

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137874/FH/2023
Date registered valid: 18 August 2023
Proposal: Erection of a single storey rear extension to form additional living accommodation
Address: 38 Seabrook Road, Manchester, M40 2RZ
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Estifanos, A Semere & Mrs Yodit Amine
Agent (if any): Mr Ahmad Turkmani, AT A. Design
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 16 October 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 September 2023

Standard consultations:

Printed: 31 August 2023 Expired: 21 September 2023

Neighbour notifications

Printed: 31 August 2023 Expired: 21 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application site is semi-detached dwellinghouse within an exclusively residential area of the Miles Platting & Newton Heath ward of Manchester with gardens along the front, side and rear elevations. There are some inconsistencies in terms of the existing boundary treatment which in-part comprises of hedgerow along the common shared boundary with no. 36 Seabrook Road and concrete panel fencing along the rear boundary. Along the common shared boundary with no. 38 Seabrook Road the boundary treatment is informed in-part by tall leylandii trees, dwarf metal wire fencing, or no boundary treatment at all. The existing rear garden is approximately 13.4 metres deep x 11.1 metres wide. The rear of the application site is north facing, so there is a pre-existing limited loss of light issue along this elevation during most daylight hours.

Site History

No site history.

Description of development

The submitted application proposes a single storey rear extension to form additional living accommodation.

The initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 11/10/23, 16/10/23). The revised plan would comprise of :

- The initially proposed projection has been pulled in by 1 metre and would not exceed 5000mm.
- The proposed roof configuration would involve a flat roof.

The revised proposal would be sited along the common shared boundary with no. 36 Seabrook Road whilst retaining a small gap of approximately 150mm from this boundary and it would retain a separation distance of approximately 7810mm from the shared boundary with no. 36 Seabrook Road and it would measure approximately (5000mm deep x 3500mm wide x 3000mm maximum height); it would comprise of flat roof design, including windows along the side elevation. It is intended to use external facing materials to match the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health

The following is advised for the application:

CONSTRUCTION HOURS

Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

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. 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)

3. 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.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

ISSUES

In this instance, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 11/10/23, 16/10/23).

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 residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) - Given the pre-existing contextual relationship along rear elevation and side boundaries and with the existing rear garden measuring approximately 13.4 metres deep x 11.1 metres wide, and in light of the revised plans, (dated 11/10/23, 16/10/23) which significantly mitigates the adverse impact from undue massing along the side boundary. In addition, although the revised overall proposed rearward projection at 5000mm, would be approximately (1350mm) in excess of saved policy DC1.3 (a) regarding rearward extensions, in light of the sizable amenity space that would be retained, it is considered the proposal could be accommodated in this location in this instance, as there are no overbearing, overshadowing or loss of privacy impacts, subject to conditions.

Impact of works (Design and appearance) - Whilst the proposed roof design would not be a preferred option in terms of designing out crime, as there is a greater opportunity to get a foot hold to climb on top, the proposal would not be readily visible from the immediate highway and it is also intended to use materials matching those of the existing house; and therefore on balance, it could be accommodated in this location in this instance.

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 on balance, and subject to planning conditions, it is considered that the revised 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 objections, comments, or representations were received from local residents 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 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

In assessing the merits of a planning application, officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 11/10/23, 16/10/23). 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:

- Location Plan with application site edged in red, DRAWING No. PP159-1/23, received by the City Council as the Local Planning Authority on 11 October 2023.
- Existing Plans and Elevations, DRAWING No. PP159-1/23, received by the City Council as the Local Planning Authority on 11 October 2023.
- Supporting Information, received by the City Council as the Local Planning Authority on 18 August 2023.
- Correspondence from agent and attached Proposed Plans and Elevations, DRAWING No. PP159-1/23, received by the City Council as the Local Planning Authority on 16 October 2023.

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 (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

3) The materials used to construct the external elevations of the development hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the approved drawings and submitted information.

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 policies SP1 and DM1 of the Manchester Core Strategy (2012).

4) Before first occupation of the development thereby approved, the proposed window to serve the annotated en-suite and as shown on: Proposed Plans and Elevations, DRAWING No. PP159-1/23, received by the City Council as the Local Planning Authority on 16 October 2023, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - In the interest of privacy and in accordance with 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) 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 Plans and Elevations, DRAWING No. PP159-1/23, received by the City Council as the Local Planning Authority on 16 October 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) 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.

Informative

1) CONSTRUCTION HOURS

Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies EN19 and DM1 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

34 Seabrook Road, Manchester, M40 2RZ
36 Seabrook Road, Manchester, M40 2RZ
21 Ludgate Road, Manchester, M40 2RQ
40 Seabrook Road, Manchester, M40 2RZ
42 Seabrook Road, Manchester, M40 2RZ
27 Ludgate Road, Manchester, M40 2RQ
25 Ludgate Road, Manchester, M40 2RQ
23 Ludgate Road, Manchester, M40 2RQ
26 Seabrook Road, Manchester, M40 2SB

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA