



**MANCHESTER
CITY COUNCIL**

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137685/FH/2023

Date registered valid: 26 July 2023

Proposal: Erection of single storey rear extension to provide additional living accommodation

Address: 459 Claremont Road, Manchester, M14 5NU

Ward(s): Moss Side Ward

Applicant: Mr Aqib Bukhari

Agent (if any): Mr Sohail Musa SMS architecture

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 19/09/2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16/08/2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 August 2023 Expired: 4 September 2023

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

Proposal is related to an end terrace dwellinghouse on the corner of Claremont Road and Fleeson Street. The property features a two-storey outrigger and further ground floor extension with small rear yard. The property has no off-street parking.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



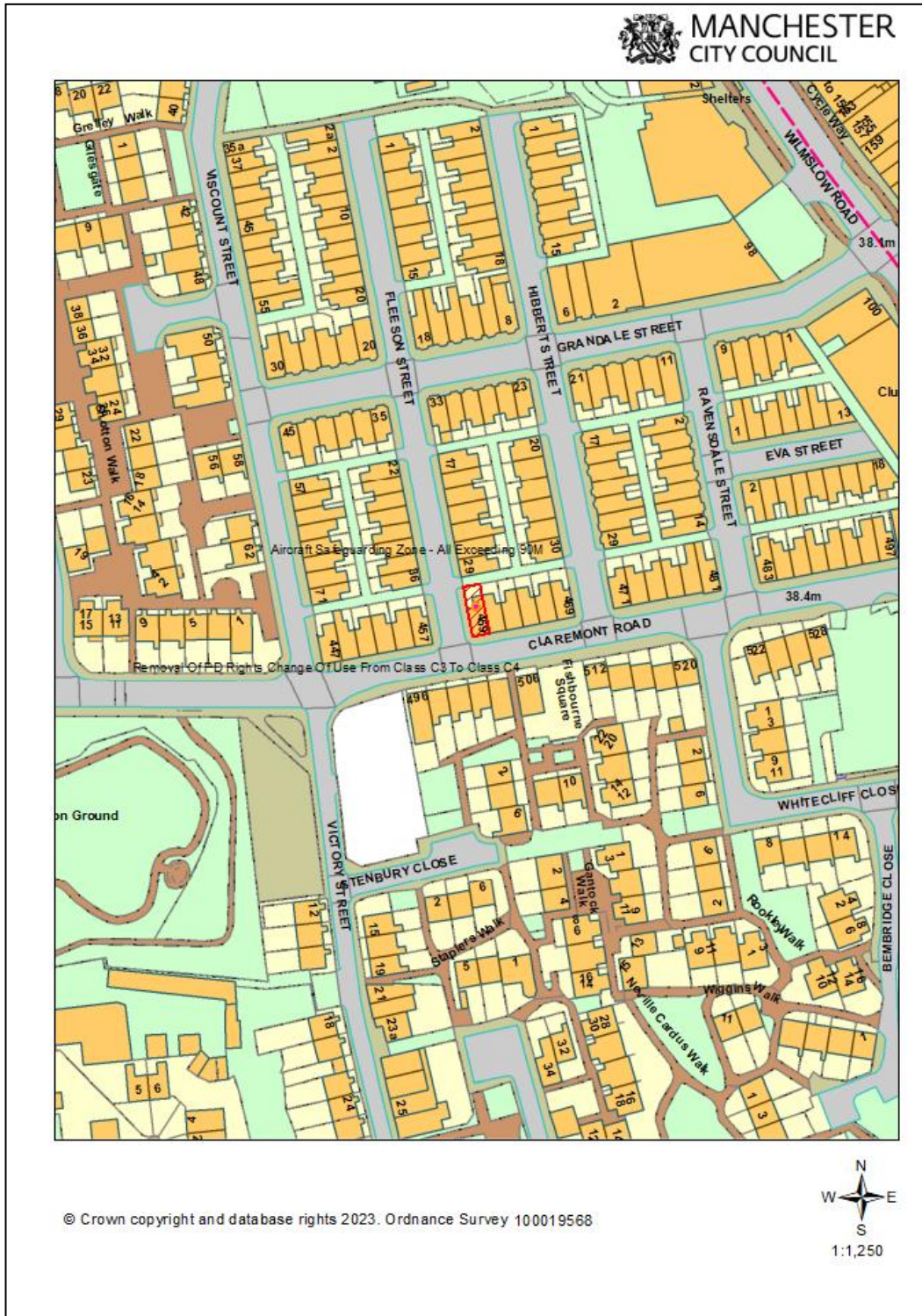
Figure 1. Street Scene



Figure 2. Rear view

Description of area

The property is located in a predominantly residential part of the Moss Side Ward of Manchester.



Description of development

Erection of single storey rear extension to provide additional living accommodation.

The proposed extension would encapsulate the existing outrigger projecting 3070mm from the existing outrigger to meet the rear boundary wall.

The proposed extension would extend 4320mm from the rear boundary to 2185mm from the rear elevation.

The proposed extension spans 5000mm across the rear of the property leaving an 80mm gap to the shared boundary with 501 Claremont Road.

The proposal leaves a 2185mm x 1700 'bin store' to the side of the property.

The proposal features a pitched roof with a gable end to the rear boundary.

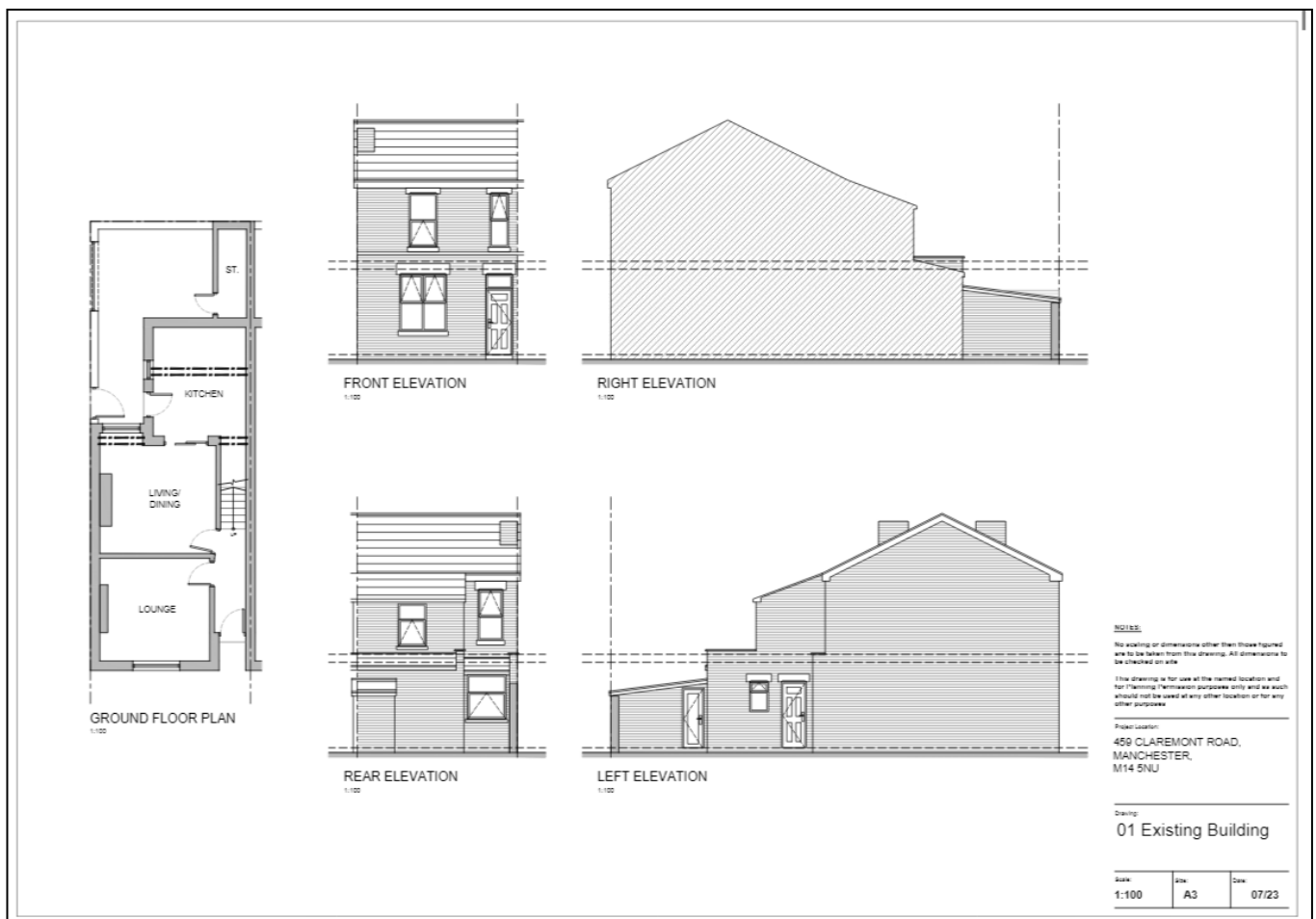


Figure 3. Existing



Figure 4. Proposed

Planning History

37225

Description: Change of use from dwellinghouse into an office

Decision: Refused 04/10/1990

Consultations & Notification Responses

Consultations

No consultees were consulted on this proposal.

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

No comments, objections, or representations in respect of this application was received.

Negotiations

Issues have arisen in the consultation phase.

On initial consideration the proposal would remove almost all external amenity space from the property to the detriment of current and future occupiers.

Officers offered a solution which would allow for a small extension to the property whilst maintaining external amenity space.

Officers and the applicant were unable to negotiate a scheme which met this principle.

Policies & Principle

Summary of relevant policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies are considered relevant in the consideration of this application.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets the out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:
 - DM 1 - Development Management
 - Policy SP 1 - Spatial Principles
 - Policy EN 1 - Design Principles and Strategic Character Areas

- Policy EN 8 – Adaptation to Climate Change
- Policy EN 16 - Air Quality
- Policy EN 18 - Contaminated Land and Ground Stability
- Policy EN 19 - Waste
- [Extant Unitary Development Plan Policies \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.
 - Policy DC1 for Residential Extensions
 - Policy DC26 for Development and Noise
- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
 - Section 4 – Decision-making
 - Section 12 – Achieving well-designed places

For reasons to be outlined below, it is considered the proposal opposes the principles of these policies.

Principle

In general, the principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable if there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to oppose relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF as outlined in the sections below.

The Manchester Core Strategy Development Plan (2012-2027)

The proposal has been assessed against the following policies of the Core Strategy:

DM 1 – Development Management

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

Appropriate siting, layout, scale, form, massing, materials, and detail

Erection of single storey rear extension to provide additional living accommodation.

The proposed extension matched the architectural style and features of the existing building including window design.

The proposal uses brick and tile to match the materials of the existing property (as stated in the application form).

The size and massing of the extension is overwhelming for the small plot and would remove almost all the external amenity space to the detriment of current and future occupiers.

Overall, it is considered that the proposed development does not have appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in opposition with the development management principle.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

The proposed development, due to its size and massing, would almost entirely remove the external amenity space at the property to the detriment of the current and future occupiers.

The proposal would create a large massing to the rear of the terraced properties, creating a sense of encapsulation and overdevelopment on the plot.

The character of these terraced properties is defined by the rear yard space with rear alley access and the proposal would be of detriment to the area, especially if replicated throughout the row.

Visual impacts in connection with the proposed development are considered to have significant impacts to the character of the area, and therefore the appearance is unacceptable.

Overall, it is considered that the proposed development has a negative impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in opposition with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal adds windows to the side elevation however the effect on privacy is negligible.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. It is recognised that demolition and/or construction works are often noisy and obtrusive to the local residential amenity. Contractors are expected to follow best practice to minimise the temporary effect on residents referring to construction guidance on controlling emissions.

The proposal has no effect on road safety and traffic generation and is therefore in accordance with this development management principle.

On balance the proposal has minimal effect on privacy, local light, noise, vibration, air quality, odours, litter, vermin, and birds and is therefore in accordance this development management principle.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal does not alter the existing access to the premises or create an unnecessary barrier to access and egress.

The proposal is therefore in accordance with this development management principle.

Adequacy of internal accommodation and external amenity space.

The proposal adds internal accommodation to the property to the detriment of external amenity space.

The proposal would almost entirely remove usable external space at the property, with what little is left utilised as a bin store.

The proposal would have a harmful negative impact for current and future occupants removing all usable external space.

The proposal is therefore in opposition with this development management principle.

Refuse storage and collection.

The proposal in of itself has a negligible effect on waste from the site, using existing refuse storage and collection on site. It is recognised that demolition and/or construction works often generate commercial waste. Contractors are expected to follow best practice of waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal has no effect on the existing vehicle access and car parking at the property and is therefore in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling currently benefits from an external yard which the proposed development would remove.

The proposal is therefore in opposition with this development management principle.

Flood risk and drainage.

The site does not sit in a flood risk area and therefore no flood statement or assessment was required.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This proposal is considered to oppose with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the 'Central Character Area'.

This proposal is considered to oppose with the principles of this policy.

EN 8 – Adaption to Climate Change

This policy outlines the key principles of how all new development will be expected to be adaptable to climate change.

The development is considered to accord with the aspirations of this policy.

EN 14 – Flood Risk

This policy outlines the key principles around Flood Risk Management in the city.

The proposal does not sit in a flood risk area.

This proposal is considered to accord with the principles of this policy.

EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

The proposed development would not give rise to air quality issues when the development is operational.

This proposal is considered to accord with the principles of this policy.

EN 18 - Contaminated Land and Ground Stability

This policy sets out the principle of development on contaminated land or unstable land.

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

This proposal is considered to accord with the principles of this policy.

EN 19 – Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

Existing waste management arrangements would be retained.

The proposal is considered to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

DC1 - Residential Extensions

This policy outlines the key issues when considering proposed residential extensions.

This proposal is considered to oppose the principles of this policy.

DC26 - Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City.

This proposal is considered to accord with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied.

The NPPF has been adhered to and considered at all stages of the application.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

This proposal is considered to oppose the principles of these policies.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)

- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)
- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)
- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manual for Streets \(2007\)](#)
- [National design guide](#) & [National Model Design Code](#) (2021)
- [Outdoor advertisements and signs: a guide for advertisers \(2007\)](#)

Relevant policy and guidance have been considered within Policy DM 1 of the Core Strategy.

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.

Conclusion

The proposal is considered unacceptable in this location, in terms of design, scale and massing, detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene. For the above reasons, the proposal will have a detrimental impact and therefore is in opposition with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Refuse

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the applicant but were unable to reach a satisfactory conclusion.

Reasons for refusal

1. Loss of external amenity space

The proposed development, due to its size, massing, and location, would almost entirely remove the external amenity space at the property to the detriment to the residential amenity of current and future occupants in opposition to Policy DM 1, SP 1, EN 1 of the Manchester Core Strategy and DC1 of the Extant Unitary Development Plan.

2. Harm to the character of the area

The proposed development, due to its size, massing, and location in context with the size of the property plot would create a sense of overdevelopment and have a negative effect on the character of the terraced street in opposition to Policy DM 1, SP 1, EN 1 of the Manchester Core Strategy and DC1 of the Extant Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

36 Fleeson Street, Manchester, M14 5NQ

29 Fleeson Street, Manchester, M14 5NQ

457 Claremont Road, Manchester, M14 5WP

461 Claremont Road, Manchester, M14 5NU

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: SOUTH AREA.