

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136100/FH/2023
Date registered valid: 30 January 2023
Proposal: Erection of single storey rear extension to replace existing extension
Address: 2 Energy Street, Manchester, M40 7ZQ
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Lucy McCoulough
Agent (if any): Mr Chris Lawson, CK Architectural
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 March 2023

Standard consultations:

Printed: 8 February 2023 Expired: 1 March 2023

Neighbour notifications

Printed: 8 February 2023 Expired: 1 March 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 site is located in a predominately residential area where the properties are of similar style and character.

Description of development

Erection of a single storey rear extension to replace an existing conservatory to form additional living accommodation.

Consultations & Notification Responses

Local residents/public opinion - No comments received

Environmental Health - Requested a hours of works condition be attached to the consent. Due to the nature of the application this is considered to be applicable in this instance.

Issues

Manchester Core Strategy (2012) - Relevant policies SP1, EN1 and DM1

Unitary Development Plan for the City of Manchester (1995) - Relevant saved policy DC1

Issues

Principle

The proposal is for the erection of a rear extension to an existing residential property to form additional living accommodation. Saved policy DC1 seek to support extensions to existing residential properties where it would help homeowners improve the quality of accommodation, subject to being appropriate in terms of residential and visual amenity.

Matter which require consideration in this instance are whether the proposal is acceptable in residential and visual amenity terms.

Visual amenity

The extension will extend off the original back wall of the house and the side extension by 4.8 metres on the adjoining property and extended the entire width of the dwelling house. This property will have a large expanse of brick wall along the shared boundary with no gaps. It is acknowledged, however, that this is the same arrangement as the existing conservatory albeit in glass.

There would a pitch to the roof which would ensure that the extension does not appear out of character in the local area. Materials would match the original property and would be secured by planning condition.

Residential amenity

It is acknowledged that the siting and scale of the extension would result in 4.8 metres of brickwork along the non-adjoining shared boundary. This is, however, similar to the arrangement of the current conservatory. The orientation of the properties means that there would be minimal shadowing to the non-adjoining property garden in the afternoon due to its southwestern orientation.

There are no windows on the side elevation of the extension which looks towards the adjoining boundary. It is considered that there would be no loss of privacy from overlooking in this instance due to the sizeable gap to the boundary and the robust boundary treatment in place.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Discussions have taken place with the applicant during the course of the proposal regarding the siting of the extension. The proposal is considered to be acceptable and therefore determined in a timely manner.

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:

M40-3433 Rev A 001, stamped as received on the 30 January 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 development hereby approved shall be constructed using materials that match those used in the original property in terms of size, colour and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the 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 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

Environmental Health

10 Energy Street, Manchester, M40 7ZQ
17 Energy Street, Manchester, M40 7XJ
15 Energy Street, Manchester, M40 7XJ
13 Energy Street, Manchester, M40 7XJ
124 Sandal Street, Manchester, M40 7EF
6 Energy Street, Manchester, M40 7ZQ
8 Energy Street, Manchester, M40 7ZQ
9 Energy Street, Manchester, M40 7XJ
122 Sandal Street, Manchester, M40 7EF
11 Energy Street, Manchester, M40 7XJ
4 Energy Street, Manchester, M40 7ZQ

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 - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
HSE COMAH Zone - H3595 OZ - Bradford Road Holder Station (West) Outer Zone
HSE COMAH Zone - H1485 MZ - Bradford Road Holder Station (East) Middle Zone
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA