

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134392/FH/2022

Date registered valid: 18 July 2022

Proposal: Erection of part single part two storey side and rear extension to form additional living accommodation, including retention of front porch and elevational alterations to original dwellinghouse and rear roof dormer

Address: 13 Hinstock Crescent, Manchester, M18 8UU

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr. Mudasar Ali, Shafi Bigam

Agent (if any): Mr. Niamat Ali, NA Design

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 05 June 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 16 March 2023 Expired: 30 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

13 Hinstock Crescent is an end of terraced property within a short row of four houses along the head of a turning circle within a short cul-de-sac. The surrounding area is predominantly residential. The application property has an existing front porch with buff colour render, approximately (1799mm deep x 2430mm wide x 3319 mm high) and an existing rear roof dormer extension approximately (5487mm wide x 2810mm deep x 1609mm high). There is existing buff colour render to original dwellinghouse, and the original hip roof has been altered to a pitch design. It is understood from correspondence with the agent that these works had been undertaken prior to the submission of this planning application and the agent considers the works to constitute permitted development. The site benefits from existing amenity space along the front, side and rear elevations with timber panel fencing along the rear-side boundaries, (approximately 1.8 metres) and brick wall along the rear boundary to the back of footpath, (in excess of 1.8 metres). Off-street car parking is available along the front driveway. A footpath and green open space runs along the rear boundary of the site. The existing rear garden is approximately 7.5 metres deep, with the existing separation distance from those properties along the rear of the application site at approximately 32 metres (first floor window to window). Moreover, the existing separation distance between the application building and no. 11 Hinstock Crescent is approximately 5.1 metres (minimum) and approximately 15.5 metres (maximum) - side elevation to side elevation. No. 14 Hinstock Crescent has been extended - planning approval, (ref: 117053/FH/2017), and no. 97 Chapman Street (ref: F11136).

Description of development

The initially submitted plan proposed a part single part two storey side and rear extension to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 08/03/23, 31/05/23). The title description of the proposed works has also been subsequently amended to reflect the revised plans. The submitted plan would now involve the: Erection of a part single part two storey side and rear extension to form additional living accommodation, including retention of front porch and elevational alterations to original dwellinghouse and rear roof dormer. The revised plan would comprise of:

- o The proposed rearward projection along the first floor has been pulled in and would not exceed 3650mm,
- o The first floor side extension along the front elevation would be set-back 1000mm from the front building line of the original dwellinghouse,
- o The overall width of the first floor rear extension is reduced and pulled further away from the common shared boundary with no. 15 Hinstock Crescent, to maintain a separation of approximately 3600mm.
- o The submitted plan would also involve the retention of front porch, including elevational alterations to the original dwellinghouse to reinstated it back to its original brickwork, and the existing rear roof dormer would be clad in matching roof tiles.
- o Clarification has also been provided in relation the second floor that the dormer would enable, (dated, 31/05/23).

The proposed part single part two storey side and rear extension along the ground floor would be flush with the front building line of the original dwellinghouse and maintain a width of approximately 2546mm along the front elevation, it will then project approximately 1262mm along the common shared boundary with no. 11 Hinstock Crescent, whilst retaining a separation distance of approximately 850mm from this boundary. It then projects approximately 9630mm into the rear garden, then come forward of the common shared boundary with no. 15 Hinstock Crescent approximately 9118mm wide, whilst retaining a small gap of approximately 120mm from this boundary. The proposed maximum rearward projection of the extension along the ground floor would be 4500mm. This element would incorporate 1no. window along the front elevation, 1no. window along the side elevation, 1no. window along the rear roof plane, including French doors, Bi-fold doors and 1no, window along the rear elevation; whilst incorporating a lean-to pitch roof along the front and rear elevations - maximum height approximately 3285mm, and 3877mm respectively. Along the first floor, the proposed extension would be set-back approximately 1000mm from the front building line of the original dwellinghouse whilst maintaining a proposed width of approximately 3471mm along the front elevation. It would then project approximately 8671mm into the rear garden, then come forward of the common shared with no. 15 Hinstock Crescent approximately 5665mm wide and return forward of the rear building line of the original house whilst maintaining a separation distance of approximately 3600mm from the common shared boundary with no. 15 Hinstock Crescent. This element would incorporate 1no. window along the front elevation, 1no. window along the side elevation, including 1no. window along the rear elevation, whilst incorporating a combined pitch to hipped roof configuration, with the ridge set below the ridge of the original dwellinghouse. The proposed part single part two storey side and rear extension would be constructed in matching bricks similar with the original dwellinghouse and the houses along the cul-de-sac.

With regards to the retention of front porch and elevational alterations to original dwellinghouse and existing rear roof dormer; it has been negotiated that the existing porch would be clad with matching brick slips; the existing render along the entirety of the original dwellinghouse would

be removed and the original brickwork would be reinstated, in addition, to the existing rear dormer wall would be clad in matching roof tiles, and as annotated on the revised plans, (dated, 08/03/23).

Consultations & Notification Responses

A. Local residents

Occupiers of properties surrounding the application site were notified and subsequently re-notified of the proposal following revised plans. Neighbours were re-notified 24/10/2022, 18/01/2023, 23/01/2023, 16/03/23. A summary of the comments, objections, or representations received from three local residents are outlined below.

In addition, a representation was made by a local resident on behalf of seven local residents who have all signed a petition regarding the further comments also outlined below.

Comment 1

The extension and modifications to the property which have already been carried out has resulted in an extremely ugly building which is out of character with the surrounding buildings and location. I have grave concerns regarding the safety of the modifications made so far to the building. The ideal resolution would be for the Council to insist for the building to be restored back to its original superior state.

Comment 2

I am writing to protest against the planning application for a number of reasons detailed below. These concerns are of the financial impact to my property, impact to myself and family, quality of living if the works proceeded, concerns of the actual details of application and works which despite advised on application have actually commenced, and indeed the impact to the adjacent properties and cul-de-sac overall.

The application has a number of incorrect declarations, work has actually commenced with significantly changes already made to the property both internally and externally including removal of chimney, new roof with different coloured tiles to other properties, external walls rendered different to all properties and was brick facia previously, porch built, roof has been converted to additional living area including extended out with windows but not exceeding roof parapet, new glazing not as previous, internal chimney removed, internal wall removed and replaced currently with breeze blocks, external grounds currently strewn with bricks and building materials with a dangerous scaffold installed around the house. The gas meter has been removed with this left in a dangerous condition open ended with shut off valve only with gas seeping as not fully closed off and external to the house. The emergency gas number was contacted. The works themselves have exceeded the permitted times both during the week and weekends in terms of working causing undue noise. The application incorrectly advises that no trees are on the property, as they had been removed. I was approached to have the driveways turned into a shared driveway, which originally I was open to but now am not prepared to adjust following legal advice as changes property boundaries.

Overall, the works already undertaken never mind those intended will have a direct detriment to myself in terms of health, wellbeing, activities, life and before even the financial impact is considered due to loss of garden life and general implication for the resale value for those with

intentions of purchasing a property with a garden. If these works proceed, I envisage not continuing living in my house.

Comment 3

I am seriously objecting to this 3 storey build in terms of both the original plans and to the new revised plans and the ongoing building work. My reasons are as follows:

1. My house and garden privacy is massively invaded by overlooking windows. Even with the obstruct glazing windows, there is still a window on the side elevation according to the plans. Legally, there should be no windows on the side elevation of the 2nd & 3rd floor.
2. I'm concerned that the side front extension is built straight with the existing front on the ground floor which is not legally right.
3. His porch is built straight in line with the original house boundary wall. Distance from my land boundary is less than 2 metres. The porch size he built should have a planning permission approved before it was constructed. The house originally had no porch.
4. I'm deeply concerned that the 2nd floor extension will definitely block the natural sunlight coming into my house & garden. The airflow to my house and garden will also be hindered. Due to the narrowing of space between my house and the proposed new build, the air flow/wind passage will increase in velocity and can be damaging.
5. I'm concerned about the distance of his extension to my boundary. In order to meet building regulations, the building will need to be at least 1 metre from my boundary. Can you assure me that the distance from my boundary and his extension will be within the stipulated legal requirement. Currently from the drawing plan it is recorded as 850mm. Furthermore, from the roof on the side of the extension closest to my house will overlap my land boundary.
6. The size of the side elevation is 3.5 m which is beyond the legal planning permission regulations. It should be no more than 3m. Similarly at the back extension, the extension proposed is 4m, which again is over the legal planning permission regulations limit.

Note: The size of the proposed extension is more than double the original house size...it is an over build extension size...which he has already started to build, I.e. three storey high house which is another legal regulation breach.

The planning regulations for more than one storey states that the extension for more than one storey must not extend behind the rear wall of the original house by more than 3m or be within 7m of any boundary opposite the rear wall of the house. It makes me concerned how many people will be living in no 13 and the impact this will have on car parking in the Hinstock cul de sac and disruptions to me driving in and out of my driveway.

7. I'm very worried the piling work for such a big build will affect the foundations and walls of my house especially since the No 13 owner has already reduced the depth of the ground floor by a metre to achieve the head height of the 3rd floor he has built. I'm wondering will the similar work of lowering the ground floor from its original level be followed in the new build. If this is a reality, I will be extremely concerned especially since there are no foundation details on the proposed ground floor plans. Also, the disruption, noise and dust pollution this lengthy work entails would affect my physical and mental health as well as my work as I work from home several days a week. Additionally, this 3 storey build will not be in keeping with the rest of the houses in the Crescent. The No 13 owner in his house plans has indicated that the

outer wall is red brick. Can you reassure me that the same building materials will be used to build No 13 will be in keeping with the rest of the houses in the neighbourhood?#

Comment 4

A representation was made by a local resident on behalf of seven local residents who all signed a petition regarding the following comments:

We are writing this letter to Manchester City Council Planning and Regeneration department regarding the building work and massive renovation that has been carried out on the property 13 Hinstock Crescent. We object to the original and the revised plans, planning application number: 134392/FH/2022. We also object to building control application for Hip to gable roof extension with flat roof rear dormer, reference number: IN/22/00882. Finally, we object to the ongoing building work at number 13 Hinstock Crescent. The property had a beautiful appearance with imperial red bricks and concrete red roof tiles that matches the houses along the small cul-de-sac crescent before the mismatching commenced. Our areas of concern and irregularities relate to:

Safety of the roof and removal of chimney - The building of a 3 storey house destroys the character of this area. Removal of the entire chimney without considering the structural safety and layout of the houses along the row of terrace houses affects the stability of the other houses.

Porch and materials used - A front porch has been added and it has been claimed on the submitted information that it is existing and having no regard for the permitted development requirements and limitations. The original house has been rendered, the original roof tiles have been changed from old English concrete tiles to dark grey tiles that are not matching any house in this area

Invaded privacy - The loft conversion and rear roof dormer has an aerial view so we very concerned our privacies have been invaded.

Parking - Hinstock Crescent is a very with limited car parking space. We are already having trouble going in and out of our drives due to the traffic generation from the works at the property, which is causing a nuisance.

Inconsideration of our welfare - Since the works started, we have been extremely worried about our lives in our own properties. We have been subjected to a gas leak, undue noise ongoing late into the evenings, Sundays and Bank Holidays which has been so unbearable that we have had to complain to the noise department. We are worried about health and safety measures in this house as windows have been left open all the time without any safety measures to protect us from burglary and rat invasion. The building site has not been cordoned off to ensure safety of the children in the neighbourhood. Mature trees have been uprooted, the front garden has been dug up and left exposed to rain. Following a down pour no.13's front drive gets flooded, and water stagnates. This exposes us to possible health concerns and our properties to damp issues, rat invasion and foundations problems.

We have been under a lot of pressure for several months as a result of the these works due to the owner's complete disregard for our safety and mental health.

We followed the council advice to contact their private inspector, but unfortunately, we did not get any response from them.

We would appreciate if the council would inspect no.13's plans and site work to reassure and guarantee all of us in this cul-de-sac that building regulations and specifications are adhered to.

POLICY

The following guidance and policy 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:

- i. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 124). Paragraph 127 further states that planning decisions should ensure that developments:
 - a) Will function well and add to the overall quality of the area over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and landscaping;
 - c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

The revised proposed development has been appropriately related to the original house and neighbouring housing. It is not considered that the development would impact upon neighbouring houses due to their juxtaposition and arrangement of space between them. It is considered that the quality of design has been appropriately related to the existing house and thereby accord with chapter 12.

2. Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the NPPG:

- i. Consultation and pre-decision matters (ID:15);
- ii. Design (ID:26) - Good quality design is considered to be an integral part of sustainable development;

iii. Health and well-being (ID:53).

In this case, appropriate neighbour and statutory consultation had been undertaken. The design is satisfactorily related to the original house. The proposed extension would not unduly harm residential amenity. The above sections of PPG would therefore be satisfactorily responded to.

3. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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 SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- i. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- ii. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- iii. Community safety and crime prevention;
- iv. Design for health;
- v. Adequacy of internal accommodation and external amenity space;
- vi. Refuse storage and collection.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Policy EN19 (Waste) - States that developers should have full regard to the economic and environmental benefits that well designed and run, waste management facilities can bring to the District, subject to any conditions required to protect the amenity of existing adjacent users, and encourage communities to take responsibility for the waste they create through the provision of accessible facilities.

Policy T2 (Accessible areas of opportunity and need) - States that the Council will actively manage the pattern of development to ensure that in new development:

- o The car parking standards are maximums, and the cycle and disabled car parking standards are minimums. However, the Council will take the circumstances of each proposal into account to establish what level of parking is appropriate.

4. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance. This states:

DC1.1

In determining planning applications for extensions to residential properties, the council will have regard to:

- a) the general character of the property
- b) the effect upon the amenity of neighbouring occupiers
- c) the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs
- d) the overall appearance of the proposal in the street scene
- e) the effect of the loss of any on site car parking

DC1.2

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the plan and the following criteria:

- 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 an undue loss of sunlight, daylight or privacy
- c) they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details
- d) they would not result in the loss of off street car parking in a situation where there is so severe an existing on street car parking problem that unacceptable additional pressures would be created

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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)

DC1.4

In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a) The development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b) The actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c) The actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Policy DC1.6

For the avoidance of doubt, policies DC1.1 to DC1.4 apply to domestic houses, flats, houses in multiple occupation, nursing homes, rest homes and hotels.

Reasons: Many people prefer to extend their existing homes rather than move, and the planning system needs to accommodate this 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. The Council is not generally in favour of dealing with this issue by laying down firm rules about home extensions; the policy therefore allows each case to be looked at on its individual merits, having regard to a range of criteria.

5. 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 paragraph is 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 revised proposed development.

ISSUES

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 08/03/23, 31/05/23). The title description of the proposed works has also been subsequently amended to reflect the revised plans.

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this 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. The key issues for this application are therefore the impacts on visual and residential amenity.

Residential and Visual Amenity

Impact of works (part single part two storey side and rear extension) - In light of the revised plans,(dated, 08/03/23, 31/05/23), coupled with the pre-existing and proposed contextual relationship in terms of the impact on the character and appearance of the Hinstock Crescent street scene and wider neighbourhood, it is considered that any impact on the neighbouring property would be limited by the revised scale of the development and its siting in relation to neighbouring properties. The proposed extension would also appear as subservient to the existing house in terms of its proportions and height. Moreover, given the maintained relationship of the application property to neighbouring buildings, specifically, nos. 11 and 15 Hinstock Crescent and those properties along the rear boundary along Jessop Street, it is not considered that the development would have an unduly harmful impact on the surrounding context due to the separation distance that would be retained. The siting of the development is therefore considered to be acceptable. For these reasons, and on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location as there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts, or unduly impact on the character and appearance of the Hinstock Crescent street scene. Moreover, it is considered that the proposed development responds positively to policy SP1 and DM1, in that it would improve the living environment for the resident and thereby their well-being and continued occupation of the house, subject to conditions. It is however recommended that additional conditions are attached in the interest of privacy, restricting any further window or door openings, and ensuring that proposed materials are adhered to. It is also considered necessary that an informative in relation to development noise is attached to any recommendation for planning approval given the nature of the short cul-de-sac.

Impact of works (retention of front porch and elevational alterations to porch) - With regards to the retention of the front porch and associated elevational alterations, in light of the revised plans,(dated, 08/03/23, 31/05/23) and given the scale of the porch, measuring approximately, (1799mm deep x 2430mm wide x 3319 mm high), whilst the proposed depth and width would be in line with the limitations of general permitted development, there is a variance of approximately 319mm in excess of the limitations of general permitted development in terms of the height. However, the structure in situ, is more than 2 metres of the property boundary and the highway, and therefore, it is considered the variance in height would not warrant the refusal of planning permission as there are no significant adverse impact to residential amenity. The scale of the porch would also mirror planning approval, (ref: 117053/FH/2017). Moreover,

the proposed elevational alterations to the porch involving brick slips improves the quality of the existing design and materials. In addition, a condition has been included to relate the development to specified external facing materials.

Impact of works (elevational alterations involving reinstatement of brick work to original dwellinghouse) - In light of the revised plans, (dated, 08/03/23), it is considered that the proposal responds positively to the character of the original house in terms of the proposed brick façade. It is therefore not considered that the development would undermine the residential character of the Hinstock Crescent street scene due to the quality of the proposed design and proposed materials. In addition, a condition has been included to relate the development to specified external facing materials.

Impact of works (elevational alterations involving cladding to existing rear dormer) - In light of the revised plans, (dated, 08/03/23, 31/03/23) and given what could be achieved under general permitted development solely for rear roof dormer extensions, the proposed elevational alterations to the dormer involving cladding the external wall with tiles matching those along the roof elevation improves the quality of the existing design and materials. In addition, a condition has been included to relate the development to specified external facing materials. It is also recommended that the proposed dormer window along the rear elevation to serve the annotated "SHWR" is conditioned requiring it to be obscurely glazed in the interest of privacy.

Impact of works (Design and appearance) - The revised plans, (dated, 08/03/23, 31/05/23) represents a simple design form that responds to the character of the original house and the properties along the Hinstock Crescent street scene in terms of the proposed brick façade. It is therefore not considered that the development would undermine the residential character of the Hinstock Crescent due to the scale of the development, the quality of the proposed design and proposed materials. In addition, the development would facilitate the reintroduction of the brickwork. Moreover, a condition has been included to relate the development to specified external facing materials.

Impact of works (Car parking) - The existing arrangement would be unaffected, off-street car parking would still be maintained for at least one vehicle.

Impact of works (Waste management) - Whilst the proposed side extension would occupy in-part the existing land along the side elevation of the original dwellinghouse, it is intended to retain a minimum width of approximately 850mm from the common boundary with no. 11 Hinstock Crescent to allow for access to the side and rear garden. However, although the width of access to be retained would fall short of Manchester City Council's guidance by 50mm for the safe passage of wheeled bins, given the nature of the cul-de-sac position and surrounding context, refuse bins can still be stored within curtilage, set-back from the highway and screened behind the existing boundary treatment.

Objectors' comments - In terms of planning comments raised by the objectors, 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 revised proposed development has been satisfactorily related to the original dwellinghouse and the surrounding context and therefore 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 in the interest of residential amenity and revised plans subsequently submitted, (dated, 08/03/23, 31/05/23). The title description of the proposed works has also been subsequently amended to reflect the revised plans. 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 Location Plan, with application site edged in red, received by the City Council as the Local Planning Authority on 18 July 2022.
- o Proposed Elevations, DRAWING No: NA-P03, received by the City Council as the Local Planning Authority on 08 March 2023.
- o Proposed Floor Plans, DRAWING No: NA-P02B, received by the City Council as the Local Planning Authority on 31 May 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy Development Plan Document (July 2012).

3) Prior to the commencement of above ground works samples and specifications of all materials to be used on the external elevations of the development hereby approved shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be undertaken in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority, in the interests of the visual amenity of the area within which the site is located, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995); and policies SP1, DM1, EN1, of the Manchester Core Strategy Development Plan Document (July 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 the approved drawings.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995); and policy SP1 and DM1 Core Strategy for the City of Manchester (2012).

5) Before first occupation of the development thereby approved, the proposed windows along the ground floor and first floor side elevation to serve the 'Wetroom', and 'ensuite' as shown on the approved drawings together with the proposed dormer window along the rear elevation to

serve the shower room shall all 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 interests of privacy, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995); and policies SP1 and DM1 of the Core Strategy for the City of Manchester (2012).

Informative

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policy DM1 of the Manchester Core Strategy (2012) and saved policy DC26 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

5 Jessop Street, Manchester, M18 8TZ
11 Jessop Street, Manchester, M18 8TZ
16 Hinstock Crescent, Manchester, M18 8UU
15 Hinstock Crescent, Manchester, M18 8UU
12 Brogan Street, Manchester, M18 8UD
17 Jessop Street, Manchester, M18 8TZ
11 Hinstock Crescent, Manchester, M18 8UU
9 Hinstock Crescent, Manchester, M18 8UU
12 Hinstock Crescent, Manchester, M18 8UU
10 Hinstock Crescent, Manchester, M18 8UU
10 Brogan Street, Manchester, M18 8UD
9 Jessop Street, Manchester, M18 8TZ
7 Jessop Street, Manchester, M18 8TZ
21 Jessop Street, Manchester, M18 8TZ
19 Jessop Street, Manchester, M18 8TZ
15 Jessop Street, Manchester, M18 8TZ
13 Jessop Street, Manchester, M18 8TZ

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