MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 139065/FH/2024 |
| **Date registered valid:** | 15 February 2024 |
| **Proposal:** | Hip to gable roof conversion together with rear dormer and erection of single storey ground floor extension to the rear and retention of roller shutter to garage. |
| **Address:** | 255 Broadfield Road, Manchester, M14 7JT |
| **Ward(s):** | Whalley Range Ward |
| **Applicant:** | Mr M D Islam Mahi Property Ltd |
| **Agent (if any):** | Mr Paul Clark StudioCharrette |
| **Case officer:** | Robert Tyrer<br>Tel: 0161 234 4068<br>Email: robert.tyrer@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | 11 April 2024 |

**Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 6 March 2024

**Standard consultations:**
No consultations have been printed and sent.

**Neighbour notifications**
Printed: 5 March 2024 Expired: 26 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**

The application site relates to a two storey end terraced property which originally had a hipped roof. At the time of the site visit (see site photographs) the property had been altered with a hip to gable roof alteration and dormer. The result has meant that the property has lost some of its ornate brickwork and eaves.




*Photograph Montage 1 Front, Side and Rear Elevations as built (Officers Site Photographs)*

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

**Description of area**

The surrounding area is predominantly residential located in streets set within a grid iron formation.

**Description of development**

The applicant is seeking planning permission for a hip to gable roof conversion together with rear dormer and erection of single storey ground floor extension to the rear and retention of roller shutter to garage.

**Consultations & Notification Responses**

**Publicity** – Notification letters were sent to nearby residential properties (see appendix 1 for the list of properties).

**Local residents/public opinion** – One representation was received objecting to the proposal;

- Objected to the application on the basis that the property was only extended to allow an increase in the number of tenants and the issues that an increased number of tenants brings in terms of waste collection. Concerns were also raised regarding the proposal limiting the amount of sunlight into gardens.

**Issues**

**Planning History**

**Application Reference:** 137097/FH/2023
**Proposal:** Retention of rear dormer, hip to gable extension, single storey rear extension and installation of roller shutter door to rear garage
**Decision:** Refused 25.07.2023

**Appeal Reference**: 23/02715/REF
**Decision**: Appeal Dismissed 01.11.2023

**Application Reference:** 135269/FH/2022
**Proposal:** Retrospective planning application for erection of a rear dormer, hip to gable and installation of roller shutter door to rear garage
**Decision:** Withdrawn 15.03.2023

**Enforcement Notice:** ENF/15463/22
**Status**: Notice Issued 22.09.2022 and varied on the 09.11.2023 following the conclusion of the appeal.
**Notice Requirements:**

1. Remove the second-floor extension in its entirety, highlighted yellow on the below photo (ENF/01).

2. Remove the partially completed gable wall of the hip to gable conversion, returning the roof to its previous configuration.

3. Remove the roller shutters including, highlighted in blue on the attached photo (ENF/01).

4. Remove any rubble and debris, returning the land to its state before the breach occurred.

**Local Policy**

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

Policy SP1
DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

**The Guide to Development in Manchester SPD**

**Places for Everyone Joint Development Plan – 2022 to 2039**

On the 21st arch 2024, nine of the ten Greater Manchester Councils voted to adopt the Places for Everyone Joint Development Plan – 2022 to 2039 (PfEJDP); Manchester City Council is one of the Council's that has voted to adopt the plan. The PfEJDP has superseded parts of some of the policies contained within the Council's Core Strategy.

The relevant **PfEJDP** policy is as follows:

Policy JP-Strat1: Core Growth Area

**National Policy**

**National Planning Policy Framework (NPPF)** - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

**The Principle**

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be

assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

In this case, the proposed alterations to the dormer and roof together with the single storey rear extension are considered to be acceptable and in accordance with policies DM1 and SP1 of the Core Strategy, saved policy DC1 of the Manchester UDP and NPPF.

**Residential and Visual Amenity**

The proposal is similar to the refused application reference: 137097/FH/2023 which was also dismissed at appeal (reference: 23/02715/REF). The applicant now seeks to make changes to address the reasons for refusal.

It is now proposed that the dormer set within the roof space and will be reclad in slates to match the existing roofs of not only the host property but the wider area. The applicant also seeks to re-build the side gable in matching red brick and re-instate the eaves. These are shown on image 1 below.

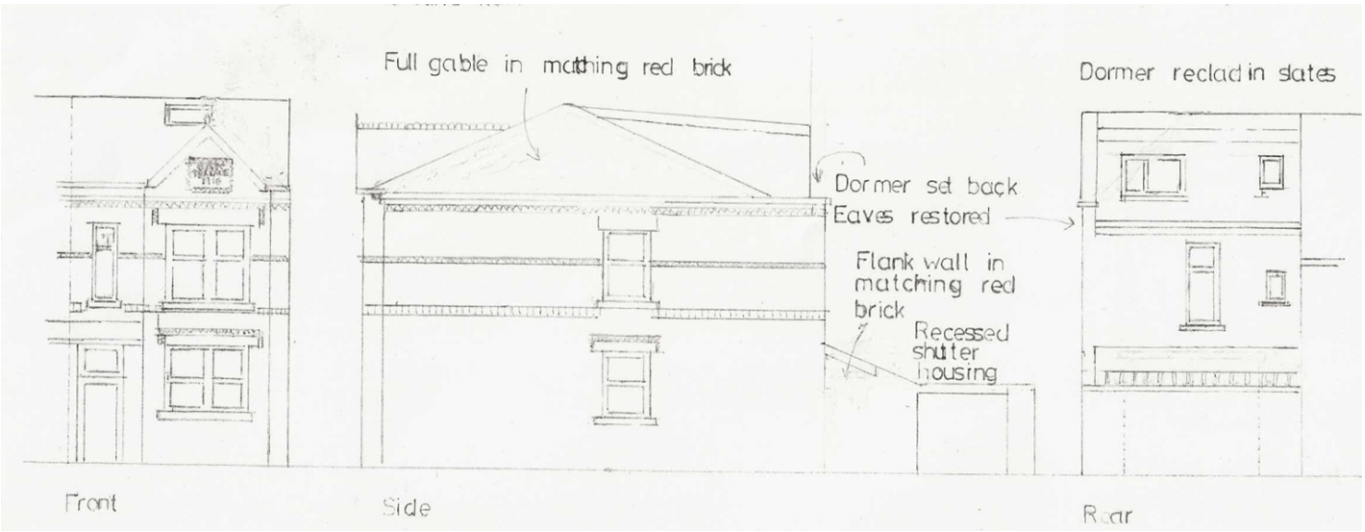



*Image 1 Proposed Elevations*

The result will ensure that the development would no longer appear overly dominant and incongruous addition. Furthermore, the design of the dormer will be much improved with the choice of materials and the set back within the existing roof space. Overall, this would be similar in scale, design and massing to that of a hip to gable roof alterations and rear dormer that could be built under permitted development rights.

At the ground level side extension, the side facing materials will be replaced with matching red brick materials as those on the original dwelling. Thus, improving the appearance of the street scene. As noted on the plans and observed on site the roller shutting housing for the garage is no longer a high-level protruding external shutter box as the housing is now located inside the garage.

A condition is recommended to ensure that materials are appropriate in appearance to the existing property in the interests of visual amenity and to protect the character of the residential area. For the avoidance of doubt this includes all brickwork including brick banding and pattern that was partially removed from the gable end.

Lastly it is recommended that the timescale to submit the materials should be three months as there is an extant enforcement notice on the site which needs to be complied with.

**Other Matters**

Waste Management and Car Parking

Car parking and refuse storage are not be affected by the development

The proposal is considered to be acceptable and in accordance with DM1 and saved policy DC1 in respect of car parking and adequate refuse storage.

Objections raised concerns that the additions to the property are to increase the number of tenants, provided that the property remains a family dwelling there are no concerns with the increase in living accommodation at the address.

The tightknit of properties means that there would always be a feeling of enclosure, the orientation of the properties however would not result in an undue loss of sunlight. The rear gardens are likely overshadowed after midday was a result of the existing buildings, the dormer will be altered to sit within the roof space and crucially lower than the original roof height, therefore it is unlikely that there would be an increase in loss of light on the rear gardens.

**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**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

**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:

Drawings MDI 3 "Elevations as Proposed", MDI 6 "First, Second Floor and Roof Plan as proposed" and MDI 7 "Side Facing 253"

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.

3) a) Within 3 months of the date of this permission a sample panel of brickwork and roofing tiles including brick banding and patterns shall be prepared on site and shall be inspected by the Local Planning Authority.

b) Any required changes following the inspection shall then be carried out within a further one-month period and again inspected by the Local Planning Authority; those changes shall continue until the final finish of the sample panel has been inspected and agreed.

c) The agreed final finish shall then be approved in writing by the Local Planning Authority and the remainder of the brickwork side elevation of the main dwellinghouse shall then be finished in accordance with the agreed details within a further 12-month period.

Reason - In the interests of visual amenity and to protect the character of the residential area, pursuant to Policies DM1 in the Manchester Core Strategy.

**Appendix 1 – List of consultees & neighbours notified**

166 Broadfield Road, Manchester, M14 7JJ
21 Burdith Avenue, Manchester, M14 7HX
19A Burdith Avenue, Manchester, M14 7HX
20 Burdith Avenue, Manchester, M14 7HX
249 Broadfield Road, Manchester, M14 7JT
257 Broadfield Road, Manchester, M14 7JT
259 Broadfield Road, Manchester, M14 7JT
253 Broadfield Road, Manchester, M14 7JT
251 Broadfield Road, Manchester, M14 7JT
174 Broadfield Road, Manchester, M14 7JJ
170 Broadfield Road, Manchester, M14 7JJ
164 Broadfield Road, Manchester, M14 7JJ
176 Broadfield Road, Manchester, M14 7JJ
19 Burdith Avenue, Manchester, M14 7HX
18 Burdith Avenue, Manchester, M14 7HX
16 Burdith Avenue, Manchester, M14 7HX
14 Burdith Avenue, Manchester, M14 7HX
261 Broadfield Road, Manchester, M14 7JT
178 Broadfield Road, Manchester, M14 7JJ
168 Broadfield Road, Manchester, M14 7JJ
180 Broadfield Road, Manchester, M14 7JJ
172 Broadfield Road, Manchester, M14 7JJ
23 Burdith Avenue, Manchester, M14 7HX

**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
Area Team Boundary - Name: SOUTH AREA