

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134883/FH/2022

Date registered valid: 12 September 2022

Proposal: Erection of single storey side extension, installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary

Address: 15 Lostock Street, Manchester, M40 7LW

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Mohammed Alshemari, 15 Lostock Street, Manchester, M40 7LW

Agent (if any): Mr Amjad Tahir, AFR Studio Limited, 173 A Dickenson Road
Manchester, M13 0YN

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

Recommendation: Approve

Date of recommendation: 23 November 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 September 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 November 2022

Expired: 22 November 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: No

Tree Preservation Order: No

Description of area

The application site relates to 15 Lostock Street within the north Manchester ward of Miles Platting & Newton Heath. The property is a three storey, semi-detached, red brick property with an existing single storey element to the rear. The property is located within the Miles Platting PFI neighbourhood (see planning ref: 112305/FO/2016/N1) and sits on the junction of Lostock Street and Lower Vickers Street.

Amenity space to the front of the property consists of a small section of green space which continues down the side of the property, running parallel to Lower Vickers Street. Boundary treatment to the side/rear has been altered since planning permission was first received for the site. As approved through the original planning application, the rear garden was separated from the side amenity space by a fence, with the side amenity space remaining open to Lower Vickers Street. At present, the applicant has installed a 1.83 metre fence which runs against the side boundary past the single storey element of the host property, incorporating part of the side amenity space with the rear amenity space.

Description of development

The submitted planning application seeks permission for the erection of single storey side extension, installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary.

The single storey side extension would be sited in the amenity space facing Lower Vickers Street and would have approximate dimensions of Height: 2.5 (to the eaves)/ 3.2 (to the highest point) x Length: 9.5 x Width: 2.3 metres. The extension would be sited approximately 0.93 metres from the side boundary. The proposal would create a bathroom and enlarged living room and would involve the insertion of a window within the front elevation and three windows within the side elevation.

The proposal would also include the installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary. This would include the installation of a 1.83 metre high boundary wall with steel grill along the side boundary and to the rear boundary. This would match the type of boundary treatment running along the front and part of the side boundary as existing. The driveway would be bounded by inward opening gates and by the 1.83 metre high boundary wall with steel grill. The new boundary treatment to the rear would be sited against the shared boundary with no.45 Lower Vickers Street.

The materials to be used throughout the proposal would match that as existing.

Amended scheme

During the initial consultation period, one neighbour raised concerns as the original boundary treatment to the site had been altered without receiving planning consent. The image below shows the original boundary treatment (see photo to the left) to the amended boundary treatment (see photo to the right). This was raised to the agent. Planning consent would have been required for this alteration and as such, the agent was asked whether the applicant wished for this element of the proposal to be included within the current planning application. The agent came back with a revised scheme which alters the boundary treatment and is different to both of the images below. Neighbours were re-notified accordingly.



Planning history

117533/JO/2017- Land Bounded By Mellor Street, Tideswell Avenue And Esplanade Adjacent To Rochdale Canal- Variation of condition 2 (specified plans) attached to planning permission referenced 112305/FO/2016/N1 to enable changes to the access and parking arrangements, boundary treatment and to allow elevational alterations.

112305/FO/2016/N1- Land Bounded By Mellor Street, Tideswell Avenue And Esplanade Adjacent To Rochdale Canal- Erection of 73 x two and three storey dwellinghouses (Class C3) together with associated access roads, parking, landscaping and boundary treatment. Approved- 25 October 2016.

102379/FO/2013/N1- Land Bounded By Mellor Street And Rochdale Canal Landscaping Of Central Park As Part Of The Miles Platting PFI Improvements- Landscaping of existing open space, regrading of former mill site, new and refurbished footpaths, provision of seating and planting. Approved 28 August 2013.

080520/FO/2006/N1- Land Forming The Miles Platting Neighbourhood As Bounded By New Allen St, Livesey St, Oldham Rd, Sawley Rd, Varley St, James St, Lwr Vickers St, Danson St, Iron St, Rear Of Kenwin St, Bradford Rd, Old Mill St- Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket parks (following demolition); and the carrying out of associated highway improvements throughout the area. Approved 26 October 2006.

079633/OO/2006/N1- Land Bounded By New Allen St/Oldham Rd To North West, Sawley Rd/Varley St To Saxon St To North & North East, Bradford Rd/Ashton Canal & Old Mill St To South & East, Weybridge Rd/Wadeford Cl/Butler St & Oakford Ave To West- OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking. Approved 5 September 2006.

Consultations & Notification Responses

Local residents

Local residents were consulted and one neighbour responded to the original consultation letter sent out to neighbours on 14 September 2022 for the single storey side extension and fence to rear boundary. The neighbour objection was very detailed, but the main concerns can be summarised as:

- Pedestrian safety as the side extension would be located close to the side boundary
- The side extension would push forward from the current line of buildings making it look incongruous

- Raised concerns as the occupier of 15 Lostock Street has altered the original side boundary treatment facing Lower Vickers Street.

Highway Services

Due to the changes to the boundary treatment within the revised scheme, Highways were consulted and provided the following comments:

The proposed extension is fully contained within the site's perimeter and does not impinge onto the adopted highway.

Pedestrian access will remain as existing, which is acceptable to Highways.

In-curtilage parking will remain as existing, which is acceptable to Highways.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

All boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 0.6m upwards.

For the avoidance of doubt, all external entrance gates/doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk

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).

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 CABE 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 seeks planning permission for the erection of single storey side extension, installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet changing residential needs. 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

Side extension:

The side extension would be sited approximately 0.93 metres from the side boundary. Due to the location of the applicant property, there are no immediate neighbours to the side to be impacted by the proposal, as the side amenity space faces Lower Vickers Street which overlooks the Ashton Canal.

The proposal would be viewed in the context of other properties along Lostock Street. As the proposal is only single storey and would be set back from the primary building line by approximately 0.3 metres, it would not create an overbearing feature, especially as the host property is three stories.

The extension would involve the insertion of two windows within the proposed bathroom, one in the front elevation and one in the side elevation. To further increase the privacy for the applicant, both windows would be conditioned 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, a condition to this effect would be placed on any approval granted. In addition, the bathroom window within the side elevation of the side extension shall be non-opening and shall remain so in perpetuity. A further condition would be placed on any approval granted restricting the further insertion of windows or doors approved beyond this consent. The other two windows sited within the side elevation would not give rise to any overlooking or privacy implications to the neighbours. It is noted that the placement of the windows in this location may give rise to some overlooking for the applicant. However, as the proposal would be sited away from the side boundary and the proposed boundary treatment would offer some level of privacy, any adverse implications are thought to be minimal. It is not uncommon to see windows close to the road side in residential contexts and is already the case for the host property (although would be located closer to the side boundary than existing).

No loss of light or overshadowing would occur as a result of the proposal.

Installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary:

The boundary treatment proposed, although being a different height, would match the type of boundary treatment along the front and part of the side boundary as existing. As such the boundary treatment would be in keeping with the current boundary treatment used at the

property and for other surrounding properties and would not create an incongruous feature in terms of residential/ visual amenity impacts.

It is acknowledged that whilst the current boundary treatment to the rear lawn creates a strong level of privacy, the boundary treatment applied for would open up the rear garden. Although the boundary treatment would be 1.83 metres high, the steel grill would offer a level of transparency into the rear garden. The proposed boundary treatment to the rear lawn may increase overlooking and reduce privacy for the applicant from passers-by along Lower Vickers Street, but this has been decided between the client and the agent. As such, the design is considered acceptable in relation to amenity.

During the first consultation period with neighbours, one neighbour raised concerns about the impact to pedestrian safety. Although the driveway with the gates would create a hidden location for a car to pull into/out/ be sited in, as the boundary treatment would offer a level of transparency, this is considered acceptable to not produce any negative impacts for pedestrians walking along this section of Lower Vickers Street. Highways were consulted on the amended scheme and considered the impact of the boundary treatment to the highway and pedestrian safety. Highways stated that “all boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 0.6m upwards”. Highways also stated that Lower Vickers Street constitutes an unadopted highway. As such, the requirements for visual permeability would not be required, however the design would allow for a level of permeability. In addition, Highways stated that “for the avoidance of doubt, all external entrance gates/doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway”. This has been adhered to within the current plans.

The immediate neighbour sited next to the driveway, no.45 Lower Vickers Street, would feel the new boundary treatment sited against the shared boundary. As the boundary treatment offers a level of transparency this is considered acceptable to not create an overbearing feature for the neighbour or would not detrimentally impact visibility for this neighbour.

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

Design and Appearance

Side extension:

The side extension is typical of similar structures achieved under the route of Permitted Development.

An objection was raised from the neighbour who expressed concerns that the single storey extension would push forward the current line of buildings on Lostock Street, creating an incongruous feature. However, the extension is considered appropriate in form. Despite the single storey element of the proposal acting as a contrast to the three stories within the host property, given the property has an existing single storey element to the rear, the side extension would act as a continuation of this form, as it would wrap into the existing single storey element. As such, the form is considered acceptable and would not be considered overly large or out of character with the immediate area. As such, this element of the proposal is considered pursuant to Policy DC1 of the UDP.

Installation of boundary treatment to side and rear boundaries and installation of driveway gate to side boundary:

As the design offers a level of transparency to improve pedestrian safety when coming out of the driveway, the form of the boundary treatment is considered acceptable. The proposed boundary treatment would match the same type of boundary treatment already seen at the site and thus would be in keeping with the style of development at the site and across neighbouring properties.

Materials:

The materials to be used within the proposal would match that of the host property.

As such, the materials are considered acceptable, pursuant to Policy DC1.2 of the UDP and a materials condition to that effect would be attached to any consent granted. Therefore, the proposal has been designed to be in keeping with the character of the existing house and would not adversely affect the appearance of the existing dwelling.

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.

Car parking

Car parking provision would be unaffected by the proposal.

Bin storage

Bin 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.

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 further information with revised plans have been submitted.

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, stamped as received by the City Council as Local Planning Authority on 7 September 2022.
- Drawing- Proposed- Elevation, numbered A-06, stamped as received by the City Council as Local Planning Authority on 7 September 2022.
- Drawing- Existing & Proposed- Floor Plan, numbered A-04, stamped as received by the City Council as Local Planning Authority on 7 September 2022.
- Drawing- Existing & Proposed- Elevation, numbered A-05, stamped as received by the City Council as Local Planning Authority on 7 September 2022.
- Drawing- Location Plan, numbered A-01, stamped as received by the City Council as Local Planning Authority on 7 September 2022.
- Drawing- Proposed- Boundary Wall, numbered A-07, stamped as received by the City Council as Local Planning Authority on 14 November 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) Before first occupation, the two bathroom windows as shown on the approved 'Drawing- Existing & Proposed- Floor Plan, numbered A-04, stamped as received by the City Council as Local Planning Authority on 7 September 2022', 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.

In addition, the bathroom window within the side elevation of the side extension shall be non-opening and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

4) 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.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

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.

Informatives

- 1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

13 Lostock Street, Manchester, M40 7LW
45 Lower Vickers Street, Manchester, M40 7LX
11 Lostock Street, Manchester, M40 7LW
47 Lower Vickers Street, Manchester, M40 7LX

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA