

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136974/FH/2023

Date registered valid: 15 May 2023

Proposal: Erection of part single, part two storey side and rear extension and front extension following demolition of existing garage to side of property, to form additional living accommodation.

Address: 296 Barlow Road, Manchester, M19 3JB

Ward(s): Levenshulme Ward

Applicant: Mr Abani

Agent (if any): Mr Muthahar Khan, Studio Tashkeel Architecture

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

Recommendation: Approve

Date of recommendation: 31 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 May 2023

Standard consultations:

Printed: 19 May 2023 Expired: 9 June 2023

Neighbour notifications

Printed: 19 May 2023 Expired: 9 June 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:

Tree Preservation Order:

Description of site / building / area

The application site is a two storey, hip roof, ground floor bay fronted, semi-detached dwellinghouse with canopy covering above the existing front door and bay window and of which covers the significant width of the front façade of the existing dwellinghouse. The canopy covering projects approximately 870mm deep forward of the front building line. There is existing amenity space along the front and side elevations, including all round boundary treatment - approximately 1.8 metres high along the side and rear perimeter. An open alleyway runs along the side boundary. There is an existing single storey lean-to rear outrigger (approximately 1695mm deep x 1823mm wide); including a garage along the side garden which retains a minimum separation distance of approximately 441mm and maximum separation distance of approximately 1520mm from the common shared boundary with the alleyway. The existing depth of front amenity space is approximately 5236mm deep and the rear approximately 6631mm deep respectively. The immediate area surrounding the application site is residential in nature.

Description of development

The submitted plan relates to the proposed erection of a part single, part two storey side and rear extension and front extension following demolition of existing garage to side of property, to form additional living accommodation.

Following negotiations, the initially submitted plans have been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated 11/12/23). The revised plans would comprise of:

- o The proposed first floor side extension would be set-back approximately 423mm from the front building line of the original dwellinghouse, and set-back approximately 988mm from the rear building line.
- o The existing first floor bathroom would not project beyond the rear building line of the original house and would be remain flush with the existing annotated Bedroom 1.
- o The initially proposed side facing windows to habitable rooms have been omitted.
- o Clarification has provided in terms of the storage location of wheeled bins. It is intended to provide a timber frame bin store which would be sited along the front garden.

The proposal along the ground floor would be flush with the front building line of the existing bay window and would measure approximately 5162mm wide, whilst maintaining a maximum separation distance of approximately 1314mm from the common shared boundary with the open alleyway. It would then project along the side boundary in a straight line forward of the rear garden approximately 5687mm deep, then come forward of the existing house approximately 1186mm wide, and then it would project forward of the rear garden approximately 2458mm deep, whilst maintaining a minimum proposed separation distance of approximately 700mm from the common sheard boundary with the alleyway, and then it would come forward of the existing house approximately 1486mm wide and then project approximately 600mm deep in to the rear garden, and then it projects forward of the common sheard boundary with no. 294 Barlow Road approximately 4757mm wide. The ground floor element would comprise of a lean-to pitched roof design which would measure approximately 2653mm along the front elevation and approximately 2822mm along the rear elevation and would include 1no. window and 2no. doors along the front elevation, together with 1no. window, 1no. door and bi-fold doors along the rear elevation.

In terms of the proposed first floor element, it would also maintain a maximum separation distance of approximately 1314mm from the common shared boundary with the open alleyway and it would be set-back approximately 423mm the front building line of the original dwellinghouse and approximately 988mm from the rear building line. It would measure approximately 4544mm deep x 2568mm wide and would comprise of hip roof design with the pitch of the proposed roof dropped below that of the original roof ridge and would include 1no. window along the first floor front elevation , including 1no. window along the first floor rear elevation. The proposed extension would be constructed in matching materials.

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

No comments regarding application on this occasion.

POLICY

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

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- 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 - It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long-term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- 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) - The UDP has been superseded by the Core Strategy Development Plan.

- o Saved Policy DC1 (Residential Extensions) is considered relevant.

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

- o Chapter 2: Design

ISSUES

Following negotiations, the initially submitted plans have been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated 11/12/2023).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (part single, part two storey side and rear extension and front extension following demolition of existing garage to side of property) - In light of the revised plans, (dated, 11/12/2023) and given the pre-existing contextual relationship along the boundaries, and due to the fact that the proposed side extension element would broadly maintain the footprint of the existing garage along the side garden, and due to the fact that the proposed first floor side extension element would be set-back approximately 423mm from the front building line of the original dwellinghouse, and set-back approximately 988mm from the rear building line, and the proposed maximum rearward projection along the ground floor (at approximately 2021 mm deep) would only be a variance of (approximately 2021 mm) of the existing single storey lean-to outrigger and therefore it is considered that proposal is unlikely to be unduly overbearing, overshadowing, or adversely impact on the privacy of the immediate neighbouring occupiers; specifically, those at nos. 294 and 298 Barlow Road and those immediate properties along the rear boundary along Marcliffe Drive and Anchor Close; and therefore for these reasons and on balance, and subject to planning conditions, it is considered that the revised proposal could be accommodated in this location in this instance. It is however recommended that further conditions are attached to any recommendations for planning approval to restricting any further window/door openings, an obscure glazing requirement and the proposed storage location of wheeled bins to be kept in perpetuity in order to safeguard residential amenity.

Impact of works (Design and appearance) - In design terms, it is considered that the revised proposal (dated, 11/12/2023) and correspondence would not unduly harm the character of the building or the general area. It is also intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Car parking) - The existing arrangement would in-part be affected as the existing garage would be lost to accommodate the proposed side extension element. In addition, although the existing front driveway (at approximately 5.2 metres deep) would be retained; and although this depth is less than Manchester City Council's minimum standards at 6 metres; however, it is pre-existing and it could still accommodate a small vehicle, when parked vertically, without any overhang onto the public right of way; and therefore, this short fall would not warrant the refusal of planning permission in this location in this instance. In addition, there are no parking restrictions along the Barlow Road, and therefore a slight demand for on-street car parking could be accommodated in this location in this instance.

Impact of works (Waste management) - It is intended provide a bin store along the front of the existing dwellinghouse and the common shared boundary with no. 294 Barlow Road which

would measure approximately - (2660mm wide x 800mm deep x 1350mm maximum height). Bins would be stored in this location and brought to the back of pavement on collection days.

Conclusions - For the reasons outlined above, 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 DM1, EN1, EN19 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 local residents 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 initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 11/12/23). The local planning authority had no other issues to raise with the agent but has 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 Householder Application for Planning Permission for works or extension to a dwelling, received by the City Council as the Local Planning Authority on 15 May 2023.
- o LOCATION PLAN with application site edged in red, drawing number PL_001, rev A, received by the City Council as the Local Planning Authority on 11 December 2023.
- o EXISTING AND PROPOSED SITE PLAN with application sites edged in red, drawing number PL_002, rev B, received by the City Council as the Local Planning Authority on 11 December 2023.
- o EXISTING PLANS, drawing number PL_003, received by the City Council as the Local Planning Authority on 11 December 2023.
- o EXISTING ELEVATIONS, drawing number PL_004, received by the City Council as the Local Planning Authority on 11 December 2023.
- o PROPOSED PLANS, drawing number PL_005, rev B, received by the City Council as the Local Planning Authority on 11 December 2023.
- o PROPOSED ELEVATIONS, drawing number PL_006, rev C, received by the City Council as the Local Planning Authority on 11 December 2023.

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 and DM1 of the Core Strategy (2012).

3) The external facing materials to be used on the development hereby permitted shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information and approved drawings.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) Before first occupation of the development thereby approved, the proposed window along the ground floor rear elevation to serve the annotated ("Shower room") and the proposed window along the first floor rear elevation to serve the annotated ("En-suite"), and as shown on: EXISTING AND PROPOSED SITE PLAN with application sites edged in red, drawing number PL_002, rev B; PROPOSED PLANS, drawing number PL_005, rev B and PROPOSED ELEVATIONS, drawing number PL_006, rev C, all received by the City Council as the Local Planning Authority on 11 December 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 to protect the amenity and living conditions of adjacent properties and in accordance saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: 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: EXISTING AND PROPOSED SITE PLAN with application sites edged in red, drawing number PL_002, rev B; PROPOSED PLANS, drawing number PL_005, rev B and PROPOSED ELEVATIONS, drawing number PL_006, rev C, all received by the City Council as the Local Planning Authority on 11 December 2023.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

6) Wheeled bins shall be stored along the front garden, in the specified location and enclosed bin store and as shown on: EXISTING AND PROPOSED SITE PLAN with application sites edged in red, drawing number PL_002, rev B, and PROPOSED PLANS, drawing number PL_005, rev B, both received by the City Council as the Local Planning Authority on 11 December 2023 and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity.

Reason - In the interests of visual and residential amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, DM1 of the Manchester Core Strategy (July 2012).

7) 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

Environmental Health

301 Barlow Road, Manchester, M19 3JF
299 Barlow Road, Manchester, M19 3JF
11 Anchor Close, Manchester, M19 3JE
300 Barlow Road, Manchester, M19 3JB
298 Barlow Road, Manchester, M19 3JB
294 Barlow Road, Manchester, M19 3JB
1 Marcliffe Drive, Manchester, M19 3XD

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
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA