

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135924/FH/2022  
**Date registered valid:** 28 February 2023  
**Proposal:** Erection of a two storey side extension to form additional living accommodation  
**Address:** 70 Royce Road, Manchester, M15 5LX  
**Ward(s):** Hulme Ward

**Applicant:** Mr Carmen  
**Agent (if any):** Mr Liam Gooding, LDM Group  
**Case officer:** Janine Renshaw-Livesey  
Tel: 0161 234 4555  
Email: [janine.renshaw-livesey@manchester.gov.uk](mailto:janine.renshaw-livesey@manchester.gov.uk)

**Recommendation:** Approve  
**Date of recommendation:** 3 July 2023

## Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 4 April 2023

### Standard consultations:

No consultations have been printed and sent.

### Neighbour notifications

Printed: 16 June 2023      Expired: 30 June 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:** No

**Tree Preservation Order:** No

The application relates to a modest modern two storey semi-detached dwellinghouse of red brick with a grey gable roof and a front porch. The property sits within a triangular shaped plot which includes small front and rear gardens, most of the garden is to the side, bounded by railing-topped walls at the front and timber fencing to the sides and rear.

The property lies on Royce Road within the Hulme ward, in close proximity to the inner ring road (Mancunian Way), Hulme Park, the shops and services along Stretford Road and MMU's Birley campus. The surrounding houses are a mixture of types, sizes and materials, with a large number of flats nearby due to its proximity to the City Centre.

The proposal is for the erection of a two-storey side extension to form additional living accommodation.

## Negotiations

The original submission was amended by removing the rear extension and the windows on the side elevation were also removed. The original scheme was considered to be overbearing due to its relationship with the surrounding properties.

## Consultations & Notification Responses

One letter of objection was received from a local resident raising concerns the works would cause disturbance during construction of the extension and the side extension would remove on site car parking provision from the site.

### Response to Objections

On site car parking at the address is not a usual feature in the area. None of the residential properties along Royce Road or Mallow Street have off street car parking provision. The standard approach to car parking for residents takes place in an area identified at the front of the properties, and 70 Royce Road is no different. A site visit reveals car parking demarcation outside the property. Furthermore, there is scope for the owner of the property, as a result of the side extension, to relocate the gates to create a car parking space. Furthermore, disturbance caused by construction is not a material planning consideration for this type of development.

### Issues

For reasons to be outlined below, it is considered the proposal accords with these policies.

Core Strategy - The 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.

Policy DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 'Spatial Principles' which states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy EN1 'Design Principles' States that all development in Manchester will be expected to follow the seven principles of urban design in accordance with the National Planning Guidance and states that in any new development the principal features of the local area should be retained.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

### Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

### Policy

The following policies within the Core Strategy are considered relevant in the determination of this application:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and that all development in the City should:

Make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character.
  - making a positive contribution to the health, safety and wellbeing of residents
  - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
  - protect and enhance the built and natural environment.
- . This includes protection of amenity and local character, environmental standards and practical matters such as access and safety.

Saved policy DC1 provides criteria to be considered in determining applications for extensions to residential properties.

The policy states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. the general character of the property;
- b. the effect upon the amenity of neighbouring occupiers;
- c. the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. the overall appearance of the proposal in the street-scene;
- e. the effect of the loss of any on-site car parking.

The policy states further that extensions to residential properties will be allowed subject to compliance with other relevant policies of the UDP and the following criteria;

- a. they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- b. they do not create an undue loss of sunlight, daylight or privacy;
- c. they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on street parking problem that unacceptable additional pressures would be created.

## **Principle**

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided 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 instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

## **Ground Floor**

The ground floor element extends along the length of the side of the dwelling house and does not project beyond the rear elevation. A gap is maintained due to the splayed boundary and no windows are inserted on the side elevation of the property. Therefore, due to the position and distance from the neighbouring property no 1 Mallow Street and the Methodist Church the proposal would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

## **First Floor**

The first-floor element of the proposal is set back with the front wall of the property extending along the side of the property. The roof and the side extension are subservient to the host property. The two-storey extension brings build form closer to the neighbouring properties. However, due to the distance between the extension and the neighbouring properties there is no overlooking or loss of privacy on the adjacent neighbouring properties.

Given the retained gap to the shared boundary, the distance between the properties, at the side and rear of the application site, together with the orientation of the property, it is not considered

that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers.

In terms of residential amenity, it is not considered that there will be any significant impact, and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

### **Siting, scale and massing**

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

### **Parking**

Off street car parking space could be reinstated by relocation of the gate, coupled with the dedicated car parking demarcation outside the premises, it is anticipated that car parking within the area would not be affected as a result of the development, and is therefore, considered acceptable.

### **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**

The application has been determined in a positive and proactive manner. In this instance no issues have arisen during consideration and suitably worded conditions are attached to the permission.

### **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:

The Location Plan, stamped as received on the 19 January 2023 and A01- A- Rev D, stamped as received on the 9 June 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.

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the completed Householder Application Form.

Reason - To ensure 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 policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the ground and first rear en-suite windows, 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 Core Strategy.

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 extension hereby approved other than those shown on the approved drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.



## **Appendix 1 – List of consultees & neighbours notified**

Unit 19, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 18, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 17, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 16, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 15, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 14, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 13, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 12, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 11, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 10, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 9, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 8, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 7, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 6, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 5, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 4, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 3, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 2, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Unit 1, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Ground Floor, Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Wesley Enterprise Centre, Royce Road, Manchester, M15 5BP  
Flat 9, 2 Chevassut Street, Manchester, M15 5LR  
Flat 7, 2 Chevassut Street, Manchester, M15 5LR  
Flat 4, 2 Chevassut Street, Manchester, M15 5LR  
Flat 6, 1 Chevassut Street, Manchester, M15 5LR  
2 Mallow Street, Manchester, M15 5GD  
Flat 1, 1 Chevassut Street, Manchester, M15 5LR  
1 Chevassut Street, Manchester, M15 5LR  
Flat 8, 2 Chevassut Street, Manchester, M15 5LR  
Flat 6, 2 Chevassut Street, Manchester, M15 5LR  
Flat 5, 2 Chevassut Street, Manchester, M15 5LR  
Flat 3, 2 Chevassut Street, Manchester, M15 5LR  
Flat 2, 2 Chevassut Street, Manchester, M15 5LR  
Flat 5, 1 Chevassut Street, Manchester, M15 5LR  
Flat 4, 1 Chevassut Street, Manchester, M15 5LR  
Flat 3, 1 Chevassut Street, Manchester, M15 5LR  
Flat 2, 1 Chevassut Street, Manchester, M15 5LR  
66 Royce Road, Manchester, M15 5LX  
3 Mallow Street, Manchester, M15 5GE  
1 Mallow Street, Manchester, M15 5GE  
Flat 1, 2 Chevassut Street, Manchester, M15 5LR

## **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) -  
Area Team Boundary - Name: SOUTH AREA