

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137017/FH/2023
Date registered valid: 6 June 2023
Proposal: Part retention application for the erection of a dormer loft conversion
Address: 16 Fleeson Street, Manchester, M14 5NG
Ward(s): Moss Side Ward

Applicant: Mr. Tahir Rahman
Agent (if any): Mr. Niamat Ali NA Design
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 08.09.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 05 May 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 16 June 2023 Expired: 7 July 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to brick built mid terraced property situated within Moss Side, Manchester. The property currently benefits for a double storey rear outrigger and a single storey rear extension protruding off the outrigger and a partially built unauthorised rear dormer. The boundary treatment is in the form of a high masonry wall to the rear and side boundaries.

The surrounding area is predominately residential in nature with houses of similar style and design.

Description of development

The application is seeking planning permission for the part retention of a dormer loft conversion. As outlined above, the rear dormer loft conversion has been partially built and so the applicant seeks to regularise the whole development. The application has been revised since the original submission to reduce the overall footprint of the rear dormer.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Issues

Residential and Visual Amenity

The proposed rear dormer has been revised since the original submission and would have approx. dimensions of Height 2.2m x Width 4.2m x Depth 3.6m. The revised dormer's nature of works is not considered to impact upon light or outlook of surrounding occupiers. The design of the dormer incorporates a rear window being slightly set-back from the eaves and would replicate views from second floor windows. Therefore, it is deemed the proposal is acceptable and is not thought to significantly harm the residential amenity of the surrounding neighbouring occupiers.

Due to the arrangement and siting of the neighbouring properties there is sufficient distance to the rear of the boundary with properties along Viscount Street that it would not form a feature within either streetscene and the character of the area will remain unharmed. Therefore, installation of a rear dormer is considered acceptable and is not thought to significantly harm the visual amenity of the house or the wider area, the latter of which is not a conservation area.

Height, Scale and Massing

The revised scheme involves the rear dormer set just above the main roof ridge, but above the outrigger roof, and would be inline with the original eaves. Given it would not be set-in by 0.2metres it therefore fails the General Permitted Development Order. The rear dormer will provide a small additional roof volume and is be sympathetic to the character of the original house. This is considered acceptable in this location and is not considered to be detrimental to the character of the property and would not form an incongruous feature within the streetscene.

The revised proposal includes an acceptable footprint of the extensions that is deemed appropriate for the application site, and it is considered that the proposed extensions responds well to the dimensions, design and siting of the neighbouring properties.

It should be noted that the dormer was original built in white cladding tiles however after negotiation with the planning agent they will be removed and materials to match the exiting roof tiles will be implemented for the rear dormer. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

Additionally, it should be noted that during the site visit a ground floor rear extension is currently under construction after further assessment it is deemed permitted development against the General Permitted Development Order and therefore would not require planning permission.

On this account, it is considered the development would be consistent with the aspirations of saved UDP Policy DC1 and Core Strategy Policy DM1, proposed developments must provide a positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

Car Parking

The proposed development would not affect the existing on street car parking arrangements.

Waste Management

The proposed development would not affect the existing refuse storage to the rear of the dwelling.

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 to guide the application through all the stages of the planning process and resolve any issues that arose in dealing with the application.

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 permission.

Reason- Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Local plan and drawings numbers:

Drawing: Plans and Elevations ref. NA-B02

Stamped as received by the City Council as Local Planning Authority on 17 August 2023

Document: Application Form

Stamped as received by the City Council as Local Planning Authority on 06 July 2023

Reason- To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, and DM1 of the Manchester Core Strategy (2012).

- 3) The materials to be used on the external surfaces of the dormer extension hereby permitted shall be finished in vertical hung tiles to match the appearance of the original roof.

Reason- To ensure 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 policies DC1.1, DC1.2 and DC1.4 of the 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 extension hereby approved other than those shown on the approved plans.

Reason- In the interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

14 Fleeson Street, Manchester, M14 5NG
53 Viscount Street, Manchester, M14 5UH
51 Viscount Street, Manchester, M14 5UH
15 Fleeson Street, Manchester, M14 5NG
13 Fleeson Street, Manchester, M14 5NG
11 Fleeson Street, Manchester, M14 5NG
18 Fleeson Street, Manchester, M14 5NG
20 Fleeson Street, Manchester, M14 5NG

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) -
Area Team Boundary - Name: SOUTH AREA