MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138552/FH/2023
Date registered valid:	15 November 2023
Proposal:	Erection of a front porch.
Address:	148 Beresford Road, Manchester, M13 0TF
Ward(s):	Rusholme Ward
Applicant:	Mr Ejaz Ahmed
Agent (if any):	Mr Waqas Butt WB Design Studio Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@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: 6 December 2023

Standard consultations:
Printed: 20 November 2023 Expired: 11 December 2023

Neighbour notifications
Printed: 20 November 2023 Expired: 11 December 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, hipped roof, semi-detached dwellinghouse of red brick construction. There is an existing single storey side extension, combined shallow porch and box bay window with a canopy above covering the significant width of the original dwellinghouse. The combined shallow porch and box bay window project approximately 711mm deep, whilst maintaining a gap of approximately 684mm from the common shared boundary with no. 146 Beresford Road and a separation distance of approximately 1651mm from the common shared boundary with no. 150 Beresford Road. The existing front amenity space measures approximately 5.8 metres deep x 8.6 metres wide and serves as a driveway. The immediate surrounding area is predominantly residential in character with many of the dwellinghouses having been extended along the front and side elevations.

Site history

o 135078/FH/2022, Erection of a first floor rear extension - APPROVED 12/22.

o 129805/FH/2021, Erection of a single storey side extension, first floor rear extension and change of roof to existing ground floor rear extension to flat roof - APPROVED 06/21.

Description of development

The submitted plan relates to a proposed front porch.

It is intended to extend the depth of the existing front porch to slightly increase its footprint. The new front porch would measure approximately, 1600mm deep x 2850mm wide x 3382mm high whilst maintaining a distance of approximately 3625mm from the common shared boundary with no. 146 Beresford Road and approximately 1859mm from the common shared boundary with no. 150 Beresford Road. It would incorporate a pitch roof design and include a centrally placed double opening door along the front elevation, flanked by 1no. window each either side. The pitch of the proposed roof would not exceed the height of the existing canopy along the front building line and it is intended to use matching materials.

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.

2. HS2

HS2 have confirmed that the red line location plan boundary falls within safeguarding for Phase 2b of HS2., and that whilst the cancellation of this section of high-speed rail between Crewe and Manchester has been announced, The Network North: Transforming British Transport Command Paper states that safeguarding throughout Phase 2b is to be amended by Summer 2024 to allow for safeguarding needed for Northern Powerhouse Rail, and at this time it is not fully understood what land will remain in safeguarding. However, they have reviewed the proposal for the above application and can confirm that they have no objections in planning terms. However, please be minded should the local authority grant planning permission, it is requested the following informative is included on the decision notice for awareness:

"Informative:

The applicant is advised that part of the application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester and Birmingham to Leeds). Although the
Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper,
safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at:
Network North - GOV.UK (www.gov.uk)."

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:

- 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 - 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:

- Policy DM 1 (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) - The UDP has been superseded by the Core Strategy Development Plan.

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

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

- Chapter 2: Design

ISSUES

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 (single storey side and rear extension) - In light of the existing context along the front elevation involving the combined shallow porch projecting approximately 711mm in depth; therefore the proposal to slightly increase the depth of the porch to approximately 1600mm deep would still be within the limitations for general householder permitted development. In addition, it is also intended to maintain a proposed distance of approximately 3625mm from the common shared boundary with no. 146 Beresford Road and approximately 1859mm from the common shared boundary with no. 150 Beresford Road; and therefore, for these reasons and on balance, and subject to conditions, the proposed porch is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or loss of privacy impacts.

Impact of works (design and appearance) - The proposed porch is informed by similar developments along the street scene and it is not considered that the proposal would unduly harm the character of the building or the general area. It is also intended to match materials with that of the existing house, and a condition is therefore proposed in regard to this matter .

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

Impact of works (car parking) - Although the existing off street parking space would not meet the recommended dimension for spaces of 3m x 6m , a depth of 5.8m can be achieved. Due to the depth of the new porch projecting slightly further forward at approximately 1600mm deep, the depth of driveway space would be further reduced to approximately 4200mm deep , which would mean the loss of an off street parking space. However, as there are no parking restrictions along Beresford Road, it is considered that a slight increase in the demand for on-street car parking could be accommodated in this location in this instance.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies DM1, EN1 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 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

The local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no 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 Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 15 November 2023.

o Location Plan and Site Plan with application site edge in red and EXISTING PLAN and ELEVATIONS; Drawing no. WBDS-00018/002, Rev A , received by the city council as the local planning authority on 15 November 2023.

o PROPOSED PLAN and ELEVATIONS; Drawing no. WBDS-00018/003, Rev A , received by the city council as the local planning authority on 15 November 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 2012).

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

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 (1995), and policy DM1 of the Core Strategy (July 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 PLAN and ELEVATIONS; Drawing no. WBDS-00018/003, Rev A , received by the city council as the local planning authority on 15 November 2023.

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

Informative

1) The applicant is advised that part of the application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester and Birmingham to Leeds). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Network North schemes. As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at: Network North - GOV.UK (www.gov.uk)."

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited

173A Beresford Road, Manchester, M13 0TE
173 Beresford Road, Manchester, M13 0TE
57 Elsdon Road, Manchester, M13 0TN
55 Elsdon Road, Manchester, M13 0TN
177 Beresford Road, Manchester, M13 0TE
175 Beresford Road, Manchester, M13 0TE
150 Beresford Road, Manchester, M13 0TF
146 Beresford Road, Manchester, M13 0TF
171 Beresford Road, Manchester, M13 0TE
53 Elsdon Road, Manchester, M13 0TN

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 - Surface Coal Resources - Name: Coal bearing strata at surface
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)
Area Team Boundary - Name: SOUTH AREA