MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 138063/FO/2023 |
| **Date registered valid:** | 12 October 2023 |
| **Proposal:** | Change of use of existing attached garage to form living accommodation together with associated elevational alterations and car parking |
| **Address:** | 12 Park Crescent, Manchester, M14 5RE |
| **Ward(s):** | Rusholme Ward |
| **Applicant:** | Mr. Abdul Salam Choudhery |
| **Agent (if any):** | Miss Aysha Utsho Aysha |
| **Case officer:** | Janine Renshaw-Livesey<br>Tel: 0161 234 4555<br>Email: janine.renshaw-livesey@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | 21 December 2023 |

**Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

**Date of site visit:** 29 November 2023

**Standard consultations:**
Printed: 17 October 2023 Expired: 7 November 2023

**Neighbour notifications**
Printed: 17 October 2023 Expired: 7 November 2023

**Site notice**
Posted: 29 November 2023 Expired: 20 December 2023

**Press advert**
Published: 24 October 2023 Expired: 7 November 2023

**Departure from Development Plan:** No

**Environmental Statement:** Not required

**Description of site/building**

**Listed building:** Not applicable

**Conservation area:** Victoria Park Conservation Area 1972

**Tree Preservation Order:** NO

The property that is the subject of this householder application is identified as 12 Park Crescent, is a large brick and render 2 storey semi detached dwellinghouse and is located in the Rusholme ward of the City. It is within the Victoria Park Conservation area. It is linked to the next pair of semis by a single storey garage. There are gardens to the front and rear, with off road parking to the driveway. The front garden has historically been hard surfaced. There is a low boundary wall with hedging behind which provides the boundary to the front elevation. Access to the rear garden is currently through the house.

The immediate area is predominantly residential with a mix of property types being in single family and flat accommodation. Park Crescent leads onto the primary road that is Wilmslow Road, it s a main route into and out of the City and forms the Rusholme District Centre which incorporates the Curry Mile. The area is well served for public transport and local retail and commercial provision is within easy walking distance of the proposal site.

The proposal is for the conversion of the garage into ancillary living accommodation (which does not require planning permission). The elevation will be altered.

**Site History**

104890/FH/2014/S1 Erection of a single storey rear extension to form additional living accommodation. Approved.

135743/FH/2022 Installation of rear roof dormer together with hip to gable roof conversion. Approved

**Consultations & Notification Responses**

Local Residents were informed- no representations have been received.

Rusholme, Fallowfield and Moss Side Civic Society have been consulted- no representations have been received.

A site notice was displayed, and the proposal was advertised in the press. Neither of these publicity methods generated any representations.

**Issues**

POLICIES
UNITARY DEVELOPMENT PLAN SAVED POLICIES
DC1.1 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 the 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 a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan 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 original buildings);
b. They do not create 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 scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:
a) rearward extensions greater than 3.65m (12ft) in length

DC18 Conservation Areas
Policy DC18, Conservation Areas - Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following: a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues: i. the relationship of new structures to neighbouring buildings and spaces; ii. the effect of major changes to the appearance of existing buildings; iii. the desirability of retaining existing features,

such as boundary walls, gardens, trees, (including iv. street trees); v. the effect of signs and advertisements; vi. any further guidance on specific areas which has been approved by the Council. b) The Council will not normally grant outline planning permission for development within Conservation Areas.

NATIONAL PLANNING POLICY FRAMEWORK
Chapter 12. Achieving well-designed places
126. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (Adopted 11 July 2012)
Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of 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 well being of residents

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

Policy EN 3, Heritage - Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

CITY COUNCILS GUIDE TO DEVELOPMENT IN MANCHESTER 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;
2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such

positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

ISSUES
RESIDENTIAL/VISUAL AMENITY

Conversion of single storey side extension.

The existing side extension gained planning approval under planning reference 104890/FH/2014/S1 Erection of a single storey rear extension to form additional living accommodation.

Impact of works (external alterations to front elevation) - The applicant has would removed the garage door and insert a window, and a door which is not considered to relate to the remainder of the front façade. The window design is in keeping with the other windows on this elevation this arrangement is considered to be acceptable.

Generally, in terms of scale, design and relationship with surrounding properties, it is not considered that the works now proposed would have an adverse impact upon the character of the conservation area or the amenity of adjoining occupiers.

**Impact on the Victoria Park Conservation Area 1972**

The level of intervention in terms of the front elevation alterations, it is considered that the character of the Victoria Park conservation Area would not be affected. On balance, it is believed that the proposal would not detract from the character of the Conservation Area which is considered to accord with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Loss of garage space - The driveway is maintained, at the property, which can provide off-street parking for vehicles. This change is therefore considered to be acceptable.

The applicant has confirmed the conversion is ancillary living accommodation for a family member.

**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 issues arising from the consideration of this application.

**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:

Location Plan and Drawing Number 27-01-02, stamped as received on the 11 September 2023 , The Block Plan, The Design and Access Statement and Drawing Number 11-01-02, stamped as received on the 12 October 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 development hereby approved shall match those of the existing building in type, size, colour and texture.

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 and DC1.2 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

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 the approved plans.

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

5) The application property and alterations hereby approved shall be used as a Use Class C3 single family dwellinghouse only and for no other purpose (including as a House in Multiple Occupation Use Class C4 or sui generis 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 - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

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

Highway Services
Environmental Health
Rusholme, Fallowfield & Moss Side Civic Socity

Flat 2, 28 Lower Park Road, Manchester, M14 5QY
Flat 1, 28 Lower Park Road, Manchester, M14 5QY
89 Denison Road, Manchester, M14 5RN
87 Denison Road, Manchester, M14 5RN
11 Kent Road West, Manchester, M14 5RF
26 Lower Park Road, Manchester, M14 5QY
14 Park Crescent, Manchester, M14 5RE
16 Park Crescent, Manchester, M14 5RE
10 Park Crescent, Manchester, M14 5RE
9 Kent Road West, Manchester, M14 5RF

**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
Conservation Area - Victoria Park Conservation Area 1972
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA