

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137684/FH/2023

Date registered valid: 31 July 2023

Proposal: Erection of part two, part single storey side and rear extensions and ground floor canopy and porch to front elevation to form additional living accommodation

Address: 70 Clarence Road, Manchester, M13 0YE

Ward(s): Rusholme Ward

Applicant: Mr S Ali

Agent (if any): David Ormesher, Holborow & Ormesher

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

Recommendation: Approve

Date of recommendation: 4 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 August 2023

Standard consultations:

Printed: 1 August 2023 Expired: 22 August 2023

Neighbour notifications

Printed: 1 August 2023 Expired: 22 August 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 2 storey, pitched roof, brick facing, semi-detached dwellinghouse with canopy above the front door. The dwellinghouse benefits from amenity space along the front side and rear elevations. The site has a relatively large plot with the rear garden measuring approximately 16.9 metres deep and the front approximately 9 metres deep. The front amenity space is in-part hard surfaced (tarmac) to serve as off-street car parking. There is a mixture of housing along the street scene, comprising terraced housing, interwar semi-detached houses with bay windows and gable end frontages - (circa) 1950s semi-detached houses. There are more modern properties to the south west of the site on Greton Close which were built in the 1990s. Similar extensions have been consented along the Clarence Road street scene, for example, (reference numbers: 124618/FH/2019, 081674/FH/2006/N2).

Description of development

The submitted plan relates to the proposed erection of a part two, part single storey side and rear extensions and ground floor canopy, including porch to front elevation to form additional living accommodation.

Following negotiations, the initially submitted plans have been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 26/11/23, 19/10/23). The revised plans would comprise of:

- The initially proposed rearward projection along the ground floor would be pulled in. It would not exceed 5 metres - (which is consistent planning approval 124618/FH/2019 - the adjoining property 72 Clarence Road).
- The initially proposed rearward projection along the first floor would also be pulled in. It would not exceed 3.5 metres (which would also mirror planning approval 124618/FH/2019 - the adjoining property 72 Clarence Road), and although whilst it would now come slightly forward of the first floor side boundary with no. 72 Clarence Road, it maintains a separation distance approximately 2727mm from this boundary.
- The first floor side extension would be set back further along the front elevation, to 2 metres - (which is consistent planning approval 124618/FH/2019, the adjoining property 72 Clarence Road).
- Clarification has been provided regarding on-site car parking and refuse management arrangements.
- It has also been confirmed that the proposed canopy would project approximately 1m deep to match 72 Clarence Road - correspondence from agent (dated, 01/11/23).

The revised plan along the side elevation would be flush with the front building line of the original dwellinghouse along the ground floor, and it would be set back from the frontage by 2000mm on the upper floor, with a lower roof height, compared to the existing house. The side extension would run along the side elevation of the existing dwellinghouse and the common shared boundary with no.68 Clarence Road, projecting approximately 13306mm along the ground floor and 9368mm along the first floor, whilst retaining a small gap of approximately 150mm from this boundary. This element would be flush with the rear building line of the original dwellinghouse at both ground and upper floor and include 2no. windows along the front elevation - (1no. along the ground and 1no. along the first floor front elevation); along with 2no. windows along the rear elevation - (1no. along the ground and 1no. along the first floor rear elevation)

Along the rear elevation, the proposed ground floor element would retain a separation distance of approximately 1064mm from the common shared boundary with no.68 Clarence Road, it would then project along this boundary approximately 5000mm, and come forward of the common shared boundary with no.72 Clarence Road approximately 9120mm wide, whilst retaining a small gap of approximately 108mm from this boundary. It would maintain a combined pitch to hip roof design and include 2no. window openings and French doors, including a door along the side elevation. On the upper floor, this element would retain a separation distance of approximately 2938mm from the common shared boundary with no.68 Clarence Road and come forward of the common shared boundary with no.72 Clarence Road approximately 4470mm wide, whilst retaining a separation distance of approximately 2727mm from this boundary. The first floor rearward projection would not exceed 3500mm. It would have a lower roof height, compared to the existing house and would maintain a hip roof design and include 1no. window opening along the side elevation, including 1no. window opening along the rear elevation.

In terms of the proposed front porch, it would be centrally placed in front of the existing front door, and it would measure approximately: (2043mm deep x 2469mm wide x 3661mm maximum height); whilst maintaining a separation distance of approximately 6642mm from the common shared boundary with no.68 Clarence Road and 8747mm from the common shared boundary with no.72 Clarence Road. It would include 1 door along the front elevation, and 1no. window each along the side elevations.

The proposed ground floor canopy would be placed approximately 2597mm above floor level and project along the full width of the original dwellinghouse, whilst being set approximately 1788mm below eaves level.

It is intended to use materials to match the existing.

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. 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)

3. 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.

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

- Chapter 2: Design

ISSUES

Following negotiations, the initially submitted plans have been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 26/11/23, 19/10/23). Further details have also been subsequently provided regarding the proposed canopy - correspondence from agent (dated, 01/11/23).

Principle

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

Residential and visual amenity

Impact of works (part single, part two storey side and rear extension and ground floor front canopy) - In light of the revised plans, (dated, 26/11/23, 19/10/23) and given the existing contextual relationship along the boundaries, and due to the significant size of rear gardens along these row of houses and the separation distance that would still be maintained by the revised proposal, it is considered that the revised extension is unlikely to be unduly overbearing, overshadowing, or adversely compromise the privacy of the immediate neighbouring occupiers; specifically, those at nos. 68 and 72 Clarence Road and those properties along the rear boundary along Holbeck Grove. In terms of the proposed canopy, it would be informed by planning approval (ref: 124618/FH/2019) and it has been confirmed that it would project approximately 1m deep to match 72 Clarence Road (correspondence from agent dated, 01/11/23). Therefore, on balance and subject to planning conditions, it is considered that the revised proposal could be accommodated in this location in this instance. It is however recommended that further conditions are attached to any recommendations for planning approval restricting any further window/door openings, an obscure glazing requirement and the proposed storage location of wheeled bins to be kept in perpetuity to safeguard residential amenity.

Impact of works (Front porch) - The proposed front porch at approximately 2320mm wide x 2006mm deep x 3613mm maximum height would fall outside the limitations to constitute permitted development as there is a variance of approximately (613mm) over the height requirement alone. Therefore, it is this variance which planning permission is sought. It is considered that given the pitch of the porch would be flush with the maximum height of the proposed canopy and the separation distance that would be maintained from the Clarence Road highway and the side boundaries, the variance of approximately (613mm) is unlikely to present a significant adverse impact to residential amenity, or would it be unduly visually intrusive along the Clarence Road highway.

Impact of works (Design and appearance) - In design terms, in light of the revised plans (dated, 26/11/23, 19/10/23) and subsequent correspondence (dated, 01/11/23), it is not considered that the proposed development would unduly harm the character of the building or the general area and the proposed extension would reflect similar developments along the street scene. 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 affected as the existing gated side access would be lost to accommodate the proposed extension. However, off street car parking would still be retained along the front driveway.

Impact of works (Waste management) - The existing arrangement would be affected as the existing gated access along the side elevation would be lost to accommodate the proposed extension. It is therefore intended provide a timber frame bin store along the front elevation of the proposed side extension. The proposed bin store would measure approximately (1200mm high x 2630mm wide x 804mm deep). Bins would be stored in this location and brought to the back of pavement on collection days.

Conclusions - 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 this instance, following negotiations, the initially submitted plans have been revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 26/11/23, 19/10/23) Further details have also been subsequently provided regarding the proposed canopy - correspondence from agent (dated, 01/11/23). The local planning authority had no other concerns to raise with the agent but have attached the relevant conditions.

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, received by the City Council as the Local Planning Authority on 20 July 2023.
- Location Plan, with application site edged in red, received by the City Council as the Local Planning Authority on 20 July 2023.
- Existing Floor Plans and Elevations, DRAWING NUMBER 2306 / 23 / 01, received by the City Council as the Local Planning Authority on 20 July 2023.
- Proposed Floor Plans and Elevations, DRAWING NUMBER 2306 / 23 / 02, Revision C, received by the City Council as the Local Planning Authority on 26 November 2023.
- Site Plan, with application site edged in red, received by the City Council as the Local Planning Authority on 19 October 2023.
- Supporting Information - WASTE BIN STORAGE UNITS, received by the City Council as the Local Planning Authority on 19 October 2023.
- Correspondence email from agent, (dated, 01/11/23).

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 the Core Strategy (2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing building in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information 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 (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) Before first occupation of the development hereby approved, the proposed window along the ground floor rear elevation to serve the (annotated "EN SUITE") together with the proposed window along the first floor side elevation to serve the (annotated "BATHROOM") and as shown on: Proposed Floor Plans and Elevations, DRAWING NUMBER 2306 / 23 / 02, Revision C, received by the City Council as the Local Planning Authority on 26 November 2023, shall both be obscurely 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 - In the interest of privacy and in accordance with, 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) 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 Floor Plans and Elevations, DRAWING NUMBER 2306 / 23 / 02, Revision C, received by the City Council as the Local Planning Authority on 26 November 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 policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

6) Wheeled bins shall be stored along the front garden, in the specified location and in an enclosed bin store and as shown on: Proposed Floor Plans and Elevations, DRAWING NUMBER 2306 / 23 / 02, Revision C, received by the City Council as the Local Planning Authority on 26 November 2023; and Supporting Information received by the City Council as the Local Planning Authority on 19 October 2023 and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity.

Reason - In the interests of visual and residential 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 (2012).

7) 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

Highway Services

85 Clarence Road, Manchester, M13 0ZE
83 Clarence Road, Manchester, M13 0ZE
81 Clarence Road, Manchester, M13 0ZE
1 Holbeck Grove, Manchester, M14 5GT
68 Clarence Road, Manchester, M13 0YE
2 Holbeck Grove, Manchester, M14 5GT
72 Clarence Road, Manchester, M13 0YE

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