

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134479/FH/2022

Date registered valid: 4 August 2022

Proposal: Erection of part single, part two storey side and single storey rear extensions, together with rear roof dormer

Address: 25 Lockhart Close, Manchester, M12 4JY

Ward(s): Longsight Ward

Applicant: Mr R Anwar

Agent (if any): David Ormesher, Holborow & Ormesher Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 13 September 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 4 August 2022 Expired: 25 August 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

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application relates to a semi-detached dwellinghouse within a predominantly residential area of the Levenshulme ward of Manchester. The application site benefits from amenity space along the front, side and rear elevations, an existing single storey porch - which covers approximately one third of the existing frontage, a front driveway, including all round boundary treatment - approximately 1.8 metres high along the side and rear boundaries. The existing front and rear roof plane incorporate solar panels. There is an existing timber frame side extension in-part along the side elevation, including an existing outbuilding within the rear garden. A public footpath runs along the side elevation of the application site, with access to Scarcroft Road - a highway along the rear boundary.

Description of development

The submitted plan relates to the proposed erection of part single, part two storey side, and single storey rear extensions, together with rear roof dormer.

The planning register records indicate that consent has been previously granted for the principle of the side and rear elements of the submitted proposal - (ref: 116962 and 094433).

The initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 18/10/22). The revised plan would comprise of :

- o The proposed side extension would be stepped away from the side boundary approximately 200mm
- o The side facing windows have been removed
- o The external dormer facing materials would be clad in tiles similar to those along the existing roof

The proposed part single, part two storey side, and single storey rear extensions along the ground floor would be flush with the front building line of the original house and stepped away approximately 200mm from the side boundary leaving a small gap and maintain a proposed width of approximately 2424mm along the side elevation. It then projects approximately 11707mm along the side boundary, then come forward of the common shared boundary with no.27 Lockhart Close approximately 7031mm wide. This element would incorporate 1no. window along the front elevation, 1no. window along the rear elevation, including a door. The proposed rearward projection would not exceed 4000mm along the ground floor, and the proposed maximum height approximately 3290mm along the front elevation and 3533mm along the rear elevation.

In terms of the proposed first floor element, it would be set-back approximately 1000mm from the front building line of the original house and would also be stepped away approximately 200mm from the side boundary leaving a small gap and maintain a proposed width of approximately 2424mm along the side elevation. It then projects approximately 6788mm along the side boundary, then flush with the rear building line of the original dwellinghouse. This element would incorporate have 1no. window along the front elevation, 1no. window along the rear roof elevation, 1no. window along the rear elevation, with the proposed roof ridge dropped below that of the original roof ridge.

The proposed rear roof dormer would measure approximately (4272mm wide x 3860 deep x 2147 high). It has been positioned centrally within the rear roof plane, set-away from the boundaries and it is also set below the original roof ridge and above the eaves, with windows facing the rear garden. In terms of external facing materials, dormer wall would be clad in matching tiles.

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 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

In this instance, the initially submitted plan has been revised in the interest of residential amenity and revised plans subsequently submitted, (dated, 18/10/22).

Principle of development

The principle of the proposal 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 (single storey rear extension) - Given the existing contextual relationship along rear elevation and side boundaries, combined with the grass verges and a public footpath between nos. 23 and 25, the proposed extension would be quite prominent. However this 'walkthrough' is sufficiently wide, at 7 metres, that it is not felt that the structure would be too imposing, and whilst having an impact on the visual appearance of the locality, this is not considered to be so significant that the development would appear overbearing; and therefore, in terms of scale, design and relationship with surrounding properties, the extensions proposed are unlikely to have a significant adverse impact upon the character of the area or the amenity of adjoining occupiers. It should also be noted that whilst the previous permission has expired, and cannot be implemented, the current proposal is to a degree similar to the previous approvals, so an extension of this scale/size could have already been present on site.

Impact of works (Design and appearance) - In design terms the proposal would be informed by other developments within the neighbourhood. It is also intended to use external facing materials matching those on the existing house, including the dormer wall which would be clad in matching tiles. For the reasons stated above and given the contextual relationship with the surrounding houses and the wider neighbourhood, it is not considered that the proposed development would be acceptable in design terms. However, a condition has been attached to ensure that materials are adhered to.

Impact of works (Car Parking) - The applicants have shown that sufficient space would remain to park a car within the front curtilage of the application site, so there would be no change to the current arrangements.

Impact of works (refuse management) - The property already has a side extension which would prevent the transportation of bins along the side of the property although the property does have a rear access. The proposal would therefore not result in any change to the existing arrangements.

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

Officers have worked with the agent in a positive and proactive manner based on seeking 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, 18/10/22). 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 form, received by the City Council as Local Planning Authority on 21 July 2022.
- o Location Plan with application site edged in red, received by the city council as the local planning authority on 21 July 2022.
- o Existing Floor Plans and Elevations, DRAWING NUMBER 2253/22/01, received by the city council as the local planning authority on 21 July 2022.
- o Proposed Floor Plans and Elevations, DRAWING NUMBER 2253/22/02, Revision A, received by the city council as the local planning authority on 18 October 2022.
- o Email from agent dated, 29/09/2022.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (July 2012).

3) The external facing materials to be used on the extension hereby approved shall match those of the primary dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 Policy DC1 of the Unitary Development Plan for the City of Manchester and Policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (July 2012).

4) The rear roof dormer extension hereby approve shall be clad in tiles matching those on the existing roof and as stated on the submitted information and 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, and policy DM1 of the Manchester Core Strategy

5) 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: Proposed Floor Plans and Elevations, DRAWING NUMBER 2253/22/02, Revision A, received by the city council as the local planning authority on 18 October 2022.

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

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

27 Lockhart Close, Manchester, M12 4JY
21 Lockhart Close, Manchester, M12 4JY
29 Lockhart Close, Manchester, M12 4JY
23 Lockhart Close, Manchester, M12 4JY
3 Lockhart Close, Manchester, M12 4JY
2 Tarrington Close, Manchester, M12 4TB
31 Lockhart Close, Manchester, M12 4JY
12 Lockhart Close, Manchester, M12 4JY
10 Lockhart Close, Manchester, M12 4JY
1 Lockhart Close, Manchester, M12 4JY
2 Iqbal Close, Manchester, M12 4TD

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA