

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135784/FH/2022
Date registered valid: 19 December 2022
Proposal: Erection of single storey rear extension to form additional living accommodation
Address: 94 Cardinal Street, Manchester, M8 0WP
Ward(s): Cheetham Ward

Applicant: Mrs Asia Saghir
Agent (if any): Mr Shaun Stephenson MEAP Manchester Equipment& Adaptations Partners

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 9 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 13 January 2023

Standard consultations:

Printed: 6 January 2023 Expired: 27 January 2023

Neighbour notifications

Printed: 5 January 2023 Expired: 26 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/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 94 Cardinal Street within the north Manchester ward of Cheetham. The property relates to a new build, terraced, two storey dwellinghouse with red brick and cream render to the property's elevations. 94 Cardinal Street benefits from a small, grassed garden and an off street entrance to the front of the property. Amenity space to the rear of the property consists of a grassed garden and areas of hardstanding. Timber fences separate the applicant property with the two adjoining neighbours and metal railings bound the rear boundary of the site.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension to form additional living accommodation. The proposal would create a lounge for a disabled person and would have approximate dimensions of Height: 2m (to the eaves)/ 3.3m (to the highest point) x Length: 4.8m x Width: 4.5 metres. The proposal would involve the insertion of a door and window within the rear elevation of the extension. The materials to be used throughout the proposal would be as followed: bricks (to match existing), roof tiles (to match existing), UPVC window (to match existing) and UPVC door (different to timber door as existing).

Planning history

091992/JO/2009/N1- 90/100 Cardinal Street- Variation of Condition No. 1 attached to Application 087823/FO/2008/N1 to reposition vehicle access gate at rear of 88 Cardinal Street. Approved 12 February 2010.

087823/FO/2008/N1- Rear Of 86-88 Cardinal Street- Retrospective Application for the erection of a 2.1 metre high wooden fence, with vehicle access gate, to form rear boundary to previously approved residential development. Approved 3 December 2008.

081256/FO/2006/N1- 90/98 Cardinal Street- Erection of a 6 x 2 storey row of terraced houses with associated landscaping, car parking and boundary treatment. Approved 31 January 2007.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and had no comments to make on the application.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 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):

- a) 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;
- b) 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

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 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.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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.

Policy SP1 (Spatial Principles); which sets out 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, amongst these include: 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.

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.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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 states that 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 original buildings);
- b. They do not create 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 scene by virtue of design, use of materials or construction 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 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 (12 ft) 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.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be

retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. However, 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 pressures.

Visual /Residential Amenity

The extension would have a rearward projection of 4.8 metres. Due to the staggered rear building line along this stretch of Cardinal Street, the immediate neighbour no.92 Cardinal Street has a rear building line which projects beyond the applicant property. As such, no.92 Cardinal Street would be impacted by 2.8 metres of additional built form sited 0.3 metres from the shared boundary. As such, as half the impact is minimised by the existing build form, any impact to the neighbour in terms of an overbearing feature would be minimised. This neighbour may experience some loss of light but the level is expected to be minimal. No significant impacts due to loss of light or privacy implications would occur for this neighbour.

No.96 Cardinal Street would experience the entirety of the built form 0.3 metres from the shared boundary. Although the projection of 4.8 metres would exceed the rearward projection specified within Policy DC1.3 of the UDP, considering the proposal is only single storey and would not give rise to any overlooking or significant loss of light implications, it is not considered that the proposed development would give rise to significant adverse impacts to residential amenity . In addition, the neighbour benefits from a small rear porch, sited against the shared boundary, which would mitigate against any impacts from siting and massing. Also, the neighbour currently uses the space as an off street car parking space and not as a garden.

The insertion of the door and window would look onto the rear boundary line and onto the access road in connection with the properties, including the applicant's property, along this stretch of Cardinal Street (planning ref: 081256/FO/2006/N1). In addition, the proposal would front onto the side gable of no.88 Cardinal Street which sits at an elevated position in relation to the applicant property. As such, no adverse privacy implications would occur nor would there be any other adverse visual/residential amenity implications to neighbours at the rear.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

The rear extension would have a rearward projection of 4.8 metres and would therefore exceed the rearward projection specified within Policy DC1.3 of the UDP. Since the UDP policy came out, Permitted Development rights including the Larger Homes Extension route permits

extensions larger in size, up to 8 metres. Furthermore, as the proposal is for a disabled applicant, in this instance any harm is outweighed against the opportunity to increase the quality of life to the resident, pursuant with Policy DC1.5 of the UDP. As such, the form of the extension is considered acceptable, and space is retained to the rear to continue to be used as outside amenity space.

All the materials to be used would match that of the host property, except from the materials of the door. This is considered acceptable and a materials condition to that effect would be attached to any consent granted.

Car Parking

Car parking would be unaffected by the proposal.

Refuse Storage

Refuse storage would be unaffected by the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and appropriate conditions to the approval have also been attached.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

- Drawing- Proposed- Elevations, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

- Drawing- Proposed- Floor Plan, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

- Drawing- Sections, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 19 December 2022.

- Flood Risk Assessment or Drainage, stamped as received by the City Council as Local Planning Authority on 19 December 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) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

90 Cardinal Street, Manchester, M8 0WP

92 Cardinal Street, Manchester, M8 0WP

96 Cardinal Street, Manchester, M8 0WP

88 Cardinal Street, Manchester, M8 0WP

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

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA