

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131694/FO/2021

Date registered valid: 29 March 2022

Proposal: Erection of rear dormer extension to form additional accommodation for existing upper floor flat and installation of external flue

Address: 50 Colliery Street, Manchester, M11 2AP

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Qing Chang Su 50 Colliery Street, Bradford, Manchester, M11 2AP

Agent (if any): Mr Liam Gooding LDM Surveyors 46 Great Ancoats Street, Manchester, M4 5AB

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 July 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 6 April 2022 Expired: 27 April 2022

Neighbour notifications

Printed: 30 June 2022 Expired: 21 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to an end terraced property in an area of mixed uses. The property is in use as a hot food takeaway at ground level, with a residential flat above, and the other properties, in the terrace, are all in residential use. There are other residential properties, to the west and south, with industrial premises to the east and the Manchester City FC training complex to the north.

It is proposed to erect a rear dormer extension, to the property to enable additional living accommodation to be provided for the upper floor flat. The dormer would be of a typical rectangular design being set slightly lower than the roof apex and slightly away from the eaves and roof edge. The dormer would have a height of approximately 2.4 metres, would project approximately 4 metres from the main roof, at its longest point, and would have a width of approximately 4.5 metres. The dormer would be timber framed with external cladding.

The proposed dormer would provide additional living accommodation, but the use of the site would remain as a hot food takeaway, on the ground floor and a single residential flat above. Due to the proposed dormer extension, the existing flue, at the rear of the property, needs to be altered and a new flue is proposed, which terminates approximately 1 metre above the top of the dormer.

Consultations & Notification Responses

Local residents/adjoining occupiers - No objections received.

Strategic Area and Citywide Support Manager -Originally recommended a change to the flue design, which initially terminated too low. They consider that the revised proposals are acceptable, and therefore recommend the standard condition that the approved plans are implemented. They also request a condition for the bins. They have no major concerns but would prefer the residential bins to be secure from any potential use by the commercial element (only a partition is proposed).

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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

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

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and

disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies 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 including:-

- 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 or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;

- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H4 relates to sites in East Manchester and states that, over the lifetime of the Core Strategy, East Manchester will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

Policy DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Policy DC1 primarily relates to householder applications for residential extensions, but given the proposed fully residential use, and relationship to adjoining properties, it is also relevant to this application.

Saved Policy 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.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Saved policy DC5 relates to flat conversions

DC5.1 states that, in determining planning applications to convert property to flats, the Council will have regard to:

- a. the standard of accommodation for the intended occupiers of the premises;
- b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;
- c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;
- d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e. adequate private outdoor amenity space;
- f. the desirability of achieving easy access for all, including disabled people (as a minimum, access for disabled people will normally be required in conversions of ground floor accommodation);
- g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 states that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly

welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 States that, notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

- a. do not provide accommodation to the Council's current approved standards;
- b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;
- c. involve conversion schemes without adequate private external amenity space;
- d. are schemes without satisfactory refuse storage and collection facilities.

DC5.4 States that, in determining applications of this kind, the Council will give particularly careful consideration to situations in which the conversion of small terraced properties are proposed; and where a scheme is the first in a street of otherwise single family dwellings, the Council will give weight to the desirability of maintaining the character of the street in that respect.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:

- a. the effect of new development proposals which are likely to be generators of noise; and
- b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance 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, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 -Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed apartments

Principle of development - This is a terraced property in a residential area, which has a partial residential use, on the upper floor, and a commercial use on the ground floor. Although this is therefore a property in a mixed use, regard has to be given to works that could be built, as permitted development, to similar properties that are in a fully residential use. However, consideration also has to be given to matters such as the proposals impact on residential and visual amenity, including the relationship between the hot food take-away and the extended residential use of the upper floor.

Visual impact (dormer) - On a fully residential property the proposed dormer could be built under permitted development rights, subject to it being built in similar materials to the existing roof, and regard has to be given to this. Nevertheless, the rear of the property is quite open, and the dormer extension has been set further away, from the side (Wilson Street) elevation of the property, so as to reduce its visual impact. In addition, a front dormer, that was originally proposed, has been removed from the proposal. Generally, the proposed rear dormer is now considered to be in keeping with the property, subject to approval of materials, and, in purely visual terms, is considered to be acceptable.

Visual impact (flue) - The flue is higher than the proposed dormer, and roof of the property, which is not ideal, but this is the minimum height needed, to meet the requirements of Environmental Health to protect the amenity of future occupiers of the accommodation. The flue though has been positioned as far away, as possible, from the Wilson Street boundary of the site, which reduces its visual impact, so that it is not so prominent when viewed from Wilson Street. A balance therefore needs to be struck and, given the health requirements that the applicant has to meet, the proposed position of the flue is considered to be the best possible. Painting it an appropriate colour, would also help to minimise its impact.

Refuse - The nature of the use of the site has not changed. However, the proposed dormer does increase the amount of residential accommodation at the site. A condition to improve refuse arrangements at the site is therefore considered to be appropriate.

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

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. Discussions have taken place with the applicant through the course of the application, particularly in respect of the proposed flue and its relationship to the proposed dormer.

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:

Site location plan , stamped as received by the City Council, as Local Planning Authority, on 16 September 2021.

Drawings numbered PS501 rev A, PS502 rev A, PS131 rev A and PS221 rev A, stamped as received by the City Council, as Local Planning Authority, on 29 March 2022.

Drawing numbered PS122 rev A, stamped as received by the City Council, as Local Planning Authority, on 18 May 2022.

Drawing numbered PS5222 rev A, stamped as received by the City Council, as Local Planning Authority, on 30 June 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 materials indicated on the application form/plans hereby approved , prior to the installation of the external façade of the rear dormer extension, external samples

and specifications of the proposed materials to be used on the external elevations of the dormer extension shall be submitted to and approved in writing by the City Council as local planning authority, . The development shall be constructed only using the approved materials.

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.

4) Notwithstanding the details shown on the approved plans, prior to the installation of the external extraction flue hereby approved, finalised details of the colouration of the outer casing of the proposed flue shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The approved flue shall be implemented in accordance with the approved details and be maintained and retained permanently as such thereafter.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DM1 of the Manchester Core Strategy.

5) Notwithstanding the details shown on the approved plans, before first occupation of the extended residential accommodation hereby approved, a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. This shall include the provision of individual arrangements for the commercial and residential uses. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies DM1, EN19 and SP1 of the Manchester Core Strategy.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

44 Colliery Street, Bradford, Manchester, M11 2AP
38 Colliery Street, Bradford, Manchester, M11 2AP
46 Colliery Street, Bradford, Manchester, M11 2AP
42 Colliery Street, Bradford, Manchester, M11 2AP
34 Colliery Street, Bradford, Manchester, M11 2AP
30 Colliery Street, Bradford, Manchester, M11 2AP
28 Colliery Street, Bradford, Manchester, M11 2AP
22 Colliery Street, Bradford, Manchester, M11 2AP
20 Colliery Street, Bradford, Manchester, M11 2AP
18 Colliery Street, Bradford, Manchester, M11 2AP
16 Colliery Street, Bradford, Manchester, M11 2AP
14 Colliery Street, Bradford, Manchester, M11 2AP
32 Colliery Street, Bradford, Manchester, M11 2AP
37 Colliery Street, Bradford, Manchester, M11 2AW
33 Colliery Street, Bradford, Manchester, M11 2AW
31 Colliery Street, Bradford, Manchester, M11 2AW
Unit 3, Wilson Street, Beswick, Manchester, M11 2AZ
Unit 2, Wilson Street, Beswick, Manchester, M11 2AZ
Unit 1, Wilson Street, Beswick, Manchester, M11 2AZ
VAN PARTS LIMITED, Unit 4, Wilson Street, Beswick, Manchester, M11 2AZ
Flat 2, 24 Colliery Street, Bradford, Manchester, M11 2AP
Flat 1, 24 Colliery Street, Bradford, Manchester, M11 2AP
2 Ridings Street, Bradford, Manchester, M40 2BR
MANCAB (UK)LIMITED, Unit 4, Former Polytech, Clayton Lane, Manchester, M11 2AS
Unit 3, Former Polytech, Clayton Lane, Manchester, M11 2AG
Unit 2, Former Polytech, Clayton Lane, Manchester, M11 2AG
Unit 1, Former Polytech, Clayton Lane, Manchester, M11 2AG
Former Polytech, Clayton Lane, Manchester, M11 2AG
35 Colliery Street, Bradford, Manchester, M11 2AW
Top Flat, 48 Colliery Street, Bradford, Manchester, M11 2AP
Flat 2, 60 Goole Street, Manchester, M11 2AX
Flat 1, 60 Goole Street, Manchester, M11 2AX
Flat B, 36 Colliery Street, Bradford, Manchester, M11 2AP
Flat A, 36 Colliery Street, Bradford, Manchester, M11 2AP
72 Wilson Street, Beswick, Manchester, M11 2AZ
58 Goole Street, Manchester, M11 2AX
48 Colliery Street, Bradford, Manchester, M11 2AP
Ground Floor Flat, 48 Colliery Street, Bradford, Manchester, M11 2AP
51 Goole Street, Manchester, M11 2AU
40 Colliery Street, Bradford, Manchester, M11 2AP
26 Colliery Street, Bradford, Manchester, M11 2AP

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
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: CENTRL