MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138469/FH/2023
Date registered valid:	3 November 2023
Proposal:	Erection of a part-single / part-two storey side and rear extension to form additional living accommodation.
Address:	12 Bottomley Side, Manchester, M9 8EP
Ward(s):	Harpurhey Ward
Applicant:	Mrs Aasia Ahmed
Agent (if any):	Mr Subhan Saleem Saleem Architects
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**8 January 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 November 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 9 November 2023 Expired: 30 November 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

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey concrete tile dual pitch roof. The property features white uPVC windows, including a front-facing dormer, a front driveway and modest front garden bordered by mid-level black iron railings, a front porch canopy and a detached outbuilding situated within the rear garden.

Figure 1. Principal elevation.

Figure 2. Rear elevation.

Figure 3. Rear garden.

Description of area

Bottomley Side is a residential street situated within the Harpurhey ward of Manchester, close to the River Irk, North Manchester General Hospital, and French Barn Lane Allotments. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced residential properties and benefits from its proximity to public outdoor green and amenity spaces.

Description of development

Erection of a part-single / part-two storey side and rear extension to form additional living accommodation.

Planning history

No previous relevant history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Environmental Health made no objection to the proposal, requesting that a pre-commencement condition relating to gas/vapour protection measures be attached to the decision notice, together with an informative relating to a watching brief for contaminated land.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

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.

Issues

Policies SP1 and DM1 of the Manchester 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 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 which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a part-single / part-two storey side and rear extension in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the extension would be sited at the side and rear of the property, wrapping around its southeast and southwest elevations.

At ground floor level, the extension would project 3m rearwards from the host dwellinghouse, with a total length / depth of 11.836m (featuring no setback from the property's front elevation), a sideward projection of 1.706m, a width of 5.935m, height of 3.687m (to the front) and 3.53m (to the back) and eaves of 2.578m (to the front) and 2.302m (to the back). A gap of 0.194m would be maintained to the boundary shared with No.10 Bottomley Side, and a gap of 0.7m would be maintained to the boundary shared with No.14 Bottomley Side.

At first-floor level, the extension would project 2m rearwards from the host dwellinghouse, with a total length / depth of 9.338m (featuring a 1.5m setback from the property's front elevation), a sideward projection of 1.706m, a width of 3.318m, height of 7.7m (to the side, set 0.872m below the existing ridge), and 6.85m (to the rear, set 2.561m below the existing ridge), with eaves to match the existing (5.363m). A gap of 2.81m would be maintained to the boundary shared with No.10 Bottomley Side, and a gap of 0.7m would be maintained to the boundary shared with No.14 Bottomley Side.

The 3m maximum rearward projection does not exceed the limit stipulated within policy DC1 of the UDP (of 3.65m) and is therefore considered acceptable. Moreover, the proposal is understood as being subservient to the host dwellinghouse in terms of its dimensions (due to its reduced ridge height and adequate first-floor setback), thus avoiding resulting in an 'excessively large or bulky' addition to the property.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Figure 4. Submitted proposed plans.

Figure 5. Submitted proposed elevations.

Appearance and visual amenity – the extension would be built of brickwork, roof tiles, windows and doors to match the existing.

At ground floor level, the extension would feature one window to its front elevation, one inward-opening door to its southeast side elevation (facing No.14 Bottomley Side), and one window and one bi-folding door to its rear elevation. Its northwest side elevation, facing No.10 Bottomley Side, would be blank and featureless. The extension would feature mono pitch roof forms to both its front and rear projections as well as one flat skylight to its rear-facing roof slope.

At first-floor level, the extension would feature one window to its front elevation, one window to its southeast side elevation (facing No.14 Bottomley Side), and one window to its rear elevation. Its northwest side elevation, facing No.10 Bottomley Side would be blank and featureless. The extension would feature a dual pitch / gable end roof form to the side (replicating the roof form of the host dwellinghouse), and a hipped roof form to the rear.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Sited to the side and rear of the property, elements of the proposal would be visible within the street scene and public realm. However, the proposal's use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that it does not form a prominent visual feature. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would feature subservient dimensions (to the host dwellinghouse) whilst maintaining adequate gaps to the plot's shared boundaries, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, the window in the extension's southeast side elevation (facing No.14 Bottomley Side) has been conditioned to be obscurely glazed and non-opening so as to protect the privacy of neighbouring occupiers.

In addition, no objections have been received in response to the application.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be affected by this proposal. It is therefore proposed to attach a condition to require the submission of details of the design of a bin store and its location

Parking – the current parking arrangements would be unaffected by this proposal.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual and residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the documents labelled:

-'Proposed Plans', numbered 'Sheet 4', stamped as received by the City Council as Local Planning Authority on the 13th December 2023.
-'Proposed Elevations', numbered 'Sheet 5', stamped as received by the City Council as Local Planning Authority on the 13th December 2023.

-‘Existing & Proposed Site Plan’, numbered ‘Sheet 6’, stamped as received by the City Council as Local Planning Authority on the 13th December 2023.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

Reason- To ensure 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 policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the proposed window in the side elevation facing No.14 Bottomley Side shall be non-opening and 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

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’, numbered ‘Sheet 4’, stamped as received by the City Council as Local Planning Authority on the 13th December 2023.
-‘Proposed Elevations’, numbered ‘Sheet 5’, stamped as received by the City Council as Local Planning Authority on the 13th December 2023.

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

6) a) Prior to the commencement of development, appropriate and comprehensive construction designs for the installation of gas / vapour protection measures, in order to alleviate any possibility of gas / vapour ingress to the building, shall be submitted to the City Council, as Local Planning Authority, for approval in writing.

The approved details shall then be implemented as part of the development.

Any further development shall not compromise any existing remedial measures previously installed at the site as part of Planning Permission 091147/MO/2009/N1.

b) Upon completion of the works, a Completion / Verification Report shall be submitted to and approved in writing by the City Council as Local Planning Authority, to ensure that the existing remedial measures have not been compromised.

Reason - The existing development has had remedial measures installed as part of Planning Permission 091147/MO/2009/N1. The current works shall not compromise the protection afforded by these earlier measures. Pursuant to policy EN18 of the Manchester Core Strategy (2012).

7) Before first occupation of the development hereby approved, details of a bin store design including elevations and materials and location, shall be submitted to, and approved in writing by, the City Council as local planning authority. The bin store shall be implemented in accordance with the approved scheme, prior to the occupation of the development and shall thereafter be so maintained.

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

Informatives

1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Technical guidance relating to contaminated land can be found at MCC's Information for Developers webpage.

Appendix 1 – List of consultees & neighbours notified

14 Bottomley Side, Manchester, M9 8EP
10 Bottomley Side, Manchester, M9 8EP
8 Bottomley Side, Manchester, M9 8EP
5 Bottomley Side, Manchester, M9 8EZ
70 Lawson Street, Manchester, M9 8DP
9 Bottomley Side, Manchester, M9 8EZ
7 Bottomley Side, Manchester, M9 8EZ
3 Bottomley Side, Manchester, M9 8EZ
17 Imperial Way, Manchester, M9 8FE
15 Imperial Way, Manchester, M9 8FE
11 Imperial Way, Manchester, M9 8FE

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