

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135071/FH/2022
Date registered valid: 10 January 2023
Proposal: Erection of a part single storey part 2 storey side extension and single storey rear extension to form additional living accommodation
Address: 1129 Hyde Road, Manchester, M18 7LN
Ward(s): Gorton & Abbey Hey Ward

Applicant: Mrs Asma Saghir
Agent (if any): Mr Fahad Patel
Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 11 August 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 May 2023 Expired: 19 May 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

This application relates to a two-storey semi-detached residential property, which fronts onto Hyde Road, in a mostly residential area. It is proposed to erect extensions to the property, comprising of a part single storey, part two storey side extension and single storey rear extension.

At the side of the property, the ground floor element, of the extension, would align with the front and rear of the property, with a projecting bay window and canopy to reflect the existing ground floor front elevation. The upper floor extension would have a set-back of approximately 1.5 metres, from the main front elevation of the property (2.25 metres from the front of the bay windows) and would extend up to the rear wall of the property. This extension would have a hipped roof. The rear extension would be single storey and would project approximately 5 metres from the rear of the property, with a hipped roof, and would extend across the whole of the rear elevation of the house, along with projecting from the rear of the proposed side extension, so it would extend up to the common boundaries with both adjoining properties (1127 and 1131 Hyde Road).

The extension would be built in materials to match the existing.

Consultations & Notification Responses

Local residents - Due to amended plans, four neighbour notification exercises have been carried out. and the occupiers of one property have objected on each occasion. In relation to the current scheme, the following comments were made:

- Further to previous emails, they see that there have been some further significant alterations which now address the majority of the points of objection raised in opposition to this application. They also note that the amended plans as now submitted still retain elements that are contrary to the extant UDP Citywide Development Control Policies.

Some of their points of objection therefore remain, as follows;

The inappropriate materials of roof construction has not been addressed. Grey concrete interlocking tiles are inappropriate for the age and style of the dwellinghouse set within the local context of all surrounding dwellinghouses of similar age and construction style having small format, red clay 'Rosemary' tiled roofs.

Loss of privacy and the impact of overlooking to the properties 36 & 38 Clumber Road from the rear facing ground floor extension windows has been insufficiently addressed.

The overshadowing and loss of light to the rear ground floor bedroom window of 1131 Hyde Road has been insufficiently addressed. The proposed rear 5m (ground floor) extension continues to adversely impact the existing ground floor (bedroom four) rear facing window of 1131 Hyde Road.

The proposed removal of the shared chimney stack within the upper floors of 1129 Hyde Road containing the existing working flues to the attached neighbour (1127 Hyde Road) fireplaces has not been addressed.

The front projecting additional bay window to the side extension prevents on-site, off-street parking in a location where it is imperative that off-street parking provision is not lost. Without the enlargement to the dwellinghouse, vehicular carparking is already spilling onto the highway verge, causing obstructions on the public footpath. Further reduction in the opportunity for parking provision within the site by the addition of a second bay window projection will be detrimental to local amenity and safety.

The proposed (reduced) 5m rearwards projection remains much larger than that which would normally be acceptable. The depth of the existing rear gardens to the host property and those of 36 & 38 Clumber Road are insufficient in depth to accommodate a rearwards projection greater than that normally allowable due to loss of privacy and overlooking. In addition, an extension of this depth and layout provides inadequate natural lighting provision to the whole of the proposed rear kitchen/dining/lounge room within the proposed extension, in direct conflict with Manchester City Council published guidance 'Manchester Residential Quality Guidance (2017)', and is detrimental to the amenity of the host property.

The significant reduction in overall size and massing on the site indicated on the revised proposals is welcome and essential in mitigating the impact upon neighbouring amenity with regard to loss of privacy, loss of light and overshadowing. However, their objections raised to the original proposals and to the amendments, to the ground floor extensions to the rear and front (bay), remain due to the minor reduction in projection of the ground floor rear extension and the retention of the additional bay frontage being insufficient to mitigate the concerns highlighted in previously submitted letters of objection. The minimal change to the overall footprint of the proposal does little to address the lack of retained external amenity space, which remains insufficient with very limited retained space for parking and waste management at the frontage.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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. paragraph 127).

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 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 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

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy 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 States that, notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows
- e) extensions which conflict with the councils guidelines on privacy distances (which are published as supplementary guidance).

Saved policy E3.3 relates to sites along radial routes, which includes Hyde Road, and seeks to ensure that all new development, along these routes, is of the highest quality.

Impact of works (side extension) - At ground floor level, the proposed works respond to the existing house arrangement, and building line. At the upper floor level, the proposed extension has been significantly altered, compared to the original submission, and now has a significant set-back, from the front elevation, with a lower roof height, and a hipped roof, which better responds to the character of the area, rather than the gable pitched roof originally proposed. The applicant has also confirmed that the roof would be constructed in a 'red' tile, to match the existing roof, rather than the grey tiling originally indicated. It is considered that the side extension would be seen as subservient, to the main house, and would not impact upon the visual amenity of the area, or the amenities of local residents.

Impact of works (rear extension) - The scale, of the proposed extension, has been reduced significantly, compared to the original submission and the rear extension is now single storey only. The proposed footprint, of the extension, has also been reduced, although it remains the case that the extension would have quite a large footprint. With a 5 metre projection the extension would be quite long, and would come up the boundaries with both adjoining properties (1127 and 1131 Hyde Road). The proposed extension though would be not much longer than an existing extension at no. 1127, which projects 4.16 metres, although this drops down to a projection of approximately 2.8 metres, at the point which adjoins the common boundary with the application site. Also, the property has quite a long garden, which can accommodate an extension of this size, and a gap, of almost 20 metres, is retained between the proposed property and properties to the rear, on Clumber Road. Consequently, it is not considered that this small scale structure would impact upon the amenity of local residents.

Residential amenity/Local residents comments - Whilst the proposal does represent significant additions to the property, the final proposal is considered to have an acceptable appearance and relationship with its surroundings, and it is considered that it would not have a significant adverse impact upon the amenity of local residents.

In relation to the specific concerns of the adjoining resident:

- The applicant has confirmed that the extension will be constructed in materials to match the existing house, including 'red' roof tiles.
- A distance of almost 20 metres would be maintained, between the proposed extension, and properties on Clumber Road, which is considered sufficient to overcome any loss of privacy concerns.
- At single storey only, and rising just above existing boundary treatment, it is not considered that a single storey structure would create any significant levels of overshadowing, or loss of light, for adjoining properties.
- The latest submitted plans indicate that a parked car can be easily accommodated in the front curtilage of the property.
- The rear extension covers less than half of the rear garden area for the application site, which is considered to be of a significant size to accommodate an extension with the footprint proposed, and to provide an adequately sized amenity space for the occupiers of the property.

Waste - The extension will occupy the area, to the side of the property, which currently allows for movement between the front and rear of the property. Bins will therefore now need to be located at the front of the property and an appropriate bin storage condition is therefore proposed.

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance negotiations took place, in relation to the proposed scale of works, appearance of the

proposed extensions and materials to be used, to ensure that the proposed development would not have an adverse impact upon the locality and neighbouring residential occupiers.

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 site location plan, stamped as received by the City Council, as Local Planning Authority, on 21 November 2022, drawing numbered 01 rev 3, dated May 2023 and stamped as received by the City Council, as Local Planning Authority, on 5 May 2023 and the email from Fahad Patel, dated 2 August 2023, which confirms that the materials used to construct the roof, of the proposed extensions, will match the existing building.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester

3) The materials used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the proposed elevation drawing numbered 2022/05/02 rev.P1, stamped as received by the City Council, as Local Planning Authority, on 14 February 2023, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouses, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

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.

6) Prior to the commencement of any above ground works of the development hereby approved, full elevational details of the location and screening/enclosure of a bin storage area, shall be submitted to, and approved in writing by, the City Council as local planning authority. Prior to the extension first being occupied the bin storage area shall be implemented in accordance with the approved scheme and shall thereafter be so maintained.

Reason - In the interests of visual amenity, and to ensure that vehicular access, to the on-site car parking space, is maintained, pursuant to policy DM1 of the Manchester Core Strategy and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

1127 Hyde Road, Manchester, M18 7LN
934 Hyde Road, Manchester, M18 7LL
1131 Hyde Road, Manchester, M18 7LN
38 Clumber Road, Manchester, M18 7LZ
Flat 1, 936 Hyde Road, Manchester, M18 7LL
Flat 6, 936 Hyde Road, Manchester, M18 7LL
Flat 5, 936 Hyde Road, Manchester, M18 7LL
Flat 4, 936 Hyde Road, Manchester, M18 7LL
Flat 3, 936 Hyde Road, Manchester, M18 7LL
936 Hyde Road, Manchester, M18 7LL
Flat 2, 936 Hyde Road, Manchester, M18 7LL
36 Clumber Road, Manchester, M18 7LZ

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