

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135743/FH/2022
Date registered valid: 30 December 2022
Proposal: Installation of rear roof dormer together with hip to gable roof conversion
Address: 12 Park Crescent, Manchester, M14 5RE
Ward(s): Rusholme Ward

Applicant: Mr. Abdul Salam Choudhery
Agent (if any): Miss Aysha Utsho Aysha
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: February 2023

Standard consultations:

Printed: 12 January 2023 Expired: 2 February 2023

Neighbour notifications

Printed: 12 January 2023 Expired: 2 February 2023

Site notice

Posted: 25 January 2023 Expired: 15 February 2023

Press advert

Published: 17 January 2023 Expired: 7 February 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this householder application is identified as 12 Park Crescent, is a large brick 2 storey semi-detached dwellinghouse and is located in the Rusholme ward of the City. It is within the Victoria Park Conservation area. It is linked to the next pair of semis by a single storey garage. There are gardens to the front and rear, with off road parking to the driveway. The front garden has historically been hard surfaced. There is a low boundary wall with hedging behind which provides the boundary to the front elevation. Access to the rear garden is currently through the house.

Listed building: Not applicable

Conservation area: Victoria Park Conservation Area 1972

Tree Preservation Order: Not applicable

Description of area

The immediate area is predominantly residential with a mix of property types being in single family and flat accommodation. Park Crescent leads onto the primary road that is Wilmslow Road, it is a main route into and out of the City, and forms the Rusholme District Centre which incorporates the Curry Mile. The area is well served for public transport and local retail and commercial provision is within easy walking distance of the proposal site.

Description of development

The proposal is for the conversion of the garage into ancillary living accommodation (which does not require planning permission) and change in roof design from a hip to a gable with the installation of a rear roof dormer. The materials to be used would match those of the existing property. The property is in use as a single family dwellinghouse, and the enlarged property will remain so.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Rusholme, Fallowfield and Moss Side Civic Society have been consulted- no representations have been received.

A site notice was displayed, and the proposal was advertised in the press. Neither of these publicity methods generated any representations.

Issues

Policy

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

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.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Core Strategy policy DM1 indicates 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access

to new development by sustainable transport modes.

- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

Unitary Development Plan

Policy DC1 of the Unitary Development Plan seeks to accommodate the 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. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- 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 the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) 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;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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.

Issues

Principle- The principle of householders extending their properties to provide additional living accommodation is generally acceptable subject to further consideration of the impacts of proposals on residential and visual amenity and the character of the area.

Residential Amenity - The proposals are located to the rear of the property and reflect the positions of a few other properties within the slightly wider area, however whilst the introduction of rear dormer extensions is not prolific, they are an original design feature to the front and rear of many of the properties in the immediate local. As such it is not considered that the proposals would give rise to unacceptable impacts on residential amenity. The proposed dormer would afford no greater view or intrusion into the neighbouring properties that currently exists within the existing first floor, as there is no external area associated with the dormer. There is a distance of some 26.36 m garden to garden when viewed from the properties to the rear, therefore, whilst the windows are at an elevated position it is not considered that this would give rise to unacceptable loss of privacy or overlooking of that property that would warrant refusal.

Visual Amenity and impact on the Conservation Area - The proposed dormer is to be finished with materials that have the similar appearance to the existing roof (hanging tile) although the house is located within a conservation area the dormer would not be readily viewed from within the street scene, and with back to back large gardens would have a limited view given associated trees along boundaries. No part of the dormer would be higher than the existing roof and is situated on the rear roof slope of the property. Whilst the change to a gable on the side of the property would be seen within the street scene, it is on a part of the main dwellinghouse that is set back from the pronounced gabled and bay apron frontage, and there not as prominent. The changes are considered to cause less than substantial harm to the character of the designated heritage asset which is outweighed by the benefit of the scheme proposed.

Design - The design is typical of both dormer extensions and hip to gable changes. The materials to be used would match those of the existing property which helps with the assimilation of the changes into the existing property. The design is considered acceptable.

Waste Management - A condition requiring the details of a secure bin store shall be attached to any consent granted. The waste can currently be brought through the garage, however as this will become an additional living room it would need to be stored at the front of the property and transferred kerb side on collection day.

Parking- The proposal whilst losing a garage has sufficient space on the existing hardstanding / driveway to accommodate at least 1 vehicle which is compliant with guidance.

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 application has been determined in a positive and proactive manner and within statutory timescales. No issues have arisen during consideration of the application and appropriate conditions have been attached to the permission.

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:

Proposed Floor Plans -received 23.02.2023

Proposed Elevations - received 23.02.2023

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 to be used on the external surfaces of the development hereby approved shall match those of the existing building in type, size, colour and texture.

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 and DC1.2 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Prior to the occupation of the development hereby approved, details of a bin store including design, materials and location shall be submitted to and approved in writing by the City Council as local planning authority, the approved details shall be implemented, and thereafter retained and maintained so long as the development hereby approved is in use.

Reason - In the interests of the provision of adequate waste storage, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

5) 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 interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) The application property and alterations hereby approved shall be used as a Use Class C3 single family dwellinghouse only and for no other purpose (including as a House in Multiple Occupation Use Class C4 or sui generis 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 - To ensure an acceptable development, pursuant to policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Rusholme, Fallowfield & Moss Side Civic Society

Park Crescent, 8 Park Crescent, Manchester, M14 5RE

9 Kent Road West, Manchester, M14 5RF

Victoria Park Hotel, 4 Park Crescent, Manchester, M14 5RE

10 Park Crescent, Manchester, M14 5RE

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

Conservation Area - Victoria Park Conservation Area 1972

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA