

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134100/FH/2022

Date registered valid: 20 June 2022

Proposal: Erection of single storey rear extension to provide additional living accommodation

Address: 37 Chilworth Street, Manchester, M14 7PL

Ward(s): Moss Side Ward

Applicant: Mr - Parakh Parakh Ltd, 103 Parkfield Street, Manchester, M14 7PT

Agent (if any): Mr M. Amjad, Hybrid Power Ltd, 77 Fields New Road, Oldham, OL9 8BT

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15th August 2022



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	2 August 2022
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 29 June 2022 Expired: 20 July 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

The application site is a two bedroomed mid-terraced property, in the Moss Side ward area of Manchester. There are no front gardens to the properties, however, there is a small yard to the rear, which are serviced by an alleyway for access to store the waste bins.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in nature

Description of development

The applicant is seeking planning permission for the erection of single storey rear extension to provide additional living accommodation

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. One objection has been received as a result of this proposal. Summary of comments as follows;

- I have concerns over the height of the proposed extension. From the plans, the extension appears to be quite tall and extends as far as the back wall of the yard. I am concerned that this will block a lot of light, particularly in the afternoon/evening.

Policy and Issues

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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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, in particular policy 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.
- 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 EN 19 - Waste Management
- 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.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There have been no previous planning applications relating to this site.

Residential Amenity

The application proposes the erection of single storey rear extension to provide additional living accommodation. A local resident has raised concerns over the height of the proposed extension and the potential to lead to loss of light.

The extension would extend the length of the yard up to the rear boundary abutting the alleyway to a width of 2.7m approximately and would have a flat roof. A gap of 1.0m would be retained to the shared boundary with no. 39 Chilworth Street. A door and window would be installed on the side elevation facing no. 39. Given the existing boundary treatment together with the existing gap retained to the shared boundary, it is not anticipated that there would be any significant overlooking or loss of privacy by the introduction of a window and door to the side elevation.

The application site is positioned on the south side of Chilworth street and west to no. 35 Chilworth Street. It is not considered that there would be any loss of light or over shadowing in the early morning or afternoon, however the City Council acknowledges that there may be some overshadowing late evening. Given that the proposal is single storey it is considered that in this case, the proposal does not warrant refusal of the application.

The extension would not be visible from the public highway and therefore would not feature within the street scene. However, the character of the area has been retained although over time the houses in the immediate vicinity are themselves altered and extended. The appearance is acceptable and its impact upon visual amenity is considered negligible.

The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extension is satisfactory and is therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are set to be brick with timber roof structure as specified in the proposed drawings. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Disabled access

Not applicable

Refuse

The storage of refuse bins are not affected by the proposal, as there are communal waste bins located to the rear alleyway, which accords with policy EN19 of the Core Strategy.

Parking

Not affected by this proposal.

Conclusion

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

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, 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

Positive and proactive working - 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. No significant problems have arisen during the consideration of this 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 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 20th June 2022 numbered SH PP 02 Existing and Proposed Plans and Elevations

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 the external surfaces hereby permitted shall match those as specified on the application form .

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

34 Newlyn Street, Manchester, M14 7PQ
38 Newlyn Street, Manchester, M14 7PQ
36 Newlyn Street, Manchester, M14 7PQ
39 Chilworth Street, Manchester, M14 7PL
38 Chilworth Street, Manchester, M14 7PL
36 Chilworth Street, Manchester, M14 7PL
35 Chilworth Street, Manchester, M14 7PL
34 Chilworth Street, Manchester, M14 7PL

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: SOUTH AREA