

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136890/FO/2023

Date registered valid: 4 May 2023

Proposal: Erection of single storey rear extension to form additional living accommodation.

Address: 36 Colliery Street, Manchester, M11 2AP

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Adam Saverio

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 26 June 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23 May 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 May 2023 Expired: 5 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 mid-terrace dwellinghouse in an area of mixed uses. The application building has an existing 2-storey rear outrigger (approximately 2047mm deep) with a single storey lean-to rear outrigger projecting off its rear building line (approximately 671mm deep); these are original to the property. The application dwellinghouse is in use as two separate units (ground and first floor flats). The ongoing use was consented by planning application, (ref: 135741/LE/2022). The character of the neighbourhood consists of largely terrace houses to the west and south, with industrial premises to the east and the Manchester City FC training complex to the north.

Description of development

It is proposed to erect a single storey rear extension to the ground floor unit. The proposed extension would serve as a bedroom and bathroom. It would project from the rear building line of the existing single storey lean-to rear outrigger whilst flush with its side elevations and would measure approximately, 3690mm deep x 3240mm wide x 3139mm maximum height, and would maintain a separation distance of 1444mm from the common shared boundary with no. 38 Colliery Street, and flush with the back of pavement along the rear boundary. It would incorporate a flat roof design, with 2no. windows along the side elevation. In terms of external

facing materials, it is intended to use facing brick to match existing, u-PVC windows to match existing, and EPDM Rubber roof (black/grey).

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.

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.

- 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. The following saved policies are still considered of relevance.

- o Policy DC1 for Residential Extensions.

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.

ISSUES

Principle

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

Residential and visual amenity

Impact of works (single storey rear extension) - Whilst the proposed flat roof design would not be the preferred option given the potential to get an easier foot hold along the roof elevation, in light of the pre-existing context along the rear boundaries and along the rear of these row of terraced houses, and given the decision in planning permission, (ref: 135741/LE/2022), and due to the fact that the proposal would only result in the creation 1no. additional bedroom to the ground floor flat, making it 2no. bedrooms in total, it is considered that on balance, the proposal could be accommodated in this location in this instance as it is unlikely to be unduly overbearing, overshadowing, nor unduly impact on the privacy of the neighbouring occupiers, subject to planning conditions.

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area. It is also intended to use materials matching the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Waste management - The existing arrangement would be unaffected.

Car parking - 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

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 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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 04 May 2023.
- o FLOOD RISK ASSESSMENT document, received by the City Council as the Local Planning Authority on 04 May 2023.
- o EXISTING SITE & LOCATION PLANS with application site edged in red, Drawing Number: 0033 EX 90, received by the City Council as the Local Planning Authority 04 May 2023.
- o PROPOSED SITE & LOCATION PLANS with application site edged in red, Drawing Number: 0033 PL 90, received by the City Council as the Local Planning Authority 04 May 2023.
- o EXISTING FLOOR PLANS AND ELEVATIONS, Drawing Number: 0033 EX 100, Revision A, received by the City Council as the Local Planning Authority 04 May 2023.
- o PROPOSED FLOOR PLANS AND ELEVATIONS, Drawing Number: 0033 PL 100, Revision C, received by the City Council as the Local Planning Authority 04 May 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: 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 FLOOR PLANS AND ELEVATIONS, Drawing Number: 0033 PL 100, Revision C, received by the City Council as the Local Planning Authority 04 May 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 DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) Before first occupation of the development thereby approved, the proposed window long the side elevation to serve the proposed bathroom and as shown on: PROPOSED FLOOR PLANS AND ELEVATIONS, Drawing Number: 0033 PL 100, Revision C, received by the City Council as the Local Planning Authority 04 May 2023, shall be opaquely glazed 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 saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

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 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 policies DM1 and H11 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

38 Colliery Street, Bradford, Manchester, M11 2AP
34 Colliery Street, Bradford, Manchester, M11 2AP
Flat B, 36 Colliery Street, Bradford, Manchester, M11 2AP
Flat A, 36 Colliery Street, Bradford, Manchester, M11 2AP

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