

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137523/FH/2023
Date registered valid: 14 July 2023
Proposal: Erection of part single, part two storey rear extension to form additional living accommodation, with associated elevational alterations.
Address: 6 Bryant Close, Manchester, M13 9DL
Ward(s): Ardwick Ward

Applicant: Mr Abdur Ghima Hashemi
Agent (if any): Mr Roger Green
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 4 October 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 August 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 July 2023 Expired: 4 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:

Tree Preservation Order:

Description of site / building / area

The application site is an end-of-terrace dwellinghouse along a short row of three houses, built circa 1970's. There is limited amenity space along the front and side elevation in contrast to a much larger rear garden - approximately 11.2 metres deep x 9.2 metres wide. There is gated access along the gable elevation with canopy covering, including all round boundary treatment - in excess of 1.8 metres along the side and rear elevations. The house comprises buff brickwork with cream rendering to the rear elevation, and in-part timber cladding and cream render to the front elevation, incorporating a grey tiled pitched roof. Bins are stored within the front garden area. There are demarcated resident's car parking bays along Bryant Close.

There is a recent planning approval for this site relating to a prior notification of proposed larger home extension - (ref: 133877/PDE/2022). Along the south-eastern elevation of the application site is the former Plymouth Grove Hotel, which is a Grade II listed building. Along the south-western elevation is a cycle path, open green space, public footpaths, including Manchester Royal Infirmary and Manchester Central Ambulance Station.

Site History

- 133877/PDE/2022, Prior notification of proposed larger home extension projecting 5m to the rear with a maximum height of 4m and a height at eaves of 2.4m, APPROVED - June 2022

Description of development

The initially submitted plan related to the proposed erection of a two storey rear extension and front porch to form additional living accommodation, with associated elevational alterations. The proposed associated elevational alterations would involve 2no. windows along the gable elevation of the existing dwellinghouse - (1no. along the ground floor and 1no. along the first floor).

Following negotiations, the initially submitted plan has been revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated, 12/09/23). The title description of the proposed works has subsequently been amended to : "Erection of part single, part two storey rear extension to form additional living accommodation, with associated elevational alterations" to reflect the revised plans.

The revised plans would comprise of:

- The initially proposed front porch is removed.
- The initially proposed size and scale of two storey rear extension has now been scaled down in both width and depth.
- The ground floor extension would be stepped away from the common shared boundary with no.8 Bryant Close approximately 2435mm and the first floor stepped away approximately 3006mm.
- The proposed ground floor rearward projection would not exceed 4000mm deep and the first floor rearward approximately 3000mm deep.

The revised, now part single, part two storey rear extension along the ground floor would be stepped away from the common shared boundary with no.8 Bryant Close approximately 2435mm and would measure approximately 4000mm deep x 4966mm wide x 3295mm maximum height. This element would incorporate a lean-to pitch configuration, including French doors and 2no. windows along the rear elevation.

The revised, proposed first floor element would retain a separation distance of approximately 3006mm from the common shared boundary with no.8 Bryant Close and would measure approximately 3000mm deep x 4448mm wide. This element would incorporate a combined pitched to hip to roof configuration with the proposed roof ridge dropped below that of the existing ridge, including 2no. windows along the rear elevation.

The proposed part single, part two storey rear extension would not project beyond the gable elevation of the primary dwellinghouse, and it is intended to use materials matching the primary dwellinghouse.

The proposed associated elevational alterations would involve 2no. windows along the gable elevation of the existing dwellinghouse - (1no. along the ground floor and 1no. along the first floor).

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

In this instance, the initially submitted plan has been revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated, 12/09/23) The title description of the proposal has subsequently been amended to reflect the revised plans.

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of

neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on residential and visual amenity.

Residential and Visual Amenity

Impact of works (part single, part two storey rear extension) - In light of the pre-existing contextual relationship along the boundaries and with the south-western elevation being informed by open green space, public footpaths and cycle paths, and given the revised plans, (dated 12/09/23), it is not considered that the revised proposed scale would be unduly visual intrusion along the street scene and the impact from massing has been overcome through the revised plans. The proposed development would also allow for amenity space to be retained along the rear of the application property, and the existing car parking and refuse management arrangements would be unaffected. For these reasons, and on balance, and subject to planning conditions, it is considered that the revised proposal could be accommodated in this location, in this instance, as there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. It is however recommended further conditions are attached limiting any further windows and door openings. This is considered necessary to safeguard residential amenity.

Impact of works (elevational alterations involving 1no. along the ground floor and 1no. along the first floor the existing dwellinghouse) - In light of the fact that householders can implement this type of elevational alteration under householder general permitted development without the need for an application for planning permission, and considering this fallback position, it is considered that these elevational alterations would not cause any further degree of harm in terms of privacy and overlooking than would be caused as a result of works being undertaken under general permitted development.

Impact of works (design and appearance) - The design of the proposal would be informed by the existing dwellinghouse and it is intended to use external facing materials in keeping with the primary building, which is considered acceptable in design terms. However, a materials condition has been attached to ensure that materials are adhered to.

Impact of works (car parking) - The existing arrangement would be unaffected.

Impact of works (waste management) - The existing arrangement would be unaffected.

Conclusion - 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 assessing the merits of a planning application officers will seek to work with the applicant/agent in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated, 12/09/23). The title description of the proposal has subsequently been amended to reflect the revised plans. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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 with application site edged in red, Drwg; No; RG/AH/03, received by the City Council as the Local Planning Authority on 04 July 2023.
- Existing Plans and Elevations, Drwg; No; RG/AH/01, received by the City Council as the Local Planning Authority on 04 July 2023.
- Supporting Information - COVER, received by the City Council as the Local Planning Authority on 04 July 2023.
- Proposed Plans and Elevations, Drwg; No; RG/AH/02A, received by the City Council as the Local Planning Authority on 12 September 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 (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

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, and as stated on the approved plans and submitted information.

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 (1995), and policy DM1 of the Manchester Core Strategy (2012).

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 development hereby approved other than those shown on: Proposed Plans and Elevations, Drwg; No; RG/AH/02A, received by the City Council as the Local Planning Authority on 12 September 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policies SP1, DM1 of the Core Strategy for the City of Manchester (2012).

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.

Appendix 1 – List of consultees & neighbours notified

1 Legh Street, Manchester, M13 9HU
Plymouth Grove Chinese Restaurant, 65 Plymouth Grove, Manchester, M13 9LU
8 Bryant Close, Manchester, M13 9DL
4 Bryant Close, Manchester, M13 9DL
2 Bryant Close, Manchester, M13 9DL
10 Bryant Close, Manchester, M13 9DL

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) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA