MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138630/FH/2023
Date registered valid:	23 November 2023
Proposal:	Erection of part single storey, part two storey rear extensions and associated roof alterations
Address:	14 Hinstock Crescent, Manchester, M18 8UU
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Arafat Ibraham
Agent (if any):	Mr Justin Karl Keleghan, Plans To Build It Ltd
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	11 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 January 2024

Standard consultations:
Printed: 28 November 2023 Expired: 19 December 2023

Neighbour notifications
Printed: 28 November 2023 Expired: 19 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

The application site relates to a two storey, end terraced dwellinghouse within a short row of four houses which are slightly elevated along the head of a turning circle within a short cul-de-sac of houses of a similar type. The property shares a boundary with similar properties and No.12 and No.16 Hinstock Avenue. No.12 has had recent planning permission for a part single, part two storey rear extension (Ref: 137980/FH/2023).

The application property has an existing front porch and incorporates a relatively recently two storey side and single storey rear extension.

View of the property frontage

The property shares a front driveway with the neighbouring property at No.12 and includes a large, irregular shaped rear garden, which wraps around the side of No.12, as shown in the site plan below.

Site plan

View of the rear of the property

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is situated within a predominantly residential area, largely comprising two storey terraced and semi-detached dwellinghouses.

To the other side of the rear boundary fence is a footpath which runs parallel with Jessop Street, separated by a narrow strip of informal open space.

Description of development

Planning permission is sought for the erection of part single, part two storey rear extension involving hip to gable roof alterations to both the original dwellinghouse and existing side extension.

The single storey, rear element would project a further 2 metres to the rear than the existing rear extension, extending in line with a further two storey side and extension which would project 4 metres in total beyond the original rear wall and a further 1 metre at first floor level beyond the existing extension. The side extension is set in from side wall of the existing sunroom by approximately 3 metres.

The proposed extension would allow for an enlarged kitchen/dining room at ground floor level and a further bedroom with ensuite bathroom accommodation at first floor level and increased floorspace within the roof-space.

The proposed side extension would retain a set-back from the frontage of 1.6 metres and retain a distance to the side boundary of between 0.6 and 7 metres (approx.) due to shape of the rear garden and orientation.

Windows and door are proposed to the rear elevation at ground and first floor level, along with a door to the side elevation facing No.12 and a first-floor side window, to be obscurely glazed.

During the course of the application, the City Council requested revisions to the hip to gable roof alterations and a slight reduction in the rear projection of the first floor, rear extension. It is believed this would increase subservience and allow a larger gap between the pinch point

between the application property and No.12 Hinstock Avenue. Revised plans were subsequently received.

Consultations & Notification Responses

Local Residents/Occupiers – 4 representations objecting to the development have been received, including 2 from the same address. Comments are summarised below:

The proposed extension is not needed and would block light and views to neighbouring properties;

The plan is not in keeping with the context or scale of this area, having a layout and density that is inappropriate for the area;

The extension would have a negative impact on health and wellbeing due to noise, odours, light pollution, loss of daylight and privacy.

The proposed would cause traffic congestion, access, and safety issues and the reduce availability for car parking;

The roof is being changed from a hip roof to a gable end roof which is not in keeping with the appearance of the roof tops of the houses along Hinstock Crescent. The appearance of the two corner houses (No 12 & No 14) will merge and look like joined terrace houses;

The proposal would cause noise and disturbance during construction;

Environmental Health - A condition is requested in relation to a watching brief relating to whether any ground contamination is encountered on site during construction.

Planning History

117053/FH/2017

Erection of single storey rear and two storey side extension, together with a porch to the front of the property to form additional living accommodation. *Approved 6 October 2017.*

Policy

The below policy and guidance is considered relevant to the consideration of this application:

-Saved policy DC1 of the Unitary Development Plan;
-Policies DM1 and SP1 of the Manchester Core Strategy;
The Guide to Development in Manchester (SPD);
-Place for Everyone (Consultation Draft, October 2023);
-National Planning Policy Framework (NPPF).

Issues

Principle

The principle of allowing residents to extend or make alterations to their homes to provide enlarged or improved accommodation is generally acceptable, provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this case, the proposed alterations are considered acceptable and in accordance with saved policies DC1 of the UDP, policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD0 and the National Planning Policy Framework (NPPF).

Residential and Visual Amenity

The application property is located at the end of a terrace, juxtaposed with the neighbouring property at No.12 which lies perpendicular to outward facing side wall.

The host property incorporates a large, irregular shaped rear garden which runs diagonally parallel in a north-easterly direct with the side boundary with No.12.

The proposed extension would not extend any close to the side boundary with No.12 than is presently the case. Due to the orientation of the properties and their relationship with each other, including the positioning of windows, it is not considered that there would be any material impact in terms of sunlight/daylight levels.

Account has been taken of the recently approved (yet to be built) extension at No.12 and whilst there would be short distance between neighbouring extensions, due to the orientation of both properties, there would be no primary, habitable windows facing each other. Only oblique views of the proposed extension would be visible from the main front and rear windows of No.12. On this basis, it is not considered that there would be any harmful impact in terms of daylight/sunlight, privacy levels or over-dominance. The proposal therefore complies with the aforementioned policy.

Similarly, the proposed extension at the rear would be set in from the side boundary with No. 16 by around 3 metres. Due to the total rearward projection (5 metres at ground floor and 4 metres at first floor level), it is considered that given the separation distance and resultant angle (45 degrees approx.) between the rear facing windows and the proposed extension, there would be no significant impact in terms of loss of daylight/sunlight or over-dominance. No windows are proposed to the inward side elevation and therefore there would be no overlooking or loss of privacy. A condition has been included to prevent any further windows/door openings to those expressly authorised by this application.

To the rear, there are no residential properties that have a direct relationship with the application property.

The property includes a relatively large rear garden which backs onto a footpath and is separated by the nearest residential properties along Jessop Street by a grass verge and the road itself. A tree line provides screening to the rear boundary. A distance of approximately 32 metres would remain between facing windows as a result of the extension. On this basis, there would be no harmful impact to rear facing properties as a result of the proposed extension.

During the course of the application, the City Council raised concerns regarding the proposed hip to gable roof conversion of both the original house and the existing side extension. This concern was also raised by a neighbouring occupier.

Whilst such roof alterations would provide a degree of symmetry to the terrace, due the roof profile of the extension at the other end (No. 13), the incorporation of a gable roof to the side extension would create quite a narrow pinch point between the application property at No. 12. As such, retention of a hipped roof to the extension would provide some visual relief and increased openness to both properties, to the benefit of visual amenity.

In addition to the above, concerns have been raised locally that construction required for the proposed extension would cause noise and disturbance which would affect the health and well-being of neighbouring occupiers, it is not considered that the works would be unduly harmful. All construction would to some degree have an impact, but for the proposed extension, such works are anticipated to be temporary and short lived. Provide the Council's standards hours of working are adhered to, any impact as a result of works area considered acceptable.

Design and Appearance:

The proposed fenestration, windows proportions and architecture would appear in keeping with the style and appearance of the host property. External materials are proposed to match the existing. A materials condition has been included to ensure that this is the case.

It is considered that this approach would ensure that the extension is appropriately related to the original house and the street-scene.

Car Parking

Existing car parking is unaffected by the proposed development. Whilst representations have been received which raise concerns relating to car parking, access and traffic congestion, the proposal would retain the existing driveway and off space parking provision. There would be no changes to the existing arrangement as a consequence of the proposed extension and there is no reason to suggest that parking demand would increase to an unacceptable level that would have a harmful impact to the operation of the highway.

Bins storage and waste management

Unaffected by proposed development.

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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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:

Drawings referenced 03, 04 05 and 06 (Revision C) received by the City Council as Local Planning Authority on 11 January 2024.

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 external facing materials to be used on the extension hereby permitted shall match those of the primary dwellinghouse in terms of type, colour, texture, scale, pointing and coursing.

Reason - To ensure that 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 Policy DC1 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 The Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the dwellinghouse, other than those expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

5) The first floor side window hereby approved, shown on drawings numbered 03 and 05 (Revision C) received by the City Council as Local Planning Authority on 11 January 2024 shall be obscure 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 Manchester Core Strategy.

6) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy.

Informative

1) Construction works should be confined to the following hours:

Monday to Friday - 07.30 - 18.00 hrs;
Saturdays 08.30 - 14.00 hrs;
No work Sundays or Bank Holidays.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

25 Jessop Street, Manchester, M18 8TZ
97 Chapman Street, Manchester, M18 8UA
95 Chapman Street, Manchester, M18 8UA
37 Jessop Street, Manchester, M18 8TZ
27 Jessop Street, Manchester, M18 8TZ
21 Jessop Street, Manchester, M18 8TZ
19 Jessop Street, Manchester, M18 8TZ
12 Hinstock Crescent, Manchester, M18 8UU
10 Hinstock Crescent, Manchester, M18 8UU
29 Jessop Street, Manchester, M18 8TZ
16 Hinstock Crescent, Manchester, M18 8UU
15 Hinstock Crescent, Manchester, M18 8UU
33 Jessop Street, Manchester, M18 8TZ
31 Jessop Street, Manchester, M18 8TZ
23 Jessop Street, Manchester, M18 8TZ
39 Jessop Street, Manchester, M18 8TZ
35 Jessop Street, Manchester, M18 8TZ

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