

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133788/FH/2022

Date registered valid: 16 May 2022

Proposal: Erection of two storey side and single storey rear extension to form additional living accommodation.

Address: 18 Bembridge Close, Manchester, M14 5WX

Ward(s): Moss Side Ward

Applicant: Miss Zanib Nasim, 18 Bembridge Close, Manchester, M14 5WX

Agent (if any): Mr. Niamat Ali, NA Design, 47 Egerton Road South, Manchester, M21 0YW

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 July 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 July 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 1 June 2022 Expired: 22 June 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: Not applicable

Tree Preservation Order: Not applicable

The two storey, end-terraced C3 dwellinghouse is to the rear of Rusholme District Centre and is in an area which is a mix of family dwelling houses and businesses. The property is within walking distance to Rusholme District Centre, which contains a variety of retail services and amenities and local parks such as Platt Fields Park.

Description of development

Planning permission is sought for the erection of a two-storey side and a single-storey rear extensions, to form additional living accommodation. Previously an identical proposal was approved in 2019 (under ref 122275/FH/2018) which expired in April this year. Certificate B was signed as the land to the side of the property did not belong to the applicant. However, for this application Certificate A was signed as the agent confirmed the applicant had since acquired this land.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

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

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021) in particular:

- Chapter 12 – Achieving well designed places

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Issues

Principle – The principle of building a two-storey side extension, together with a single-storey rear extension, to form additional living accommodation for a family dwellinghouse is acceptable given the provisions of policy DC1. Notwithstanding this, consideration must be given to the proposal's siting, scale and massing, design, appearance and to the proposal's impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The two-storey side extension would be set back by 2m from the front elevation and have a width of 3m and a depth of 5m, with a height to the eaves of 5m, to match that of the existing property, and a ridge height of 6.3m and finished with a gabled roof, set down by 0.7m to show subservience to the existing house. Following demolition of the existing single storey outhouse/store, the single storey rear extension would have a width of 3.43m and a depth of 3.1m, a height to the eaves of 2.6m and a ridge height of 3.6m. The extensions would leave 11.5m² of rear yard remaining and a tapered strip of land to the side and front, which is acceptable. The design and scale of the proposal is identical to the previous approval and the other element to have changed since is ownership of the land, hence the proposal is considered acceptable in terms of its siting, scale and massing.

Design, appearance and visual amenity – The materials to be used in the construction of the extension are to match the existing property, and the design of the extension appears to be in keeping with the character of the dwelling house and surrounding properties in the area and the materials would match the existing property, it is considered that the proposal would be in keeping with the character of the street scene. It is therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

Residential Amenity – The proposed extension at the property, by reason of its orientation within the site, should not give rise to undue overshadowing, overlooking or loss of privacy to the detriment of the amenity of the adjoining or neighbouring occupants. The design is in keeping with the character of the property and should not impact upon residential amenity. In this respect, the proposed extension accords with saved UDP policies DC1 and to policies SP1 and DM1 of the Core Strategy.

Parking and refuse – There is parking to the rear of the property and on-street parking available to the properties on this terrace, as they were not built with driveways. The storage of refuse bins are not affected by the proposal, as access would continue to be provided to the rear of the property, and accords with policy DM1 of the Core Strategy.

Conclusion – The proposal broadly complies with policies DM1, DC1, SP1 and the NPPF and it is not considered to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the house or wider area. The proposed development is deemed acceptable and works may commence in accordance with the following conditions and approved drawings.

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. The application has been determined in a timely manner and in accordance with the guidance contained within saved Policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to Policies DM1 and SP1 of the Core Strategy and the National Planning Policy Framework.

Condition(s) to be attached to decision for approval

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 drawing numbered 'NA-P02', stamped as received by the City Council as Local Planning Authority on 16th May 2022.

Reason - To ensure 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 of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, and as stated on the Householder 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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Informative(s)

Manchester City Council made an Article 4 (1) Direction on 7th October 2010, under Article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The Direction relates to development comprising change of use from a use falling within Class C3 (dwelling houses) of the Town and Country Planning (Use Classes) Order 1987 (as amended) to a use falling within Class C4 (houses in multiple occupation) of that Order, and removes permitted development rights for this type of development from the date when the Direction comes into force.

The Article 4 Direction applies to the whole of the Manchester City Council area and as a consequence, planning permission is now required to change the property from a private dwellinghouse Class C3, to a house in multiple occupation (3 to 6 residents) Class C4.

Appendix 1 – List of consultees & neighbours notified

164 Wilmslow Road, Manchester, M14 5LQ
14 Bembridge Close, Manchester, M14 5WX
16 Bembridge Close, Manchester, M14 5WX
7 Bembridge Close, Manchester, M14 5WX
1 Wiggins Walk, Manchester, M14 5XB
8 Bembridge Close, Manchester, M14 5WX
6 Bembridge Close, Manchester, M14 5WX
20 Bembridge Close, Manchester, M14 5WX
18 Bembridge Close, Manchester, M14 5WX

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
Area Team Boundary - Name: SOUTH