accommodate three bins rather than four bin as required by Council policy. A condition has therefore been included to secure the provision of an enclosure of an appropriate size. On this basis, appropriate bin storage would be secured.

Land conditions – Historic land conditions have not been identified affecting the implementation of the development.

Flood risk - The site is in Flood Zone 1 and the development would not unduly increase the risk of flooding.

Inclusive access – The existing and proposed entrance incorporates in response to changes between ground and internal floor levels. As there would be no change in circumstances these arrangements would be acceptable.

Conclusion - The development would be satisfactorily related to the application property and its setting, including relationship to the neighbouring houses. The development would therefore be acceptable.

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

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. In this case, the application has been satisfactorily assessed on the basis of the submitted details without a requirement for further negotiation.

Condition(s) to be attached to decision for 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 received by the City Council as local planning authority received on 7 March 2024:

Householder planning application forms

Location plan (with a red edge)

Site plan (with a red edge)

Proposed floor plans Ref: 06.24 HR 102

Proposed elevations Ref: 06.24 HR 103

Site photographs

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 for the City of Manchester.

3) The materials to be used in the construction of the development hereby approved, including bricks and roof tiles (together with the method of coursing and pointing) and window frames, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

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 part of the residential units shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a) not precluding occupation by two unrelated people sharing a property.

Reason - In the exceptional circumstances of a proliferation of HMOs 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.

5) 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 shall be inserted into the elevations of the development hereby approved other than those shown on the approved drawings referenced: Proposed floor plans Ref: 06.24 HR 102 and Proposed elevations Ref: 06.24 HR 103.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Before the first occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating the provision of a bin storage enclosure. The submitted details shall include details of its siting, appearance and confirmation that bin numbers and storage capacities accord with Council policy. The approved details shall be implemented in full prior to the occupation of the development and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

Informative

1) Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) It is recommended that any new windows, doors, locks and fittings meet Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

41 Hemsworth Road, Manchester, M18 7SE
53 Wembley Road, Manchester, M18 7PX
33 Forber Crescent, Manchester, M18 7PU
57 Wembley Road, Manchester, M18 7PX
55 Wembley Road, Manchester, M18 7PX
108 Hemsworth Road, Manchester, M18 7SD
106 Hemsworth Road, Manchester, M18 7SD
102 Hemsworth Road, Manchester, M18 7SD

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