

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137883/FH/2023

Date registered valid: 21 August 2023

Proposal: Erection of a part single, part two storey rear extension to form additional living accommodation

Address: 7 John Heywood Street, Manchester, M11 4EL

Ward(s): Clayton & Openshaw Ward

Applicant: Eucharia Ijeoma Jakpa

Agent (if any): Tomislav Vuletic, Flocc Studio Ltd

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

Recommendation: Approve

Date of recommendation: 10 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 September 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 4 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

Description of site / building / area

The application site is a two-storey mid-terrace dwellinghouse situated within a short row of four properties within a predominantly residential area. The site benefits from amenity space to the front and rear elevations, including boundary treatment - approximately 1.8 metres high along the rear perimeter. Car parking is along the street and wheeled bins are store within curtilage behind boundary treatment. There is an existing shared access/ginnel between the application site and no. 9 John Heywood Street which leads to separate gated access to the rear of each property. The existing rear garden is approximately 10.1 metres deep (minimum) x 6.1 metres wide.

Description of development

The submitted plan relates to a proposed part single, part two storey rear extension to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated,04/12/23). The revised plans would comprise of:

- The initially proposed size and scale of the first floor extension element has now been scaled down. The revised rearward projection would not exceed 3100mm and the proposed first floor roof has now been hipped and the central first window reduced in size and brought in alignment with those along the upper floor of the original dwelling.
- The proposed high level window along the ground floor side elevation would be non-opening and obscurely glazed.

The proposed extension along the ground floor would be stepped away approximately 300mm from the common boundary with no. 5 John Heywood Street whilst leaving a small gap from this boundary. It would retain a separation distance of approximately 1076mm from the common boundary with no. 9 John Heywood Street and would measure approximately 4720mm deep x 4790mm wide x 3660mm maximum height. This element would incorporate a lean-to roof configuration, including 1no. window and a door along the rear elevation, together with 1no. high level side facing window along the side elevation which would be non-opening and obscurely glazed.

Along the first floor, the proposed rearward projection would not exceed 3100mm deep and it would be stepped away approximately 955mm from the common boundary with no. 5 John Heywood Street. It would also retain a separation distance of approximately 1076mm from the common boundary with no. 9 John Heywood Street and would measure approximately 3100mm deep x 4080mm wide. This element would incorporate a hip roof configuration with the proposed roof ridge drop below that of the existing roof ridge, including 1no. window along the rear elevation. It is intended to use materials matching the primary dwellinghouse.

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.

POLICY

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

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

- Chapter 8: Promoting healthy and safe communities.
- 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:

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

- 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:

- Chapter 2: Design

ISSUES

In this instance, the initially submitted plan has been revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated, 04/12/23).

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) - In light of the pre-existing contextual relationship along the boundaries and given the revised plans, (dated 04/12/23), it is not considered that the revised proposed scale would be unduly visual intrusion and the undue impact from massing along the first floor has been overcome through the revised plans. Moreover, although overall proposed rearward projection along the ground floor at 4720mm, is (1070mm) in excess of the guidance set out in saved policy DC1.3(a) regarding rearward extensions, it is in line with the limitations for a larger homes extension application. Whilst the overall proposed rearward projection along the first floor at 3100mm, is (100mm) in excess of the limitations for Householder General Permitted Development, given the proposed separation from the boundaries, it is considered that this variance could be accommodated in this location in this instance without any significant adverse impact to residential amenity. The proposed development would also allow for amenity space to be retained along the rear and the existing car parking and refuse management arrangements would be unaffected. 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, as there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. It is however recommended further conditions are attached limiting any further windows and door openings. This is considered necessary to safeguard residential amenity.

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) - The existing arrangement would be unaffected.

Impact of works (waste management) - The existing arrangement would be unaffected.

Conclusion - 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 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/agent 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 and visual amenity, and revised plans subsequently submitted, (dated, 04/12/23). 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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 21 August 2023.

- Location Plan with application site edged in red, Drawing Number WD2.1, received by the City Council as the Local Planning Authority on 21 August 2023.
- Proposed Site Plan, Drawing Number WD2.2, received by the City Council as the Local Planning Authority on 04 December 2023.
- Existing Floor Plans, Drawing Number WD3.1, received by the City Council as the Local Planning Authority on 04 December 2023.
- Proposed Ground Floor Plan, Drawing Number WD3.2, received by the City Council as the Local Planning Authority on 04 December 2023.
- Proposed First Floor Plan, Drawing Number WD3.3, received by the City Council as the Local Planning Authority on 04 December 2023.
- Existing Front and Rear Elevations, Drawing Number WD5.1, received by the City Council as the Local Planning Authority on 04 December 2023.
- Existing Side Elevations, Drawing Number WD5.2, received by the City Council as the Local Planning Authority on 04 December 2023.
- Proposed Front and Rear Elevations, Drawing Number WD5.3, received by the City Council as the Local Planning Authority on 04 December 2023.
- Proposed Side Elevations, Drawing Number WD5.4, received by the City Council as the Local Planning Authority on 04 December 2023.

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:

- Proposed Ground Floor Plan, Drawing Number WD3.2; Proposed First Floor Plan, Drawing Number WD3.3; Proposed Front and Rear Elevations, Drawing Number WD5.3; and Proposed Side Elevations, Drawing Number WD5.4; all received by the City Council as the Local Planning Authority on 04 December 2023.

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) Before first occupation of the development thereby approved, the proposed high level window along the side elevation and as shown on: Proposed Ground Floor Plan, Drawing Number WD3.2; Proposed First Floor Plan, Drawing Number WD3.3; and Proposed Side Elevations, Drawing Number WD5.4, all received by the City Council as the Local Planning Authority on 04 December 2023 shall be opaquely glazed and non-opening 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 interests of residential amenity pursuant to policy 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).

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.

Appendix 1 – List of consultees & neighbours notified

9 John Heywood Street, Manchester, M11 4EL
5 John Heywood Street, Manchester, M11 4EL
20 Sheldon Street, Manchester, M11 4EN

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA