

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 136237/FH/2023  
**Date registered valid:** 13 February 2023  
**Proposal:** Erection of rear roof dormer extension to form additional living accommodation  
**Address:** 20 Shillingford Road, Manchester, M18 7TQ  
**Ward(s):** Longsight Ward

**Applicant:** Mr Jam Sheed  
**Agent (if any):** Mr Sohail Musa SMS architecture  
**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:** 9 May 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 8 March 2023

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 26 April 2023      Expired: 6 May 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:**

**Tree Preservation Order:**

## **Description of site / building / area**

The application relates to a modern - (circa 2007), brick facing, 2 storey, detached dwellinghouse with amenity space along the front side and rear elevations. Off-street car parking is available along the front and gable elevation, including boundary treatment along the rear perimeter - approximately 1.8 metres. The existing separation distance from the immediate dwellinghouses along the rear boundary is approximately 22.7 metres - (first floor window to window).

## **Description of development**

Erection of rear roof dormer extension to form additional living accommodation. The proposal would also comprise of an elevational alteration involving 2no. windows along the front roof plane to serve the proposed dormer extension.

The initially submitted plan has been slightly revised in the interest of residential and visual amenity, and revised plans subsequently submitted, (dated 25/04/2023). The revised plan would comprise of:

- The dormer windows would be obscurely glazed up to 1.7m above the internal floor level in the interest of privacy.
- The dormer wall to be clad in hanging roof tiles to match those along the existing roof plane.

The proposed rear roof dormer measuring approximately, (6238mm wide x 3784mm deep x 2832mm maximum height) would be centrally placed along the rear roof plane whilst being set away from the gable elevations approximately 170mm. It is also set below the original roof ridge and above the eaves, with 2no. windows along rear elevation. In terms of external facing materials, the dormer wall would be clad in tiles matching those along the roof plane.

## **Consultations & Notification Responses**

### **1. Local residents**

Occupiers of properties surrounding the application site were notified of the proposal. The following comments, objections or representations were received from one local resident:

#### Comment

The proposed dormer will give an elevated view from windows direct into my bedroom and allow full view of my garden. This infringes my privacy; I don't agree even obscured glass would resolve this. This dormer roof is not in context with any other property on this estate. Potentially if the dormer was on the front of the property would be acceptable without any windows on the back or sides.

Following revised plans, neighbours were re-notified. The following comments, objections or representations were received from one local resident:

#### Comment

I firmly object. The planned obscured windows when opened will give a clear elevated view to my bedroom and full garden. The obscured glass could even be changed if erected once checks completed. The material used, rubber? is not in keeping with the area. The sides look like cladding, no cladding exists on this estate of 342 properties. No dormer extensions exist on this estate, so not in keeping with the area. Making a 5 bedroom property is mostly likely to be a HMO, even if they not being honest about it, which again is not in keeping with the area. This is not a young family living next door, they are all male adults. There is not enough parking at the property currently and has increased the risk of accidents on the road. There is only 1 driveway for 1 car and 1 car space in front of the house, this is already causing congestion and I've had my access blocked to my driveway.

## **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:

- Chapter 8: Promoting healthy and safe communities.
- 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:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

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.

ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

## **ISSUES**

The initially submitted application has been slightly revised in the interest of residential and visual, and revised plans subsequently submitted, (dated 25/04/2023).

### **Principle of development**

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

### **Residential and visual amenity**

**Impact of works (rear roof dormer extension)** - In light of the revised plans, (dated 25/04/2023), it is not considered that the proposed rear roof dormer extension would unduly impact on residential and visual amenity, nor would it adversely impact on the character of the property or general area as there are no undue overbearing, overshadowing, or loss of privacy impacts. Whilst there is an existing separation distance of approximately 22.7 metres from the immediate dwellinghouses along the rear boundary - (first floor window to window), it is however recommended that the proposed dormer window to serve the proposed bedroom is conditioned requiring it to be obscurely glazed up to 1.7m above the internal floor level and the proposed ensuite room window is fully obscurely glazed, both in the interests of privacy, given the elevated position. A materials condition is also recommended to ensure the use of matching materials to clad the dormer wall.

**Impact of works (elevational alteration involving 2no. windows along the front roof plane )** - In terms of the proposed elevational alteration involving 2no. windows along the front roof plane to serve the proposed dormer extension, due to the fact that such works would fall within householder general permitted development, it is not considered that this element would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity and therefore can be accommodate in this location.

**Impact of works (Design and appearance)** - On the basis of the revised plans, (dated 25/04/2023), and due to the fact that the proposed dormer windows would incorporate obscure glazing, and it is intended use materials consistent with those along the roof plane to clad the dormer wall; for these reasons, it is considered that the proposed development would be acceptable in design terms. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. However, a condition has been attached to ensure that materials are adhered to.

**Impact of works (Car Parking / Highways issues)** - The existing arrangement would be unaffected.

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

**Objectors' comments** - In terms of the planning comments raised by the objector, these have been duly considered in the issues section above. The other comments raised would fall under separate legislations and therefore cannot be considered as part of this planning application.

**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 this instance, following negotiations, the initially submitted application has been revised in the interest of residential and visual amenity, (dated 25/04/2023). The local Planning Authority in its decision has had due regard to the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. 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:

- Site Plan and Location Plan with application site edged in red, Drawing 00, received by the City Council as the Local Planning Authority on 25 April 2023.
- Existing Floor Plans, Drawing 01, received by the City Council as the Local Planning Authority on 25 April 2023.
- Existing Elevations, Drawing 02, received by the City Council as the Local Planning Authority on 25 April 2023.
- Proposed Floor Plans, Drawing 03, received by the City Council as the Local Planning Authority on 25 April 2023.
- Proposed Elevations, Drawing 04, received by the City Council as the Local Planning Authority on 25 April 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 (2012).

3) The rear roof dormer extension hereby approve shall be clad in tiles matching those on the existing roof of the original dwellinghouse and as stated on the 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 (1995), and policy DM1 of 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 stated on:

- Proposed Floor Plans, Drawing 03, and Proposed Elevations, Drawing 04, both received by the City Council as the Local Planning Authority on 25 April 2023.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester (2012).

5) Before first occupation of the development thereby approved, the proposed dormer window to serve the annote "BEDROOM 5" and as shown on: Proposed Floor Plans, Drawing 03, and Proposed Elevations, Drawing 04, both received by the City Council as the Local Planning Authority on 25 April 2023; shall be obscurely glazed up to a height of 1.7m above the internal floor level within the roof space, 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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

6) Before first occupation of the development thereby approved, the proposed dormer window to serve the bathroom and as shown on: Proposed Floor Plans, Drawing 03, and Proposed Elevations, Drawing 04, both received by the City Council as the Local Planning Authority on 25 April 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 policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

7) 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

## **Appendix 1 – List of consultees & neighbours notified**

18 Shillingford Road, Manchester, M18 7TQ  
26 Shillingford Road, Manchester, M18 7TQ  
24 Shillingford Road, Manchester, M18 7TQ  
22 Shillingford Road, Manchester, M18 7TQ  
6 Rainshaw Lane, Manchester, M18 7TE  
4 Rainshaw Lane, Manchester, M18 7TE  
2 Rainshaw Lane, Manchester, M18 7TE  
28 Shillingford Road, Manchester, M18 7TQ  
16 Shillingford Road, Manchester, M18 7TQ

## **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  
Area Team Boundary - Name: NORTH AREA