

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135735/FH/2022

**Date registered valid:** 24 February 2023

**Proposal:** Erection of two storey side extension and two single storey rear to form additional living accommodation

**Address:** 8 Leabank Street, Manchester, M19 3DU

**Ward(s):** Levenshulme Ward

**Applicant:** Mr Muhammad Ashfaq

**Agent (if any):** Mr Nadeam Khan NK Architectural

**Case officer:** Harriet Aidoo  
Tel: 0161 234 4532  
Email: [harriet.aidoo@manchester.gov.uk](mailto:harriet.aidoo@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 31 May 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 15 March 2023

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 27 February 2023 Expired: 20 March 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 planning application relates to a detached two storey, pitched roof dwellinghouse with dual chimney stack and rendered façade. The building is believed to be from the late 19<sup>th</sup> Century but appears to have been substantially altered and is currently in a poor condition. There is an existing single storey lean-to side extension, two single storey small rear extensions which are separated by a small rear amenity space with gated access into an alleyway along the rear elevation. The application site is bounded by open alleyways along the northern and western boundaries, and green open space with mature trees along the southern boundary. Several of the properties along Leabank Street and Eltham Street have been rendered, and as such, this design concept is also common along the immediate streets.

## **Description of development**

The submitted plan relates the proposed erection of a two storey side extension and two single storey rear extensions to form additional living accommodation.

Clarification was sought in relation to a proposed large rectangle along the roof plane to the north elevation. The agent subsequently submitted revised plans to clarify this anomaly, (dated 29/05/23).

The proposed two storey side extension would project approximately 1000mm forward of the front building line of the original dwellinghouse, and measure approximately 3835mm wide. It projects along the side alleyway approximately 9043mm, then flush with the rear building line of the original house. It maintains a pitched roof design, consistent with the existing roof and incorporates 1no. window each along the ground and first floor front elevation, and 1no. window along the first floor rear elevation.

In terms of the proposed two single storey rear extensions, these would measure approximately (4252mm length x 3060mm width x 3218mm maximum height) and (4018mm length x 3794mm width x 3218mm maximum height). These extensions would maintain a shallow pitched roof design and would incorporate 1no. window along the side alleyway elevation, including 2no. windows and a door facing the internal rear yard area. In terms of proposed external facing materials, the extension would be constructed in materials matching the existing house and as annotated on the submitted drawings.

## **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.

## **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.

- o Saved Policy DC1 (Residential Extensions) is considered relevant.

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

### Principle

The principle of the proposal to create additional living accommodation 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 (two storey side extension and two single storey rear extensions)** - In light of the existing footprint of the application site, combined with the pre-existing contextual relationship along the boundaries, and due to the fact that existing separation distance would be maintained along the side and rear boundaries, it is not considered that the proposal would adversely affect the street scene or neighbouring houses and therefore on balance, the proposal is considered acceptable, as there are not overbearing, overshadowing, or loss of privacy impacts, subject to planning conditions.

**Impact of works (Design and appearance)** - The proposed development would be informed by similar developments along the street scene, surrounding streets and neighbourhood, therefore it is not considered that the proposed development would unduly harm the character of the

building or the general area. However, a materials condition has been attached to ensure that the materials are adhered to.

**Impact of works (Waste management)** - The existing arrangement would be unaffected.

**Impact of works (Car parking)** - The development would result in the loss of the existing garage to accommodate the proposed side extension. It is therefore intended to park cars on-street as the pre-existing and retained depth of amenity space would not be sufficient to accommodate a car. Therefore, as Leabank Street is unrestricted, in this instance, a slight increase in on-street parking can be accommodated with no significant impact.

**Conclusion** - For the reasons outlined above, and subject to planning conditions, it is not considered that the proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential amenity; pursuant with The National Planning Policy Framework; The Manchester Core Strategy Development Plan Document Policies EN1, DM1, SP1, EN19, T2; Saved Unitary Development Plan Policy DC 1; and the Guide to Development in Manchester Supplementary Planning Document and Planning 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**

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, clarification was sought in relation to a proposed large rectangle along the roof plane to the north elevation. The agent subsequently submitted revised plans to clarify this anomaly, (dated 29/05/23). 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, received by the City Council as the local planning authority on 24 February 2023.
- o Site and Location Plan with application site edge in red, drawing no. A105, received by the City Council as the local planning authority on 13 December 2022.
- o Existing Plans and Elevations, drawing no. A108, received by the City Council as the local planning authority on 13 December 2022.
- o Proposed EAST AND WEST ELEVATIONS, drawing no. A109, rev A, received by the City Council as the local planning authority on 10 January 2023.
- o Proposed NORTH AND SOUTH ELEVATIONS, drawing no. A103, rev D, received by the City Council as the local planning authority on 29 May 2023.
- o Proposed GA GF AND 1ST FFL PLAN - OPTION 5 - 2 STROEY EXTENSION, drawing no. A100, received by the City Council as the local planning authority on 13 December 2022.

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 extensions hereby approved shall match those as stated on the approved drawings and submitted information.

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 extensions hereby approved other than those shown on:

- o Proposed EAST AND WEST ELEVATIONS, drawing no. A109, rev A, received by the City Council as the local planning authority on 10 January 2023.
- o Proposed NORTH AND SOUTH ELEVATIONS, drawing no. A103, rev D, received by the City Council as the local planning authority on 29 May 2023.
- o Proposed GA GF AND 1ST FFL PLAN - OPTION 5 - 2 STROEY EXTENSION, drawing no. A100, received by the City Council as the local planning authority on 13 December 2022.

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

5) Before first occupation of the development thereby approved, the proposed window along the ground floor side elevation along the alleyway, and annotated as "East Elevation" and as shown on: Proposed EAST AND WEST ELEVATIONS, drawing no. A109, rev A, received by the City Council as the local planning authority on 10 January 2023, and Proposed GA GF AND 1ST FFL PLAN - OPTION 5 - 2 STROEY EXTENSION, drawing no. A100, received by the City Council as the local planning authority on 13 December 2022, shall be non-opening and shall remain so in perpetuity.

Reason - In the interests of residential amenity, pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

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**

12 Hapton Street, Manchester, M19 3DZ  
16 Hapton Street, Manchester, M19 3DZ  
10 Hapton Street, Manchester, M19 3DZ  
14 Hapton Street, Manchester, M19 3DZ  
6 Leabank Street, Manchester, M19 3DU  
20 Eltham Street, Manchester, M19 3AL

## **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  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: NORTH AREA