Planning

Growth & Development

Delegated officer report for planning application

Application no.	139102/FH/2024
Date registered valid:	26 January 2024
Proposal:	Erection of single storey side/rear extension to provide additional living accommodation
Address:	14 Hector Road, Manchester, M13 0QN
Ward(s):	Longsight Ward
Applicant:	Fatiha Bibi
Agent (if any):	Tomislav Vuletic Flocc Studio Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 February 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 30 January 2024 Expired: 20 February 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 ground floor bay-fronted, mid-terraced dwellinghouse with two storey rear outrigger with a rearward projection of approximately 3825mm and which retains a distance of approximately 1635mm from the common shared boundary with 16 Hector Road. The existing space along this elevation is enclosed with canopy covering and timber frame panel fencing, whilst being flush with the rear building line of the existing rear outrigger. There is also an existing rear roof dormer extension. The existing rear yard measures approximately 3610mm deep (from the rear of the existing outrigger) x 4964mm wide and is enclosed by boundary treatment along the perimeter - approximately 1.8 metres high, whilst incorporating a timber frame gated access. There is an existing outbuilding along the rear yard and a gated alleyway runs along the rear boundary. There

Description of development

The submitted plan relates to the proposed erection of a single storey side/rear extension to provide additional living accommodation. The proposal would serve as an extended kitchen and dining area.

The proposal is effectively an in-fill development which would be stepped away from the common shared boundary with 16 Hector Road, whilst leaving a small gap of approximately 133mm from this boundary. It would project approximately 3825mm deep from the rear building line of the existing dwellinghouse and along this boundary, then forward of the side elevation of the existing outrigger approximately 1570mm wide whilst being flush with its rear building line. It would incorporate a lean-to pitched roof design - (maximum height, approximately 3920mm), with 3no. windows along the roof elevation and 1no. door along the rear elevation. It is intended to use external facing materials matching the existing house.

The submitted plan would also include an elevational alteration along the ground floor rear elevation involving 1no. window.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representation 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 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. Places for Everyone

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.
The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).
There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, 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.

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 acceptable 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 visual and residential amenity.

Residential and visual amenity

Impact of works (erection of single storey side/rear extension) - Given the existing contextual relationship along rear elevation and side boundaries and due to the fact that the proposal would be stepped away from the common boundary, and the proposed extension would be single storey - thereby mitigating any adverse impact from undue massing. However, although the overall proposed rearward projection at approximately 3825mm would be (175mm) in excess of City Councils saved policy DC1.3 (a) regarding rearward extensions, is not considered that this variance to be unduly overbearing, given the existing context along the common shared boundary with 16 Hector Road, and the proposed roof configuration would also mitigate from the adverse impact from undue massing. Therefore, on balance, it is considered

that the proposed development could be accommodated in this location without any undue adverse impact to residential and visual amenity, subject to conditions.

Impact of works (elevational alteration involving 1no. window along the ground floor rear elevation) - In terms of the proposed elevational alteration; given the fact that such works would generally fall within householder general permitted development and an application for planning permission would not be usually required for the nature of the property, given this fall back position, it is considered that this element of the submitted plan would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms 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.

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, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 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.

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

In assessing the merits of a planning application officers will seek to work with the applicant/agent 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 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:

o Location Plan with application site edged in red, Drawing Number WD2.1, received by the City Council as the Local Planning Authority on 26 January 2024.

o Proposed Site Plan, Drawing Number WD2.2, received by the City Council as the Local Planning Authority on 26 January 2024.

o Existing Floor Plans, Drawing Number WD3.1, received by the City Council as the Local Planning Authority on 26 January 2024.

o Proposed Floor Plans, Drawing Number WD3.2, received by the City Council as the Local Planning Authority on 26 January 2024.

o Existing Front and Rear Elevations, Drawing Number WD5.1, received by the City Council as the Local Planning Authority on 26 January 2024.

o Existing Side Elevations, Drawing Number WD5.2, received by the City Council as the Local Planning Authority on 26 January 2024.

o Proposed Front and Rear Elevations, Drawing Number WD5.3, received by the City Council as the Local Planning Authority on 26 January 2024.

o Proposed Side Elevations, Drawing Number WD5.4, received by the City Council as the Local Planning Authority on 26 January 2024.

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

3) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing 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 extensions hereby approved other than those shown on: Proposed Floor Plans, Drawing Number WD3.2; Proposed Front and Rear Elevations, Drawing Number WD5.3; and Proposed Side Elevations, Drawing Number WD5.4, all received by the City Council as the Local Planning Authority on 26 January 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) 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

7 Hector Road, Manchester, M13 0QN
9 Hector Road, Manchester, M13 0QN
16 Hector Road, Manchester, M13 0QN
12 Hector Road, Manchester, M13 0QN
17 Palm Street, Manchester, M13 0GH
15 Palm Street, Manchester, M13 0GH
13 Palm Street, Manchester, M13 0GH
5 Hector Road, Manchester, M13 0QN

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