

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139525/FH/2024
Date registered valid: 7 April 2024
Proposal: Erection of single storey front extension
Address: 9 Barry Lawson Close, Manchester, M8 9EY
Ward(s): Cheetham Ward

Applicant: Mr Nazmi Gjata
Agent (if any): Mr Qendrim Gjata Quadrant Atelier
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 April 2024 Expired: 30 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 site / building / area

The application site is a two-storey, mid-terraced dwellinghouse along a cul-de-sac within the Cheetham ward of north Manchester. There is an existing flat roof front porch (approximately 1190mm deep x 1848mm wide, and which appears to be original to these properties along the cul-de-sac). Bins are store within curtilage in front of the house, screened behind a brick facing bin store (which also appears to be original to these properties along the cul-de-sac). The existing front amenity space is relatively small, measuring approximately 4.7 metres deep x 6.2 metres wide. The immediate surrounding area is predominantly residential in character with several of the dwellinghouses having been extended along the front elevations.

Site history

- No record.

Description of development

The submitted plan relates to a proposed single storey front extension.

It is intended to increase the footprint of the existing front porch to serve as a combined entrance porch and w/c room.

The proposal would be sited along the common shared boundary with no. 11 Barry Lawson Close. It would project from the front building line of the host dwellinghouse and along this boundary approximately 1688mm deep, then come forward of the common shared boundary with no. 7 Barry Lawson Close approximately 3723mm wide, then forward of the front building line of the host dwellinghouse approximately 1688mm deep, whilst maintaining a separation distance of approximately 2596mm from this boundary.

It would incorporate a pitch roof design, with the maximum proposed height measuring approximately 3499mm and would include 1no. door and 1no. window along the front elevation. It is intended to use matching materials.

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.

POLICY

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

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

- 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:

- Policy DM1 (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), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- 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:

- 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 these factors, 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 front extension) - In light of the existing context along the front of the application site involving an existing front porch, although the proposed new front extension at approximately 1688mm deep x 3723mm wide x 3499mm high would be a sizable increase to the existing footprint; given the permitted development fallback position and the limitations within this guidance, whilst the proposed depth at approximately 1688mm would be in line, the proposed width and height would exceed the limitations by approximately 723mm and 499mm respectively. Therefore, it is this variance which planning permission is sought. With this in mind, it is considered that the resultant contextual relationship of this variance along the common shared boundaries with nos. 5 and 11 Barry Lawson Close could be accommodated in this instance without any significant adverse impacts to residential amenity, nor is it considered that the proposed scale would be unduly overbearing. Moreover, the proposed single storey front extension would be informed by similar developments along the street scene, and for these reasons, it is considered that the proposal could be accommodated in this location in this instance as there are no undue overbearing, overshadowing or loss of privacy impacts, subject to conditions.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it broadly mirrors similar developments along the immediate street scene, and 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 be affected as a result of the proposed development, and therefore, it was requested during the course of the planning application that the planning agent demonstrates how this issue would be overcome, within specified timescales. At this stage as it is still unclear the waste management arrangements for the site, the agent has been advised that any recommendation for planning approval would be subject to an additional condition in relation to an appropriate bin store; 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

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 issues to raise with the agent 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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 14 March 2024.

- Location Plan with application site edge in red, A1019, PL5, received by the city council as the local planning authority on 14 March 2024.
- Existing Floor Plan, A1019, PL04, received by the city council as the local planning authority on 14 March 2024.
- Proposed Elevations, A1019, PL2, received by the city council as the local planning authority on 14 March 2024.
- Proposed Floor Plan, A1019, PL1, Rev A, received by the city council as the local planning authority on 07 April 2024.

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

3) 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 email correspondence from agent dated, 22/03/24; saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) The external facing materials to be used on the development 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 policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 2012).

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 or doors shall be inserted into the elevations of the development hereby approved other than those shown on:

- Proposed Elevations, A1019, PL2, received by the city council as the local planning authority on 14 March 2024.
- Proposed Floor Plan, A1019, PL1, Rev A, received by the city council as the local planning authority on 07 April 2024.

Reason - In the interests of residential amenity pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 2012).

Appendix 1 – List of consultees & neighbours notified

13 Barry Lawson Close, Manchester, M8 9EY
11 Barry Lawson Close, Manchester, M8 9EY
15 Maurice Pariser Walk, Manchester, M8 9DH
13 Maurice Pariser Walk, Manchester, M8 9DH
7 Barry Lawson Close, Manchester, M8 9EY
5 Barry Lawson Close, Manchester, M8 9EY

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