

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135966/FH/2023
Date registered valid: 16 January 2023
Proposal: Erection of part single, part two storey rear extension to form additional living accommodation
Address: 291 Stanley Grove, Manchester, M18 7DP
Ward(s): Longsight Ward

Applicant: Mrs Valiha Hussain
Agent (if any): Mr V Alyas Architek
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 17 May 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 February 2023

Standard consultations:

Printed: 1 February 2023 Expired: 22 February 2023

Neighbour notifications

Printed: 1 February 2023 Expired: 22 February 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 site is a two-storey, ground floor bay fronted, end-terrace dwellinghouse along a short row of four houses, along a busy primary highway. The application property benefits from amenity space along the front, side (with gated access) and rear elevations. The existing car parking arrangement is on the street. The existing rear garden is approximately 24.7 metres deep, with timber frame panel fencing along the rear perimeter, approximately 1.8 metres high.

Description of development

Consent is sought for the erection of a part single, part two storey rear extension to form additional living accommodation.

The proposed plan would also involve an elevational alteration along the first floor side elevation of the existing dwellinghouse involving the installation of 1no. window.

The initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 13/03/23). The revised plan would comprise of:

- The first floor rearward projection reduced in depth - not exceeding 3.5 metres.

The proposed revised part single, part two storey rear extension at the ground floor would be stepped away from the common shared boundary with no. 289 Stanley Grove approximately 300mm, leaving a small gap. It would project approximately 5000mm along this boundary. At ground floor level the extension would be approximately 5636mm in width being offset from the boundary with no.293 Stanley Grove by 1300mm. The ground floor element would incorporate a combined lean-to pitch and hip roof configuration with the maximum height of the roof approximately 3595mm, including French doors and 1no. window opening along the rear elevation.

The proposed first floor would retain a separation of approximately 1679mm from the common shared boundary with no. 289 Stanley Grove and project approximately 3500mm along this boundary, and be approximately 4199mm in width. It would also maintain a separation distance of approximately 1300mm from the common shared boundary with no. 293 Stanley Grove. This element would incorporate a hip roof configuration with the proposed roof ridge dropped below that of the existing ridge, including 1no. window opening along the rear elevation. In terms of external facing materials, it is intended to use matching materials.

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.

2. Environmental Health

Environmental Health officers advise the following contaminated land watching brief to be attached to any recommendation for planning approval:

- In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

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:

Chapter 8: Promoting healthy and safe communities.

Chapter 12: Achieving well-designed places.

2. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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:

Policy SP 1 (Spatial Principles)

Policy DM1 (Development Management)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN19 (Waste)

Policy T2 (Accessible areas of opportunity and need)

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still 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 paragraph is 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

In this instance, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 13/03/23).

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 and elevational alteration) - In light of the pre-existing contextual relationship, and with the rear of the application building being north-facing, and due to the revised plans, (dated, 13/03/23), and the fact that the first floor rear extension would be off-set from the boundaries approximately 1300mm and 1679mm, and the revised rearward projection would not exceed 3500mm, it is considered that the impact on massing, and on the loss of light would not be significant. For these reasons, and on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location as there are no undue overbearing adverse impacts from massing. However, the introduction of a new window to serve an existing bedroom at first floor level in the side gable has the potential to result in overlooking or loss of privacy impacts. It is therefore proposed that this window be subject to a condition to require it to be obscurely glazed to a height of 1.7m above internal floor level. A further condition is proposed to be attached to any approval to prevent any additional windows and door openings without the benefit of further consent. This is considered necessary to safeguard residential amenity.

Impact of works (design and appearance) - The proposal would be informed by the existing developments along the neighbourhood, and it is intended to use external facing materials in keeping with the original house, which are 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 (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 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 amenity and revised plans subsequently submitted, (dated, 13/03/23). 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 and Site Plan, with application site edged in red, DRAWING NUMBER A101, REV P2, received by the City Council as the Local Planning Authority on 13 March 2023.
- Existing and Proposed Elevations, DRAWING NUMBER A103, REV P2, received by the City Council as the Local Planning Authority on 13 March 2023.
- Proposed Floor Plans, DRAWING NUMBER A104, REV P2, received by the City Council as the Local Planning Authority on 13 March 2023.

- 3D Floor Plans, DRAWING NUMBER A105, REV P2, received by the City Council as the Local Planning Authority on 13 March 2023.
- 3D Rear 1, DRAWING NUMBER A106, REV P2, received by the City Council as the Local Planning Authority on 13 March 2023.
- 3D Impression, DRAWING NUMBER A107, REV P2, received by the City Council as the Local Planning Authority on 13 March 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 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 policy DC1 of the saved 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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on: Existing and Proposed Elevations, DRAWING NUMBER A103, REV P2; Proposed Floor Plans, DRAWING NUMBER A104, REV P2; 3D Floor Plans, DRAWING NUMBER A105, REV P2; 3D Rear 1, DRAWING NUMBER A106, REV P2; 3D Impression, DRAWING NUMBER A107, REV P2, all received by the City Council as the Local Planning Authority on 13 March 2023.

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

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) The proposed bedroom window at first floor level to the side gable of the existing house shall be obscurely glazed to a height of 1.7m above internal floor level, 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 - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012).

Informative

- 1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

224 Stanley Grove, Longsight, Manchester, M18 7DA

293 Stanley Grove, Longsight, Manchester, M18 7DP

289 Stanley Grove, Longsight, Manchester, M18 7DP

222 Stanley Grove, Longsight, Manchester, M18 7DA

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

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA