

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136518/FH/2023

Date registered valid: 20 March 2023

Proposal: Erection of a first floor rear extension to form additional living accommodation

Address: 7 Nasmyth Street, Manchester, M8 0RG

Ward(s): Harpurhey Ward

Applicant: Mr Jamie Doran

Agent (if any):

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approved

Date of recommendation: 19th September 2023

Application Details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 May 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 March 2023 Expired: 20 April 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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The site is a three story terrace house situated in a residential area. The Metrolink line from Exchange Square to Rochdale runs via a viaduct that overhangs the end of Nasmyth Street.

Description of Development

The proposal seeks the erection of a first floor rear extension to form additional living accommodation.

Consultations & Notification Responses

Publicity - Neighbouring properties were consulted. No comments or objections were received as a part of this publicity.

Policy

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

- **National Planning Policy Framework (NPPF)**
- **Saved policies DC1 and DC18.1 of the UDP,**
- **DM1, SP1, EN19 of the Manchester Core Strategy**

Manchester 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 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.

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;

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.

DC 1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

National Planning Policy Framework

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.

Issues

Principle

The principle of extending a residential property in an established residential area to create additional living accommodation is considered acceptable. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

Residential Amenity

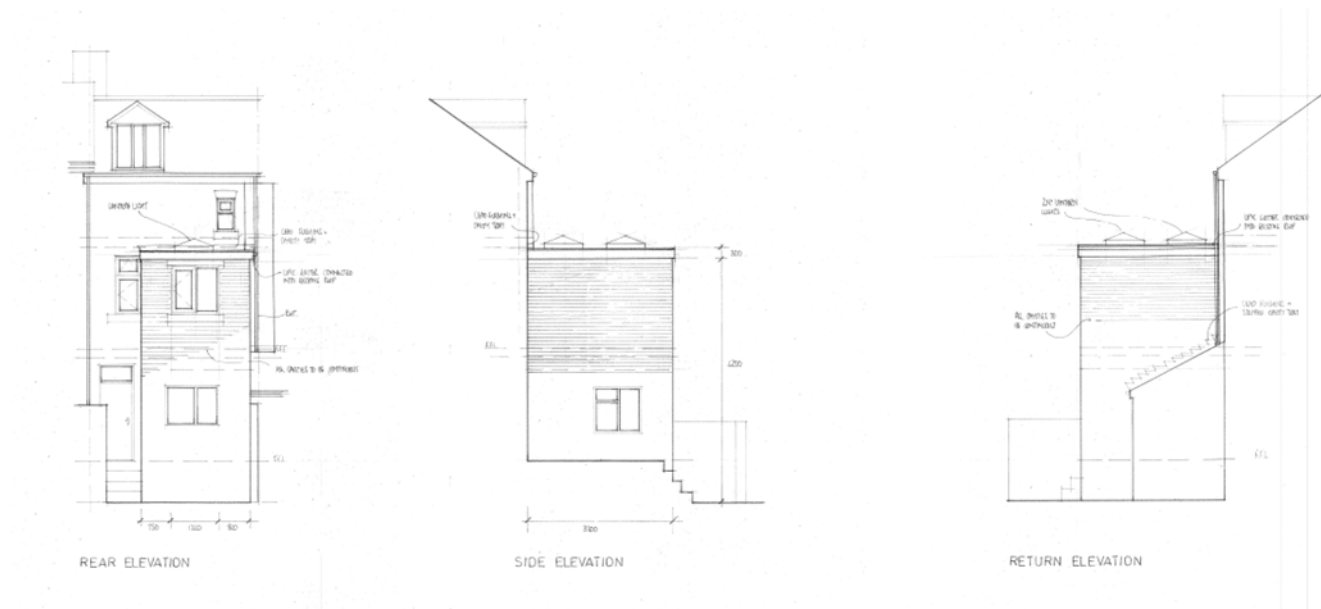
It is not considered that the proposal would have a detrimental impact upon the level of residential amenity currently enjoyed by the occupants of the neighbouring properties. There is already a similar extension on the rear of the property at a neighbouring property along the row, so the line of residential amenity will not be broken by this rear extension.



Neighbouring Rear Extension Currently in Place



Rear Elevations of 1-13 Nasmyth Street



Proposed Elevations

There is a window on the rear of the first floor extension overlooking the garden. There are no proposed windows on the sides of the first floor of the proposed extension, so there will not be windows looking directly into and over neighbouring gardens.

It is not considered that the proposed development would give rise to any significant adverse impacts to residential amenity to the neighbouring properties as to warrant refusal of the proposed development.

Visual Amenity

The established building line of the houses on Nasmyth Street can still be seen.

The setting down roof of the extension shows clearly that the extension is subservient to the original house. Any materials to be used would match those of the existing property and would be considered to be sympathetic. It is not considered that the proposed works will have a detrimental impact upon the visual amenity of the neighbouring properties, nor the character of the area within which the property is located.

Design and Appearance

It is not considered that the proposed development would unduly harm the character of the building or the general area. The extensions' footprint is not considered to create a bulky or disproportionate scale addition to the property. There is a section of flat roof which would be visible from a nearby road but this is similar in character to the adjacent extension.

The materials of the extension will match the existing and a condition to that effect will be attached to any consent granted. It is considered that the proposal is in accordance with the requirements of Core Strategy DM1, EN1 and SP1 and saved UDP Policy DC1.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, allowing occupiers to adapt their homes to meet their residential needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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 based on seeking solutions to problems arising in relation to dealing with the planning 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 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.

Received by the City Council as Local Planning Authority on 20 March 2023:

- Proposed Layout and Sections

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 to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity pursuant to policy DM1 of the adopted 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 'Existing ' stamped as received by the City Council as Local Planning Authority on 24 February 2023.

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

Informatives

1) 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

Appendix 1 – List of consultees & neighbours notified

5 Nasmyth Street, Manchester, M8 0RG

9 Nasmyth Street, Manchester, M8 0RG

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 - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL