Planning

Growth & Development

Delegated officer report for planning application

Application no.	137644/FH/2023
Date registered valid:	24 July 2023
Proposal:	Erection of single storey side extension, change of roof arrangement from hipped roof to dual pitched roof and rear roof dormer to facilitate additional living accommodation.
Address:	19 Duncan Road, Manchester, M13 0GF
Ward(s):	Longsight Ward
Applicant:	Mr Abul Hassan
Agent (if any):	Mr Amjad Tahir, AFR Studio Ltd
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 18 September 2023 Expired: 25 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

This application relates to a two storey end terraced property in a mostly residential area. The property currently has a two-storey outrigger, which is common to other properties on the terrace, and in the wider area. Also, attached to the outrigger, there is an existing single storey temporary structure, that extends from the outrigger towards the rear boundary of the site, which does not have planning permission.

In the gap, between the outrigger and the side boundary wall of the property, it is proposed to erect a single storey extension. This would fill the whole of this gap, extending up to the plane of the existing rear wall of the outrigger, would be approximately 3 metres high, and would have a flat roof.

In addition, a further single storey element is proposed that would project partly from that proposed single storey extension, and partly from the existing outrigger. This would have dimensions of 1.75 metres x 1.85 metres (projection from outrigger and proposed extension) x 3 metres high and would also have a flat roof. This element of the extension would partially sit in the area of the existing temporary structure, which is not shown on the proposed plans.

The proposal also involves converting the existing hipped roof into a pitched 'gable' roof and erecting a rear dormer extension to both the resulting main roof, of the house, and the outrigger roof. The proposed dormer would therefore be 'L' shaped, with a flat roof would be just slightly lower than the roof apex, of the main roof, but the dormer extension, to the outrigger, would be higher than the outrigger roof. Both dormer elements would be set away from the roof edges, including the new side gable/pitched roof element.

Two rooflights are also proposed in the resulting front roof slope of the main house.

The materials proposed would match the existing.

Consultations & Notification Responses

Local residents - No comments received.

Issues

National Planning Policy Framework (September 2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and

disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The 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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:
a) rearward extensions greater than 3.65m (12ft) in length
b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
c) 2 storey extensions to terraced properties which occupy the full width of the house
d) flat roofed extensions to bungalows
e) extensions which conflict with the councils guidelines on privacy distances (which are published as supplementary guidance).

Impact of works (rear extension) - The main element, of the proposed rear extension, would sit between the existing outrigger and the side boundary wall of the yard, and, at 3 metres high, it is considered that this would have a minimal visual impact upon visual amenity. In addition, the additional element, that would project from the outrigger, has a relatively small footprint and would sit centrally into the site.

Also, at 3 metres high, it is not considered that this element would be easily visible from outside the site. It is considered that an adequate area of amenity space would be retained and, generally it is considered that the proposed rear extension(s) represent a relatively small-scale structure that would have a minimal impact upon the amenity of any neighbouring occupiers. Also, an existing temporary structure, of relatively poor appearance, is to be removed, as part of the proposed works.

Impact of works (roof conversion/dormer extension) – Originally, the combination of the 'hipped to gable' roof alteration and dormer, were proposed in a single plane, so the proposed gable roof had no definition. This has now been amended, so the proposed roof and dormer are now seen as two distinct elements. The dormer is therefore seen as an extension of the roof and is of a typical design. Also, with a proposed volume of approximately 30 cubic metres, it is a structure that, in itself, would meet permitted development criteria. Also, a window in the dormer extension to the outrigger, is indicated to be obscurely glazed, to avoid overlooking of adjoining properties. A window, proposed in the main roof dormer, is not indicated, to be obscurely glazed, but it is considered that this is a significant distance from the residential properties that this window would face.

It is not therefore considered that the proposal would have a significant visual impact, in the locality, or an adverse impact upon the amenity of surrounding residents.

Use - The resulting property would have 6 bedrooms. Although there is no reason to believe that the property would not be used as a family house, an appropriate condition is proposed, to maintain the Class C3a use of the property.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, negotiations were entered into in relation to the design of the proposed roof alterations.

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 drawings numbered DR-01, DR-04, DR-05, Dr-06 and DR-07, received by the City Council, as Local Planning Authority, on 18 September 2023.

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

3) The tiles used to construct the external elevations of the dormer extension hereby approved shall match the existing roof, of the dwellinghouse, in terms of colour and type.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) 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.

5) The proposed rearmost window, in the proposed dormer extension, shall be fitted with obscure glazing, and fixed shut at least up to a level of 1.7 metres above floor level, in accordance with drawing numbered DR-06, received by the City Council, as Local Planning Authority, on 18 September 2023. The window shall thereafter be maintained in that condition.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

6) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on drawing numbered A202 rev V001, received by the City Council, as Local Planning Authority, on 12 September 2023, unless planning permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouses, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

16 Palm Street, Manchester, M13 0GH
17 Duncan Road, Manchester, M13 0GF
4 Tatham Close, Manchester, M13 0GB
2 Tatham Close, Manchester, M13 0GB
20 Palm Street, Manchester, M13 0GH
18 Palm Street, Manchester, M13 0GH

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