

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135259/FH/2022
Date registered valid: 18 November 2022
Proposal: Replacement and erection of single storey rear canopy
Address: 72 Raby Street, Manchester, M16 7JQ
Ward(s): Moss Side Ward

Applicant: Mr Reza Shuger, 72 Raby Street, Manchester, M16 7JQ
Agent (if any): Mr Elie Osborne, 4D Planning, 86-90 Paul Street, 3rd Floor, London, EC2A 4NE
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 02.02.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 08.12.2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 November 2022

Expired: 20 December 2022

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to an end terraced two storey brick built dwellinghouse in the Moss Side ward of Manchester. The property benefits from hard landscaping to the front and rear with an existing rear canopy featured within the rear of the property. It should be noted that the existing single storey rear canopy has no record of obtaining planning permission. The property is bounded by a high masonry wall to the side and rear boundary.

The surrounding area is residential in nature with Millennium Green situated to the east of the application site.

Description of development

The application seeks consent for the replacement and erection of a single storey rear canopy structure providing a covered hard surfaced area overlooking the rear of the garden.

The application has been revised since original submission with the proposed materials altered to represent an upgrade on the existing materials used. The canopy will now be finished in a glass roof.

Consultations & Notification Responses

Local residents were notified however no objections were received.

Policy

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Issues

Principle

The proposed development is for the replacement and erection of a single storey rear canopy, this is considered acceptable in principle as many people prefer to alter homes rather than move, in order to meet the changing residential needs of families. Consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressure.

Residential and Visual Amenity

The proposed rear canopy would be positioned off the original rear elevation and has approx. dimensions of Height 2.9m x Width 8.6m x Rearward Projection 2.4m. It should be noted that the rear canopy is situated close to the shared boundary with no.74 Raby Street. It is not considered that the additional built form seen along the shared boundary would create an overdominant feature. Additionally, the canopy would not give rise to any significant overshadowing or loss of light implications.

The rear canopy would not be visible from the streetscene along Raby Street, however since Grierson Street runs adjacent to the south boundary, the canopy would be visible within this streetscene. However, given the distance to the shared boundary, the existing boundary treatment and the single storey nature of the extension, it is not considered to form an incongruous or overdominant feature within the local vicinity and therefore it is deemed the single storey canopy will not provide any undue visual amenity.

The rear canopy has an acceptable impact on visual amenity. It is designed to be subservient to the main dwelling and is of relatively modest scale which does not amount to an overdevelopment when seen in the local context.

Design and Appearance

As mentioned above the proposal has been revised since the original submission to include alterations in materials including glass finish to the roof structure and an improvement in the

supporting structure to help stabilise the new glass roof. This is considered an upgrade of material quality to the structure and whilst the canopy is not made of materials that match the existing dwelling, the canopy is typical of a rear extension structure found in many gardens in the area. A materials condition will be attached to any approval granted to ensure the materials listed as outlined in the specified plans are used.

Waste Management

The proposed development would not affect the existing bin management strategy.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, allowing occupiers to adapt their homes to meet their residential needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding streetscene, and there are no material considerations of sufficient weight to indicate otherwise.

For the reasons above, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy.

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

Officers have worked with the agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the application.

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 date of three years beginning with the date of 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:

Drawing: Drawing Pack ref. 4D-309 stamped as received by the City Council, as Local Planning Authority on 30 January 2023

Drawing: Location and Block Plan ref. 4D-309 E00 stamped as received by the City Council, as Local Planning Authority on 24 October 2022

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.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the approved details set out in the documents and drawings as specified in Condition 2 of this approval.

Reason- To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

74 Raby Street, Manchester, M16 7JQ
45 Grierson Street, Manchester, M16 7LQ
43 Grierson Street, Manchester, M16 7LQ
41 Grierson Street, Manchester, M16 7LQ
39 Grierson Street, Manchester, M16 7LQ
37 Grierson Street, Manchester, M16 7LQ
35 Grierson Street, Manchester, M16 7LQ
33 Grierson Street, Manchester, M16 7LQ
31 Grierson Street, Manchester, M16 7LQ
29 Grierson Street, Manchester, M16 7LQ
27 Grierson Street, Manchester, M16 7LQ

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) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA