

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135917/FH/2023
Date registered valid: 21 January 2023
Proposal: Erection of single storey rear extension to form additional living accommodation
Address: 33 High Bank, Manchester, M18 8UL
Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Wayne Liu
Agent (if any): Mr Brendan Todd, Brendan Todd Architecture
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 February 2023

Standard consultations:

Printed: 2 February 2023 Expired: 23 February 2023

Neighbour notifications

Printed: 2 February 2023 Expired: 23 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

This application relates to a 2-storey, bay fronted mid-terraced dwellinghouse with pitched roof and grey slate roof tiles. The terrace houses along this row are characterised by original 2 storey rear outriggers with small single storey lean-to projecting off the rear building line. A gated alleyway runs along the rear boundary. Boundary treatments are approximately 1.5 - 1.8 metres high and comprise of mainly brick walls with timber frame gated access to the alleyway. The existing separation distance from the immediate property behind the rear boundary is approximately 17.4 metres (first floor window to window).

Description of development

The submitted proposal relates to erection of single storey rear extension to form additional living accommodation.

The proposed single storey rear extension, approximately (length 3850mm x width 3850mm x maximum height 3500mm), would be sited along the common shared boundary with no. 31 High Bank and flush with the side building line on the existing 2 storey rear outrigger. The rear building line of the proposed extension would maintain a distance of approximately 1250mm from the existing rear boundary wall, and the extension would comprise of a flat roof with 1no.

window along the rear elevation. It is intended to use external facing materials to match the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. The following comments, objections or representation were received from two residents:

Comment

I think the space in the back is too small for an extension to be built and feel it will invade my privacy. There is also a window at the end of the extension which will make me feel very uncomfortable in my garden.

Comment

I have great concerns with this property. I do not believe the owner's intentions for the property is to only move one family in, as the internal works suggest it is being turned into an HMO, therefore with regard to the extension, the size of these properties are very large and does not really warrant an extension. I appreciate the building has been unlive and unkept for many years and it is nice to see this now being renovated, however, my main concerns are that if the property is rented to multiple people, we may have an issue with noise, rubbish, and car parking to which the street is already full.

2. Environmental Health

No comments received on this occasion.

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 8: Promoting healthy and safe communities.
- 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 - 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:

- 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 - 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 of development

The principle of the proposal 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 to form additional living accommodation) - In light of the pre-existing contextual relationship along rear elevation and side boundaries, and due to the fact that proposed extension would be single storey, and it would be in-part screened by the existing boundary treatment, in addition to the fact that it would not be visible from the primary highway, together with the alleyway along the rear boundary and the separation distance that would be maintained from those properties along the rear elevation; specifically, nos. 6 - 8 Havers Road, it is considered that the proposal could be accommodated in this

location in this instance. It is however recommended further conditions are attached limiting any further windows and door openings, in addition to the existing use being maintained as a dwellinghouse. This is considered necessary to safeguard residential amenity. For these reasons and on balance, the proposed extension is considered to be acceptable in terms of its impact on residential and visual amenity as there are no overbearing, overshadowing or loss of privacy impacts.

Impact of works (Design and appearance) - The proposed development would be consistent with those along the neighbourhood, and it is intended to match materials with those of the existing building and therefore it is considered to be 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.

Objectors' comments - In terms of planning comments raised by the objectors, these have been duly considered in the issues section above, although they would not warrant the refusal of planning permission.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no 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 09 January 2023.

- o Existing Plans and Elevations, and Location Plan with application site edged in red, DRAWING NUMBER A100, REV 1, received by the City Council as the Local Planning Authority on 09 January 2023.

- o Proposed Plans and Elevations, and Location Plan with application site edged in red, DRAWING NUMBER A101, REV 2, received by the City Council as the Local Planning Authority on 23 January 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 development hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the submitted information and approved drawings.

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: Proposed Plans and Elevations, and Location Plan with application site edged in red, DRAWING NUMBER A101, REV 2, received by the City Council as the Local Planning Authority on 23 January 2023.

Reason - In the interests of residential amenity pursuant to 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.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

31 High Bank, Manchester, M18 8UL
6 Havers Road, Manchester, M18 8UN
54 High Bank, Manchester, M18 8UL
35 High Bank, Manchester, M18 8UL
8 Havers Road, Manchester, M18 8UN
58 High Bank, Manchester, M18 8UL
56 High Bank, Manchester, M18 8UL

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 -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA