

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136532/PDE/2023

Date registered valid: 17 March 2023

Proposal: Prior notification of proposed larger home extension projecting 3.3m to the rear with a maximum height of 4m and a height at eaves of 2.9m

Address: 322 Great Western Street, Manchester, M14 4DS

Ward(s): Moss Side Ward

Applicant: Mr Haider Salem, Moonlight Homes Ltd, 41 Farm Lane, Manchester, M25 2RX

Agent (if any): Mr Shariq Poonawala, SPA, Unsworth Moss Farm, Simon Lane, Middleton, M24 4SH

Case officer: Angelina Ward
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Recommendation: Approved extension – GPD

Date of recommendation: 21 April 2023

Application details

Type of application: General Permitted Development-Extensions

Development type: Notifications

Standard consultations:

Printed: 23 March 2023 Expired: 23 March 2023

Neighbour notifications

Printed: 23 March 2023 Expired: 13 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 area, site and proposal

The area surrounding the application site is residential in nature. Heald Place Primary School is in close proximity. The proposed extension is submitted under the prior approval route as set out in Schedule 2, Part 1 of Class A, specifically at paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal is to extend the house by 3.3m to the rear with a maximum height of 4m and a height at eaves of 2.9m.

Consultations & Notification Responses

In accordance with paragraph A.4(5) of the above-mentioned Order, each of the adjoining neighbour were notified of the proposal by letter dated 23 March 2023, with a deadline for responses being 14 April 2023. However, the application was notified incorrectly to an additional neighbouring property at no. 157 Acomb Street. The rear garden of 157 Acomb Street does not share a boundary with the application site and the garden is separated by an alleyway. Comments have been received and have been noted but cannot be considered. The only other comments received refer to the following:

- If the extension were to be built, there is a concern that the development is designed to convert the house from a family home into an HMO. The plans for the existing house show there to be six bedroom at the house, but the house is a family home with four bedrooms.

These comments do not specifically relate to the impact of the extension.

Policies

Prior Approval

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Class A, Part 1, of Schedule 2 and having regard to paragraph A.4(9) as to the level of consideration afforded to impact on amenity.

The proposal is not a departure from the development plan.

Unitary Development Plan Saved Policies

DC1.1 states that 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 the 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 a 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

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

NATIONAL PLANNING POLICY FRAMEWORK

Chapter 2. Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

11. Plans and decisions should apply a presumption in favour of sustainable development

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- c. approving development proposals that accord with an up-to-date development plan without delay; or
- d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 8. Promoting healthy and safe communities

92. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a. promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.
- b. are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion - for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
- c. enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Chapter 12. Achieving well-designed places

126. The creation of high-quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Issues

The proposed house extension is not a departure from the Development Plan and meets the requirements governing larger house extensions contained within the Town and Country Planning (General Permitted Development) (England) Order 2015.

However, in this instance, an objection has been received from the adjoining neighbour at 324 Great Western Street relating to the proposal, but this is not specially related to the impact of the extension, rather than the use of the potential future use of the property as a HMO, although there is no indication that this is to be the case, and this is already controlled by way of an Article 4 Direction that restricts the conversion of C3 to C4 properties without first obtaining planning permission. An assessment as to the impact of the development on the amenity of all those adjoining premises has nevertheless been undertaken.

The proposed development is in line with the principles of Core Strategy Policy DM1. It has appropriate siting, layout scale, form & massing. The height of the extension is single storey and suitably related to the original house. The development is satisfactorily related to the proportions of the existing house.

Saved Unitary Development Plan policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to: the general character of the property; the effect upon the amenity of neighbouring occupiers; the overall appearance of the proposal in the street-scene; Furthermore, DC1.2 states '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); 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.

The rear extension is shown to have a 3.3 metre projection from the rear, height to the eaves of 2.9 metres and a maximum overall height of 4 metres. This is to be erected on the boundary with 324 Great Western Street and will have little impact on the property.

Policy DC1.3 of the UDP sets a general limit of 3.65 metres on the depth of rear single storey extensions. The proposed 3.3 metre element of the extension does not exceed this amount.

The objections received were carefully considered however, in this instance the City Council assessed that the development would not create a detrimental impact on the amenity of neighbours.

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: Approved extension - GPD

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

Manchester City Council confirms that objection(s) have been received and the City Council has therefore assessed the impact of the development on the amenity of neighbours. Having assessed the development, the City Council believes that the development does not impact on the amenity of neighbours and is in accordance with policies DM1 of the adopted Core Strategy Development Plan Document for the City of Manchester and saved policy DC1 of the Unitary Development Plan for the City of Manchester.

The development can therefore go ahead subject to the development being in line with the standard conditions set out in Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Please note that this document does not grant any permission under Building Regulations. If you require further information regarding compliance with Building Regulations, please contact Building Control on 0161 234 4490 or by email to building.control@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

324 Great Western Street, Manchester, M14 4DS
157 Acomb Street, Manchester, M14 4DY

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
Area Team Boundary - Name: CMPLNC