

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134457/FH/2022

Date registered valid: 22 July 2022

Proposal: Erection of a part single/part two storey rear extension; a rear dormer roof extension; a front porch and creation of car parking area in front garden

Address: 70 Heathside Road, Manchester, M20 4XJ

Ward(s): Withington Ward

Applicant: Mr Shadoth Ali Shah 5 Rainsough Brow, Manchester, M25 9SU

Agent (if any): Mr Richard Shuttleworth Equilibrium Architects Ltd Bank Chambers, Bank Street, Bury, BL9 0DL

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 September 2022



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 22 August 2022
Standard consultations: No consultations have been printed and sent.
Neighbour notifications Printed: 2 August 2022 Expired: 23 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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The site is a red brick inter-war semi-detached dwelling on the south side of Heathside Road in the Withington ward. There is a single storey enlarged outrigger at the rear and detached garage on the boundary with No.72. The roof profile is hipped and is covered in red interlocking tiles.

There are gardens at the front and rear and a front driveway with no formal border with No.72, the adjacent semi. On the rear boundary is a mature Eucalyptus tree.

Description of area

The area is residential comprising of a similar housing typology and materials.

Description of development

Erection of a part single/part two storey rear extension; a rear dormer roof extension; a front porch and creation of car parking area in front garden.

Consultations & Notification Responses

A total of 5no. neighbouring occupiers were notified of the application; 1 objection was received as follows;

Objection

My major concern is the size and dimensions of the part two storey rear extension which have not been provided or understood.

-After studying the plans I would like to know the exact measurements on the rear side of the building (how far the wish to build out) so we could then determine the amount of daylight that would be restricted to our property

a front porch - No Issue

Creation of car parking area in front garden

-What does this mean/detailing.

-Creation of parking area? Please be more descriptive

-Driveway is also shared so I do not give permission until I've seen plans and a detail description of what the entails please

The above concerns are in relation to daylight loss and suffocation on brickwork.

The Council responded to the questions raised by the objector giving further information on the dimensions of the development. No further comments were received.

Policy

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies of relevance to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN19 – Waste

The National Planning Policy Framework (NPPF) (June 2021)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable subject to satisfactory impacts on residential and visual amenity.

Development in this application proposes a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity and make adequate arrangements for car parking and bin storage.

Residential Amenity

The proposal will have an acceptable impact on residential amenity. Ground and part of the first-floor rear extensions extend back to 4 metres (2 metres on the boundary with No.68 adjoining). There is no projection beyond the side wall and the adjacent property, No.72 has a 4-metre single storey rear extension across the full width with no side windows. This property is oriented south and is east of the site with a 3-metre gap between which would be retained. As the extension would be level with the extension at this property and it offers some mitigation, there would be no adverse impacts due to overshadowing or the extension being perceived as overbearing.

In terms of the impacts on the adjoining occupier at No.68, the 4-metre deep first floor is off-set from this property by 2.4 metres. This property is also south-facing and the closest part of the extension at first floor is only 2-metres deep. It is considered that the siting and massing of the first floor would not give rise to any loss of amenity for this occupier.

The proposal also includes a hip to gable alteration including rear dormer and a small gable end window that would be sited above eaves level. There would be acceptable impacts from these elements of the proposal with the gable window serving a new landing.

The occupier of No.72 has objected to the proposal seeking further information in the first instance regarding the dimensions of the proposal. The Council responded giving further details of the scheme including the requested dimensions; no further comments were received in response.

Visual Amenity

The extensions have an acceptable impact on the appearance of the dwelling and character of the street scene. The most obvious alteration is the change in roof profile which can otherwise be carried out under Permitted Development (Class B). With the exception of this and addition of a small porch (2.5m W x 900mm D x 3.1m H), the extensions at the rear will have no visibility in the street scene. The porch is of a simple design that raises no visual amenity concerns.

The extensions are designed to fit the traditional aesthetic of the original dwelling with matching materials. The exception to this is the dormer which is proposed to be rendered. The colour is however proposed to match the red of the roof tiles, which is acceptable in this location. There are no properties at the rear of the site which overlooks a grassed amenity area and has a well-screened boundary with mature trees.

Parking & Bin Storage

The rear garage is proposed to be demolished. Parking is proposed to be provided from the front garden area after removing the low boundary wall and brick piers. Although this isn't desirable, there are many instances of walls being removed in the street scene, and this can be otherwise be completed under Permitted Development.

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:

Article 35 Declaration

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to the conditions below and for the reasons outlined in the delegated report. The application received 2 objections on public notification as discussed in the report, and has been 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 on the 22nd of July 2022 or as stated:

The Application Form

Location Plan Ref: R-0737-SLP

Proposed Floor Plans Ref: R-0737-02 Rev B

Proposed Elevations Ref: R-0737-03

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

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 Manchester Core Strategy and saved UDP policy DC1.

4) The ground floor WC window on the side elevation and the first floor en-suite window on the front elevation, 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 properties from overlooking or perceived overlooking in accordance with policy DM1 of the Core Strategy and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

93 Heathside Road, Manchester, M20 4XH

89 Heathside Road, Manchester, M20 4XH

68 Heathside Road, Manchester, M20 4XJ

72 Heathside Road, Manchester, M20 4XJ
91 Heathside Road, Manchester, M20 4XH

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA