

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139037/FH/2024
Date registered valid: 18 January 2024
Proposal: Erection of two storey side extension to form additional living accommodation, following demolition of existing side extension.
Address: 47 Chariot Street, Manchester, M11 1FZ
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Louis Mensah
Agent (if any): Mr Healey Healey Consulting
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 11 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: 12 February 2024 Expired: 22 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 two-storey, end-terrace dwellinghouse along a short row of four houses. The site benefits from amenity space along the front and rear elevations. There is an existing single storey lean-to attached garage extension along the side elevation, including a driveway along the frontage - approximately 4.9mm deep. Along the side boundary of the application site is a small parcel of green open space, and therefore, the application dwellinghouse retains a separation distance of approximately 11.9 metres from High Legh Road, along this elevation. The existing rear garden is broadly triangular, measuring approximately 10.6 metres deep along the common boundary with no. 45 Chariot Street, and approximately 15.1 metres deep along the common boundary with no. 36 High Legh Road whilst incorporating timber frame panel fencing along the rear perimeter, approximately 1.8 metres high. The surrounding neighbourhood is residential.

Description of development

The initially submitted plan related to a proposed first floor side extension to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and the title description also amended to reflect the revised plan. Revised plans were subsequently submitted, (dated, 14/02/24). The revised plans are outlined below:

- o Following demolition of the existing garage extension along the side elevation of the original dwellinghouse, the proposed two storey side extension would be scaled down in width to retain a proposed overall width of approximately 3477mm wide.
- o A proposed access of approximately 805mm - 2353mm would be retained along the side boundary and the common shared boundary with no. 36 High Legh Road.
- o The proposed two storey side extension would be set-back at both ground and first floor approximately 1620mm from the front building line of the original dwellinghouse, with the proposed roof ridge dropped below that of the existing roof ridge.
- o The revised plan would now include 1no. window along the first floor side elevation. The initially proposed window along the first floor rear elevation has been omitted in the interest of privacy and to safeguard overlooking.
- o It has been demonstrated that one off-street car parking space conforming to the Councils minimum standard would be achieved.
- o It has also been demonstrated that an access would be achieved for the passage of wheeled bins.

The revised proposed two storey side extension would be set-back at both ground and first floor approximately 1620mm from the front building line of the original dwellinghouse. It would measure approximately 3477mm wide along the front elevation whilst being set-away from the side boundary approximately 2353mm. It would then project approximately 5053mm deep along the side boundary, then forward of the side elevation of the existing house approximately 3477mm wide, whilst being flush with its rear building line, and retaining a distance of approximately 805mm from the common shared boundary with no. 36 High Legh Road. It would maintain a hip roof design - which is consistent with the original roof configuration, with the proposed roof ridge dropped below that of the existing roof ridge. It would incorporate 1no. window each along the ground and first floor front elevation, 1no. window along the first floor side elevation, including 1no. window and a door along the ground floor rear elevation. The extension would be constructed in materials matching the existing house and as annotated on the submitted drawings.

Consultations & Notification Responses

1. Local residents

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

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

In this instance, the initially submitted plan has been revised in the interest of residential amenity, and the title description also amended to reflect the revised plan. Revised plans were subsequently submitted, (dated,14/02/24).

Principle

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

Residential and visual amenity

Impact of works (two storey side extension to form additional living accommodation, following demolition of existing side extension) - In light of the existing combined footprint of the original dwellinghouse and existing side extension, and given the existing contextual relationship along the boundaries, it is considered that the revised plans, (dated,14/02/24) would maintain sufficient separation distance from the front, side and in-part along the rear boundaries. It is not considered that the proposal would adversely affect the street scene or neighbouring houses and therefore on balance, the revised plan is considered acceptable, as there are not overbearing, overshadowing, or loss of privacy impacts, subject to planning conditions.

Impact of works (Design and appearance) - The proposed development would be informed by the existing dwellinghouse, and therefore it is not considered that it would unduly harm the character of the building or the general area. It is also 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 (Waste management) - The revised plans, (dated,14/02/24) has negotiated an access of approximately 805mm - 2353mm along the side boundary and the common shared boundary with no. 36 High Legh Road. This will allow for wheeled bins to be stored

away from the frontage. It is therefore recommended that a condition is attached to ensure that bins would only be stored along the side and rear garden.

Impact of works (Car parking) - Whilst the proposed development would result in the loss of the existing garage, the existing driveway along the frontage at approximately 4.9m deep would still be maintained. However, as the existing depth of driveway would not conform to Council's current minimum standards, the revised plan, (dated, 14/02/24) proposes a set-back of approximately 1620mm; and therefore, one off-street car parking space, in line with the Council's current standards would be achieved, which is considered to be acceptable.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is not considered that the revised proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential amenity; pursuant with 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, following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and the title description also amended to reflect the revised plan, (dated, 14/02/24). The local planning authority had no other 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 Location Plan with application site edge in red, DRAWING NO. (60)-01, REVISION 1, received by the City Council as the local planning authority on 18 January 2024.
- o Existing and Proposed Site Plan with application site edge in red, DRAWING NO. (60)-02, REVISION 2, received by the City Council as the local planning authority on 08 February 2024.
- o PHOTOGRAPHS AND PHOTOMONTAGES, received by the City Council as the local planning authority on 18 January 2024.
- o Proposed Floor Plans and Roof Plan, DRAWING NO. HC-23596-20-02, REVISION 4, received by the City Council as the local planning authority on 14 February 2024.
- o Proposed Elevations, DRAWING NO. HC23596-20-04, REVISION 4, received by the City Council as the local planning authority on 14 February 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 extensions hereby approved other than those shown on:

- o Proposed Floor Plans and Roof Plan, DRAWING NO. HC-23596-20-02, REVISION 4, received by the City Council as the local planning authority on 14 February 2024.

- o Proposed Elevations, DRAWING NO. HC23596-20-04, REVISION 4, received by the City Council as the local planning authority on 14 February 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) Wheeled bins shall be stored along the side or rear garden, screened from the frontage, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

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

Appendix 1 – List of consultees & neighbours notified

45 Chariot Street, Manchester, M11 1FZ
38 Chariot Street, Manchester, M11 1DP
17 High Legh Road, Manchester, M11 1AZ
66 Chariot Street, Manchester, M11 1BA
49 Chariot Street, Manchester, M11 1BA
44 Chariot Street, Manchester, M11 1DP
42 Chariot Street, Manchester, M11 1DP
43 Chariot Street, Manchester, M11 1FZ
36 High Legh Road, Manchester, M11 1AZ
34 High Legh Road, Manchester, M11 1AZ
19 High Legh Road, Manchester, M11 1AZ
40 Chariot Street, Manchester, M11 1DP
36 Chariot Street, Manchester, M11 1DP
51 Chariot Street, Manchester, M11 1BA

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