Planning

Growth & Development

Delegated officer report for planning application

Application no.	138405/FH/2023
Date registered valid:	2 November 2023
Proposal:	Erection of single storey side extension to form additional living accommodation together with access works involving elevational alterations and regrading of the outside area
Address:	9 Stansby Gardens, Manchester, M12 4AR
Ward(s):	Ardwick Ward
Applicant:	Miss Imaan Kazmi
Agent (if any):	Mr Neil Brickles Manchester City Council
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 November 2023

Standard consultations:
Printed: 7 November 2023 Expired: 28 November 2023

Neighbour notifications
Printed: 7 November 2023 Expired: 28 November 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 relates to a modern two storey, red brick facing, pitched roof, semi-detached dwellinghouse within a residential setting. The site plot is broadly triangular and is surrounded by amenity space along front, side and rear elevations. There is all round boundary treatment comprising of a dwarf timber picket fence, approximately 1 metre high along the front elevation and timber frame panel fencing incorporating a gated side access, approximately 1.8 metres high along the side and rear elevations. There are tall trees along the rear boundary. Car parking is along the front driveway and refuse bins are stored within curtilage, screened behind boundary treatment. The front door of the dwellinghouse is located along the gable elevation. Due to the pre-existing housing layout, no. 11 Stansby Gardens projects approximately 2.5 metres beyond the front building of the application dwellinghouse.

Description of development

The submitted plan relates to a proposed single storey side extension to form additional living accommodation together with access works involving elevational alterations and regrading of the outside area.

The submitted application benefits the needs of a disabled occupier residing at the property.

The proposed single storey side extension would be set-back approximately 5295mm from the front building line of the original dwellinghouse. It then projects forward of the common shared boundary with no. 11 Stansby Gardens approximately 5500mm wide, whilst retaining a minimum separation distance of approximately 973mm from this boundary. It will then project forward of the rear garden approximately 4000mm deep, and then forward of the of the gable elevation of the original dwellinghouse approximately 5500mm wide, whilst being stepped in approximately 591mm from the rear building line. The proposed maximum height would not exceed 3530mm. It would incorporate a combined shallow pitch to hip roof configuration, with 1no. window along the front elevation and 1no. window along the rear elevation. It is intended to use matching materials.

In terms of the proposed access works involving elevational alterations and regrading of the outside area. These would comprise of:

o relocating the existing gas and electric meter housing boxes slightly along the gable elevation, whilst retaining a separation of approximately 3021mm from the front building line.

o relocating the front door slightly along the gable elevation forward of the front building line and widening the door approximately 926mm, whilst retaining a gap of approximately 70mm from the front building line of the proposed extension and a separation distance of approximately 3940mm from the front building line.

o It is intended to create a level landing area in front of the new door way which would measure approximately (1245mm deep x 1270mm wide) combined with lifting and relaying the existing paving flags along the gable elevation to grade the floor to 1:12 gradient.

o Widening the door along the elevation of the original house approximately 926mm,

o Replacement of the boundary treatment along the gable elevation.

o Relocation of boiler into the new extension because of exhaust system (flue).

o The proposed works would also involve pruning and cutting back planting and foliage along the side and rear garden.

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. Flood Risk Management Team Comments

The site is within Flood Zone 1 and low risk of surface water flooding. Based on the provided evidence, we recommend no drainage condition for this application. The drainage of the site can be approved and we suggest the following informative to be included within the Decision Notice:

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

INFORMATIVE:

MCC records highlights an underground culverted ordinary watercourse (Corn Brook Tributary 2 Brunswick) is located within close proximity to the site (approximately 75m south of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

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, although the following saved policies are still considered relevant:

- Saved Policy DC1 for Residential Extensions is still considered of relevance.
- Saved Policy DC1.5 relating to applications from disabled people who may require particular adaptations to their homes.

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 extension) - In light of the pre-existing contextual relationship along the boundaries and the housing layout arrangement with the no.11 Stansby Gardens and given the fact that no. 11 Stansby Gardens projects approximately 2.5 metres beyond the front building of the application dwellinghouse; given these factors, although the proposed development would introduce a built form along the side garden that would be larger in terms of size, scale and prominence, given that the proposed boundary treatment would in-part be retained along the side elevation and would in-part provide a level of screening, and there would be a separation from the highway (at least 5295mm), it is considered that the proposed development would not present a significant adverse impact to residential amenity as there are no overbearing, overshadowing, or loss of privacy impacts; nor is it considered that the proposed scale along the Stansby Gardens street scene would be unduly intrusive. Moreover, the proposed windows would be located along the front and rear elevations only and the proposed development benefits the and needs of a disabled occupier residing at the property, who requires access to and from the property, and therefore on balance, the proposal is considered acceptable in this location in this instance, pursuant with The National Planning Policy Framework; Core Strategy policies SP1, DM1, and saved Policies DC1, DC1.5 of the Unitary Development Plan.

Impact of works (proposed access works involving elevational alterations and regrading of the outside area) - For the nature these works, these would broadly constitute householder general permitted development and therefore an application for planning permission would not usually be required. Therefore, given this fallback position, it is not considered that the

proposed access works involving elevational alterations and regrading of the outside area would not unduly impact on the character of the property or general area in terms of visual amenity, but would rather enhance the external appearance.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposal would unduly harm the character of the building or the general area. The proposed extension would be informed by the existing dwellinghouse. It is also intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the 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; the existing gated side access would be maintained. Bins can still be stored within curtilage, screened from the frontage and brought to the back of pavement on collection days.

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) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1, DC1.5 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

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, 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 25 October 2023.

o Location Plan with application site edged in red, Drwg No. 53LR/SP01,received by the city council as the local planning authority on 25 October 2023.

o Supporting Information, DETAILS OF MATERIALS, received by the City Council as the Local Planning Authority on 25 October 2023.

o Design & Access Statement, received by the City Council as the Local Planning Authority on 25 October 2023.

o Existing ELEVATIONS, received by the City Council as the Local Planning Authority on 25 October 2023.

o Existing FLOOR PLAN, received by the City Council as the Local Planning Authority on 25 October 2023.

o Proposed ELEVATIONS, received by the City Council as the Local Planning Authority on 25 October 2023.

o Proposed FLOOR PLAN, received by the City Council as the Local Planning Authority on 25 October 2023.

o Proposed WALL AND ROOF DETAILS, received by the City Council as the Local Planning Authority on 25 October 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (July 2012).

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 and as stated on the application form and approved drawings.

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 policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester 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 extension hereby approved other than those shown on: Proposed ELEVATIONS, Proposed FLOOR PLAN and Proposed WALL AND ROOF DETAILS, all received by the City Council as the Local Planning Authority on 25 October 2023.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) 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.

Informative

1) Flood Risk Management:

MCC records highlights an underground culverted ordinary watercourse (Corn Brook Tributary 2 Brunswick) is located within close proximity to the site (approximately 75m south of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

43 Dartford Close, Manchester, M12 4DW
13 Stansby Gardens, Manchester, M12 4AR
7 Stansby Gardens, Manchester, M12 4AR
45 Dartford Close, Manchester, M12 4DW
41 Dartford Close, Manchester, M12 4DW
39 Dartford Close, Manchester, M12 4DW
14 Stansby Gardens, Manchester, M12 4AR
12 Stansby Gardens, Manchester, M12 4AR
11 Stansby Gardens, Manchester, M12 4AR

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