

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136329/FH/2023

Date registered valid: 19 May 2023

Proposal: Erection of rear roof dormers in association with conversion of roofspace to additional living accommodation

Address: 36 Charlesworth Street, Manchester, M11 3AG

Ward(s): Ancoats & Beswick Ward

Applicant: Mr. N Alshammari

Agent (if any): Mr Amjad Tahir, AFR Studio Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Google images utilised

Standard consultations:

Printed: 24 May 2023 Expired: 14 June 2023

Neighbour notifications

Printed: 24 May 2023 Expired: 14 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application relates to a modern 2 storey, pitched roof, corner plot, detached dwellinghouse located along the junction of Charlesworth Street and Metcombe Way within a predominantly residential area of Ancoats & Beswick ward. The application property benefits from amenity space along all elevations, including boundary treatment. Existing car parking is along the Charlesworth Street and Metcombe Way.

Site History:

- o 134795/FH/2022, Erection of a single storey rear extension and a front dormer extension to form additional living accommodation, WITHDRAWN Nov 2022.
- o 128204/FH/2020, Erection of first floor side extension to form additional living accommodation, APPROVED, Feb 2021.
- o 115094/FH/2017, Erection of a single storey side extension to form additional living accommodation, APPROVED, Mar 2017.

- o 114762/PDE/2016, Single Storey Rear Extension. Extend beyond rear wall 6.5 Metres. Maximum height from ground level 4.0 Metres. Height of eaves 2.6 Metres, APPLICATION RETURNED.

Description of development

The submitted plan relates to proposed rear roof dormer extensions in association with conversion of roof space to form additional living accommodation.

The proposed two small rear roof dormers would be centrally positioned along the rear roof plane of the original dwellinghouse; set-away approximately 1277mm from the gable boundaries; whilst maintaining a separation distance of approximately 3194mm from each other; and they would measure approximately, (1751mm wide x 1675mm deep x 2227mm maximum height). They would be set below the original roof ridge and above the eaves, with 1no. window each along rear elevation.

In terms of external facing materials, the agent has confirmed acceptance of a condition in relation of the dormer side walls being clad in tiles matching those along the original roof, (correspondence, dated 11/07/23).

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

2. Environmental Health

Environmental Health recommends the following to be attached to any recommendation for planning approval. Construction and demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority.

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Information for Developers guidance documents can be downloaded using the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

3. Highways

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The proposals will not involve a reduction in on-site parking provision and as such, Highways have no concerns regarding vehicular build up on- street.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Email highwaylicences@manchester.gov.uk.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- o 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 - 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.'

The following policies are relevant to the proposed development:

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- o 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 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.

ISSUES

In this instance, negotiations were undertaken in relation to proposed external facing materials for the dormer wall. The agent has confirmed acceptance of a condition in relation of the dormer side walls being clad in tiles matching those along the original roof, (correspondence, dated 11/07/23).

Principle of development

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (rear roof dormer extensions) - It is not considered that the proposed two, small, rear roof dormer extensions would unduly impact on residential and visual amenity, nor would it adversely impact on the character of the property or general area as there are no undue overbearing, overshadowing, or loss of privacy impacts, subject to conditions. It is recommended that the proposed 2no. dormer windows are conditioned requiring it to be obscurely glazed up to 1.7m above the internal floor level in the interests of privacy, given the elevated position and proximity to the common shared side boundary with no.68 Metcombe

Way. A materials condition is also recommended to ensure the use of matching materials to clad the dormer wall.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms and it is intended to match materials with those of the existing building. 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 proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 this instance, negotiations were undertaken in relation to proposed external facing materials for the dormer wall. The agent has confirmed acceptance of a condition in relation of the dormer side walls being clad in tiles matching those along the original roof, (correspondence, dated 11/07/23). The local Planning Authority in its decision has had due regard to the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no issues to raise with the agent but has 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:

- o Location Plan with application site edged in red, DRG NO: A-01, received by the City Council as the Local Planning Authority on 19 May 2023.
- o Existing Site Plan with application site edged in red, DRG NO: A-05, received by the City Council as the Local Planning Authority on 19 May 2023.
- o Proposed Site Plan with application site edged in red, DRG NO: A-06, received by the City Council as the Local Planning Authority on 19 May 2023.
- o Existing Plans and Elevations, DRG NO: A-02, received by the City Council as the Local Planning Authority on 19 May 2023.
- o Proposed Floor Plans, DRG NO: A-03, received by the City Council as the Local Planning Authority on 19 May 2023.

- o Proposed Elevations, DRG NO: A-04, received by the City Council as the Local Planning Authority on 19 May 2023.
- o Correspondence dated 11/07/2023.

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).

3) The rear roof dormer extensions hereby approve shall be clad in tiles matching those on the existing roof of the original dwellinghouse and as stated in correspondence dated 11/07/2023.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved 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 stated on: Proposed Site Plan with application site edged in red, DRG NO: A-06, Proposed Floor Plans, DRG NO: A-03, and Proposed Elevations, DRG NO: A-04, all received by the City Council as the Local Planning Authority on 19 May 2023.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester (2012).

5) Before first occupation of the development thereby approved, the proposed 2no. dormer windows as shown on: Proposed Site Plan with application site edged in red, DRG NO: A-06, Proposed Floor Plans, DRG NO: A-03, and Proposed Elevations, DRG NO: A-04, all received by the City Council as the Local Planning Authority on 19 May 2023; shall be obscurely glazed up to a height of 1.7m above the internal floor level within the roof space, 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 - In the interest of privacy and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012), and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

6) 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.

Informative

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Email highwaylicences@manchester.gov.uk.

2) Construction and demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority.

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Information for Developers guidance documents can be downloaded using the following link:

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Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

66 Metcombe Way, Manchester, M11 3BY
Managers Office, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
68 Metcombe Way, Manchester, M11 3BY
71 Metcombe Way, Manchester, M11 3BY
69 Metcombe Way, Manchester, M11 3BY
67 Metcombe Way, Manchester, M11 3BY
65 Metcombe Way, Manchester, M11 3BY
63 Metcombe Way, Manchester, M11 3BY
45 Charlesworth Street, Manchester, M11 3AG
43 Charlesworth Street, Manchester, M11 3AG
41 Charlesworth Street, Manchester, M11 3AG
Flat 29, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 27, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 25, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 23, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 21, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 18, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 16, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 14, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 11, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 9, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 6, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 1, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 30, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 28, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 26, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 24, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 22, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 20, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 19, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 17, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 15, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 13, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 12, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 10, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 8, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 7, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 5, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 4, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 3, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF
Flat 2, Charlesworth Court, 18 Bingley Close, Manchester, M11 3RF

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA