

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135655/FH/2022
Date registered valid: 5 December 2022
Proposal: Erection of a first floor side extension to form additional living accommodation
Address: 5 Bush Street, Manchester, M40 8PE
Ward(s): Harpurhey Ward

Applicant: Mr Oluwagbamila Ayelodieni
Agent (if any): Mr Steven Haslehurst CRISP Architecture
Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approved
Date of recommendation: 27/01/2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 January 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 December 2022

Expired: 4 January 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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site relates to a two-storey semi-detached property located within a predominately residential area in the Harpurhey Ward of North Manchester. The property benefits from a large front and side garden and sits within a triangular shared plot with a splayed boundary between the neighbouring property no. 2 Cannons Grove.

Description of Development

The submitted applications seeks planning permission for the erection of a first-storey side extension to form additional living accommodation. This extension will be built on top of a single storey extension that was approved on 06.04.2021 under application number 129503/FH/2021.

The proposed extension would have a maximum width of approximately 3.6 metres at the front elevation, due to the splayed boundary line the width decreases towards the rear elevation to a minimum of 1.2 metres at the rear elevation. The extension leaves a minimum gap to the shared boundary of 0.8 metres. The front of the extension has been stepped back slightly in comparison to the ground floor extension below.

The extension would have a mono pitched roof and a height to the eaves of approx. 4.8 metres and a maximum height of 4 metres.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Policies

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are: an economic objective, a social and an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Extant UDP Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs and the overall appearance of the proposal in the street-scene. Given the requirements of the resident it is considered that this policy is relevant and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- a). rearward extensions greater than 3.65 metres 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).

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies are relevant for this application:

Policy DM 1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a

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: Approved

Issues

Visual Amenity

There are two visual amenity points to consider. We can still see the established building line of the houses on Bush Street and Cannons Grove with the addition of this first floor extension, so the proposed works do not contravene this aspect of visual amenity.

The set down roof of the extension means that the extension is subservient to the original house. The front of the extension is set slightly back to also comply with subservience.

There was originally no set back in the original plans submitted, but these were revised by the agent to comply with this visual amenity concern.

Residential

The window on the side provides surveillance to the street. A condition has been added for the window in the en-suite bathroom to be obscure glazing.

Conditions

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be in accordance with the development plan and therefore determined in a timely manner.

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.

Received by the City Council as Local Planning Authority on 05 December 2022:

- Proposed Ground Floor Plan 72-05

Received by the City Council as Local Planning Authority on 26 January 2023:

- Proposed First Floor Plan 72-06

- Proposed Elevation 72-07

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.

3) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity pursuant to policy DM1 of the adopted Manchester Core Strategy.

4) Before first occupation the windows in the north eastern elevation (serving the rear bedroom with en-suite) as shown on drawing - 'Proposed Elevation 72-07' stamped as received by the City Council as Local Planning Authority on 26 January 2023, shall be obscure 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the 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 extension hereby approved other than those shown on the approved 'Proposed Elevation 72-07' stamped as received by the City Council as Local Planning Authority on 26 January 2023

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

Appendix 1 – List of consultees & neighbours notified

34 Emmett Street East, Manchester, M40 8PD
24 Bush Street, Manchester, M40 8PE
18 Bush Street, Manchester, M40 8PE
2 Canons Grove, Manchester, M40 8PF
7 Bush Street, Manchester, M40 8PE
30 Bush Street, Manchester, M40 8PE
28 Bush Street, Manchester, M40 8PE
26 Bush Street, Manchester, M40 8PE
22 Bush Street, Manchester, M40 8PE
20 Bush Street, Manchester, M40 8PE

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 - Not Affected
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: CENTRAL