

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136562/FH/2023

Date registered valid: 23 March 2023

Proposal: Erection of single storey rear extension an external access ramp to side

Address: 42 Highgate Crescent, Manchester, M18 7FZ

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mrs Dorothy Steele

Agent (if any): Mr Tom Adshead, AG Architectural Solutions Ltd.

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 26 June 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 12 April 2023

Standard consultations:

Printed: 5 April 2023 Expired: 26 April 2023

Neighbour notifications

Printed: 5 April 2023 Expired: 26 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/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application relates to a hip roof, semi-detached property situated within a row of similar properties within a predominantly residential area of the Gorton and Abbey Hey ward of Manchester. The property benefits from a shallow depth of front garden; however, in contrast, the depth of the rear garden projects approximately 26.8 metres deep (minimum). There is an existing timber frame gated side access to the rear garden, approximately 1.2 metres wide, including an outbuilding along the rear garden. A railway line runs along the rear boundary.

Description of development

Consent is sought for a single storey rear extension with external access ramp.

The submitted information indicates that the proposed extension benefits the needs of a disabled occupier residing at the property and is intended to serve as a bedroom/bathroom extension. The proposal would also comprise of 1no. access ramp with associated handrails along the side elevation.

Following negotiations, the initially submitted plan has been slightly revised, and revised plans subsequently submitted, (dated, 02/06/2023). The revised plan would comprise of:

- o The initially proposed rearward projection has been pulled in from 7312.5mm, to approximately 6988mm.
- o The initially proposed side facing habitable room window along the side elevation, along the common shared boundary with no. 40 Highgate Crescent has been omitted from the plan.
- o 1no. small obscurely glazed window and a door would be located along the side elevation, along the common shared boundary no. 44 Highgate Crescent.

The revised single storey rear extension would measure approximately, 6988mm length x 4187 width x 3787mm maximum height. It would be stepped-away approximately 847mm from the common shared boundary with no. 40 Highgate Crescent, and approximately 1061mm from the common shared boundary with no. 44 Highgate Crescent. It would incorporate a hip to pitched roof configuration, with 1no. small obscurely glazed window and a door would be located along the side elevation, along the common shared boundary no. 44 Highgate Crescent; including 1no. window along the rear elevation. In terms of external facing materials, it is intended to use materials matching the existing house.

With regards to the proposed access ramp with handrails; the front access ramp will be placed centrally along the side elevation of the original dwellinghouse and proposed extension. It would be set-back approximately 5536mm from the front building line of the main house and would have a proposed width of approximately 1232mm along the front elevation. It then projects approximately 5600mm along the side elevation, whilst maintaining a gap of approximately 227mm from the common shared boundary with no. 44 Highgate Crescent. It then comes forward of the side elevation of the proposed extension approximately 802mm, then projects approximately a further 2440mm along the common shared boundary with no. 44 Highgate Crescent, whilst being flush with the rear building line of the proposed extension.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

2. Network Rail

If there are no works within 10m of the railway boundary (not track) then Network rail has no objections.

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.

- 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 for Residential Extensions.
- o Policy DC1.5 relating to applications from disabled people who may require particular adaptations to their homes.

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. It is considered that these design principles have been satisfactorily incorporated into the development.

ISSUES

The initially submitted plan has been revised, and revised plans subsequently submitted, (dated, 02/06/2023).

Principle

The proposal is to facilitate the accessible requirements of an occupier residing at the property and therefore 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 and combined access ramp with associated handrails) - In light of the revised plans, (dated , 02/06/2023) and given the pre-existing context along the boundaries and the depth and width of rear garden at the application site and of the immediate neighbouring houses, and the resultant context along the side boundaries, and due to the fact that the proposed extension and combined access ramp with handrails would be stepped away and/or retain a significant separation distance from the common shared boundaries, it is not considered that the proposed development would have a significant adverse impact on residential or visual amenity, nor is it considered that the proposed scale along the streetscene would be significantly intrusive given the separation distance from the highway. Furthermore, although the revised proposed maximum rearward projection of the single storey rear extension at approximately 6988mm is (3338mm) in excess of the guidance set out in saved policy DC1 regarding rearward extensions, and (988mm) in excess of the guidance set out for a larger homes extension application, a sizable depth of rear garden would still be retained, and a significant separation distance would be maintained from the railway line immediately behind the rear common boundary fence; and as the development benefits the needs of a disabled user residing at the property, on balance, the proposal is considered acceptable and could be accommodated in this location, in this instance, as there are not overbearing, overshadowing, or loss of privacy impacts, subject to planning conditions.

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area. It is also intended to use materials matching the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Waste management - The existing arrangement would be unaffected.

Car parking - 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 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, and revised plans subsequently submitted, (dated, 02/06/2023). 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:

- 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 23 March 2023.
- o Location Plan with application site edged in red, DRAWING NO. SRD.OM.E01.OS, received by the City Council as the Local Planning Authority 23 March 2023.
- o Supporting Information, REF: SRD.OM.E01.LA.01, received by the City Council as the Local Planning Authority 23 March 2023.
- o Site Plan as Existing, DRAWING NO. SRD.OM.E01.P1, SHEET 1, received by the City Council as the Local Planning Authority 02 June 2023.
- o Ground Floor Plan as Existing, DRAWING NO. SRD.OM.E01.P2, SHEET 2, received by the City Council as the Local Planning Authority 02 June 2023.
- o Elevations as Existing, DRAWING NO. SRD.OM.E01.P3, SHEET 3, received by the City Council as the Local Planning Authority 02 June 2023.
- o Site Plan as Proposed, DRAWING NO. SRD.OM.E01.P4, SHEET 4, received by the City Council as the Local Planning Authority 02 June 2023.
- o Ground Floor Plan as Proposed, DRAWING NO. SRD.OM.E01.P5, SHEET 5, received by the City Council as the Local Planning Authority 02 June 2023.
- o Elevations as Proposed, DRAWING NO. SRD.OM.E01.P6, SHEET 6, received by the City Council as the Local Planning Authority 02 June 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

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:

- o Site Plan as Proposed, DRAWING NO. SRD.OM.E01.P4, SHEET 4, received by the City Council as the Local Planning Authority 02 June 2023.

- o Ground Floor Plan as Proposed, DRAWING NO. SRD.OM.E01.P5, SHEET 5, received by the City Council as the Local Planning Authority 02 June 2023.
- o Elevations as Proposed, DRAWING NO. SRD.OM.E01.P6, SHEET 6, received by the City Council as the Local Planning Authority 02 June 2023

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

5) Before first occupation of the development thereby approved, the proposed window long the side elevation to serve the proposed bathroom/wetroom and as shown on: Ground Floor Plan as Proposed, DRAWING NO. SRD.OM.E01.P5, SHEET 5, and Elevations as Proposed, DRAWING NO. SRD.OM.E01.P6, SHEET 6, both received by the City Council as the Local Planning Authority 02 June 2023, shall be obscurely glazed 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 - In the interest of privacy and in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

6) 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

Network Rail

32 Lowfell Walk, Manchester, M18 7NL
26 Lowfell Walk, Manchester, M18 7NL
30 Lowfell Walk, Manchester, M18 7NL
28 Lowfell Walk, Manchester, M18 7NL
44 Highgate Crescent, Manchester, M18 7FZ
40 Highgate Crescent, Manchester, M18 7FZ
19 Highgate Crescent, Manchester, M18 7EY
17 Highgate Crescent, Manchester, M18 7EY

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA