

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138952/FH/2024

Date registered valid: 9 January 2024

Proposal: Erection of part single, part two storey rear extension and construction of attached garage, following demolition of detached garage.

Address: 49 Bamford Street, Manchester, M11 4FE

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Ruoshden Mohamad

Agent (if any): Dr Kanadi Jagafa Mason and Marlowe Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 January 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 January 2024 Expired: 1 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 site is a hipped-roof, bay fronted, traditional 1950's semi-detached dwellinghouse with amenity space along the front side and rear elevations, including all round boundary treatment, approximately 1.8 metres high along the rear elevations, whilst incorporating a gated access to the rear garden from the existing driveway along the side elevation.

The application property is oriented north-south with the rear garden facing north. Bins are currently stored along the rear garden, and off-road parking is available for at least 2no. vehicles.

The existing rear garden measures approximately 11.1 metres deep x 9 metres wide, and the separation distance from the property immediately behind the rear boundary; specifically no. 52 John Heywood Street, is approximately 19.6 metres (first floor window to window).

Description of development

The initial submitted title description of proposed works related to a proposed part single, two storey rear extension and conversion of attached garage to living accommodation.

The title description has been subsequently amended as follows to fully reflect the submitted plans: Erection of part single, part two storey rear extension and construction of attached garage, following demolition of detached garage.

The proposed part single, part two storey rear extension element along the ground floor would be stepped away approximately 300mm from the common boundary with no. 47 Bamford Street whilst leaving a small gap from this boundary and would be flush with the side building line of the original dwellinghouse, whilst maintaining a distance of approximately 3347mm from the common boundary with no. 51 Bamford Street and would measure approximately 2997mm deep x 5557mm wide x 3455mm maximum height. This element would incorporate a lean-to roof configuration, including 1no. window along the side elevation, together centrally placed French doors flanked by 1no. window either side along the rear elevation.

Along the first floor, the proposal would retain a separation distance of approximately 2777mm from the common boundary with no. 47 Bamford Street. It would also be flush with the side building line of the original dwellinghouse, whilst maintaining a distance of approximately 3347mm from the common boundary with no. 51 Bamford Street and would measure approximately 2997mm deep x 3063mm wide. This element would incorporate a hipped roof design with the proposed roof ridged set below that of the existing dwellinghouse.

The proposed new attached garage would be sited along the common shared boundary with no. 51 Bamford Street whilst being stepped away approximately 300mm to leave a small gap from this boundary. It would also be set back from the front building line of the original dwellinghouse approximately 667mm; whilst maintaining a proposed width of approximately 2967mm. It would then project along this common shared boundary approximately 5114mm deep, then forward of the side elevation of the original dwellinghouse. It would maintain a maximum proposed height of approximately 3599mm and would incorporate a hip roof configuration, including 1no. garage door along the front elevation and another along the rear elevation.

It is intended to use external facing materials matching the primary dwellinghouse to construct the proposed extensions.

Consultations & Notification Responses

1. Local residents- an objection of the grounds of not being able to find what working hours will be allowed for this project has been received. They advise they have suffered a previous problem with work carried out another property along the street, and require confirmation what hours are going to be allowed on this project.

Subsequent to the objector's comments, an acknowledgment was sent, and advice provided, (correspondence, dated 22/01/24).

POLICY

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

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

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. Places for Everyone

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are 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:

- o Policy DM1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o 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.

- o 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:

- o Chapter 2: Design

ISSUES

Principle of development

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 (part single, part two storey rear extension and construction of attached garage) - In light of the pre-existing contextual relationship along the boundaries, together with the sizable rear garden, coupled with the resultant context of the proposed development, it is considered that the proposed scale and massing would be acceptable in this location in this instance as there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. Moreover, the overall proposed rearward projection along the rear elevation at approximately 2997mm deep is within the guidance set out in saved policy DC1.3(a) regarding rearward extensions. The proposed development would also allow for amenity space to be retained and on site car parking would still be maintained. The roller shutters to the front and rear elevations of the proposed garage would enable wheeled bins continue to be stored within the rear garden. It is however recommended further conditions are attached limiting any further windows and door openings, and restricting the use of the garage.

This is considered necessary to safeguard residential amenity, and in accordance with policy DM1 and EN19 of the Core Strategy and saved policy DC1 of the UDP.

Impact of works (design and appearance) - The design of the proposal would be informed by the existing dwellinghouse and it is intended to use external facing materials in keeping with the primary building, which is considered acceptable in design terms. However, a materials condition has been attached to ensure that materials are adhered to.

Impact of works (car parking) - Although the proposed attached garage would come significantly forward of the front building line of the original garage, thereby resulting in the loss of the existing driveway along the side elevation, the existing front driveway at approximately 6114mm deep would still be maintained.

Impact of works (waste management) - The existing arrangement would be affected; however, wheeled bins could still be passed through the proposed garage, enabling wheeled bins to continue to be stored within the rear garden. On this basis it is not proposed to attach a condition relating to bin storage.

Local resident's comments - The comments raised by the local resident regarding hours of working have been duly considered. The property, however, would continue to be used as a dwellinghouse and working hours would not be relevant in this regard.

In addition, following the comments, an acknowledgment was sent, and advice provided, (correspondence, dated 22/01/24).

However, on the basis that the concerns could be related to construction hours, an informative is proposed to be attached to any approval.

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 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 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 Existing Location Plan with application site edged in red, Scale 1/1250, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Location Plan with application site edged in red, Scale 1/1250, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Existing Site Plan with application site edged in red, Scale 1/500, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Site Plan with application site edged in red, Scale 1/500, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Site Plan with application site edged in red, Scale 1/100, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Existing Ground and First Floor Plans, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Existing Front and Rear Elevations, Scale 1/100, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Existing Left Side Elevation, Scale 1/100, received by the City Council as the Local Planning Authority on 05 January 2024.

- o Existing Right Side Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Ground Floor Plan, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed First Floor Plan, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Front Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Rear Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Left Side Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Right Side Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Design & Access Statement, received by the City Council as the Local Planning Authority on 09 January 2024.
- o FLOOD MAP FOR PLANNING, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Existing Site Plan with application site edged in red, Scale 1/500, received by the City Council as the Local Planning Authority on 09 January 2024.

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 (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 extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the approved plans 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 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 development hereby approved other than those shown on:

- o Proposed Location Plan with application site edged in red, Scale 1/1250, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Site Plan with application site edged in red, Scale 1/500, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Site Plan with application site edged in red, Scale 1/100, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Ground Floor Plan, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed First Floor Plan, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Front Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Rear Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Left Side Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 January 2024.
- o Proposed Right Side Elevation, Scale 1/50, received by the City Council as the Local Planning Authority on 05 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 Core Strategy for the City of Manchester (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 garage hereby approved shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies SP1, T1 and DM1 of the Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

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/demolition works shall be confined to the following hours :

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

To safeguard the amenities of the occupiers of nearby residential properties during the construction/demolition phase.

Appendix 1 – List of consultees & neighbours notified

34 Bamford Street, Manchester, M11 4FE
54 John Heywood Street, Manchester, M11 4FN
52 John Heywood Street, Manchester, M11 4FN
50 John Heywood Street, Manchester, M11 4FN
51 Bamford Street, Manchester, M11 4FE
47 Bamford Street, Manchester, M11 4FE
32 Bamford Street, Manchester, M11 4FE
30 Bamford Street, Manchester, M11 4FE
28 Bamford Street, Manchester, M11 4FE
36 Bamford Street, Manchester, M11 4FE

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