

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133485/FH/2022

Date registered valid: 11 April 2022

Proposal: Erection of two storey rear extension following demolition of existing rear garage to provide additional living accommodation

Address: 89 Hart Road, Manchester, M14 7EZ

Ward(s): Fallowfield Ward

Applicant: Mr Mahipal Singh, 89 Hart Road, Manchester, M14 7EZ

Agent (if any): Mr Rakesh Mistry, M83 Associates Ltd, 187 Water Street, Manchester, M3 4JD

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7th June 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 22 April 2022 Expired: 13 May 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 property that is the subject of this application is a 2 storey brick built semi -detached property. The property is identified as 89 Hart Road and is located within the Fallowfield ward of the City. It sits towards the junction with Hart Road and Whitmore Road. The property sits at 45 degrees to the neighbouring property at number 87 Hart Road. The property has garden area to the front side and rear with access being taken from down the side . There is a free standing garage against the common boundary with number 87 Hart Road, this is to be demolished to facilitate the development. There is space to the side and frontage of the property to provide in curtilage parking for at least one vehicle. Half the front garden is lawn with the other half being flagged.

The existing boundary treatments between properties to the rear are timber panel 1.8m high fences and trees / shrubbery.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential. Platt Fields park is located to the far east of the site. It is well served by sustainable transport links to Manchester and other areas and is not far from the retail / commercial offers on Wilmslow Road.

Description of development

The proposal is for the erection of a 2 storey rear extension to create additional living accommodation in the form of open plan kitchen to the ground floor and an additional bedroom

to the first floor. The ridge of the proposed extension would sit lower than the existing roof line. The proposed windows would all be within the rear elevation, with no windows in the side. 2 additional windows would be inserted into the existing rear elevation (1 ground and 1 first floors) however these would not require planning permission. Therefore, the outlook would be over the applicants own garden. The extension would project from the rear by 3.23 metres and is set in by 60.4 cm from the common boundary with number 91 Hart Road which is the other half of the pair of semis.

Consultations & Notification Responses

Local residents were informed- one letter of objection has been received which states that they have concerns over the proposed development as after a recent neighbouring extension on the West Side of their property, they now feel that will be enclosed to East Side too. There were also concern that the windows on the extension would directly overlook their patio area and may overlook their first- floor bedroom.

I also feel a hip roof construction at the rear, would be more in keeping with the adjacent buildings.

Issues

Policy

Core Strategy - 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 DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs 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 given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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 states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy EN1 'Design Principles' States that all development in Manchester will be expected to follow the seven principles of urban design in accordance with the National Planning Guidance and states that in any new development the principal features of the local area should be retained.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o 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 the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

Principle of the Proposal

The principle of extending a residential property within an established residential area to create additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Residential Amenity

The applicant proposes to erect a two- storey rear extension to form additional living accommodation following the demolition of the existing garage.

The property is located at the end of block and has no other extensions on the property. The existing free- standing garage currently located within the rear garden is to be demolished to make way for the extension. The applicant proposes to erect a two- storey rear extension which would take the host property no closer width ways to number 87 Hart Road and leaves a gap to the boundary of the adjoining semi -detached house of number 91 Hart Road, retaining a gap of 60.4cm. The projection from the rear is 3.23m. There are no windows proposed in either of the side elevations, with the windows being proposed in the rear elevation overlooking the applicants own garden.

The windows on the adjoining property at number 91 Hart road are set in considerably from the common boundary, and it is not considered that the modest rearward projection would cause a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties. Whilst the property at number 87 Hart Road would face onto the rear garden of the proposal site, there is a sufficient space between the properties to not result in a detrimental impact on the living conditions of the occupants. The roof has been designed as dual pitch, with the maximum height therefore being central to the extension and away from the common boundaries.

There is a Velux type roof light proposed in the western slope to provide additional natural light.

Patio doors are to be installed on the rear elevation along with one window at ground floor and 2 windows at first floor on the rear.

Given the distance to the adjacent property no. 87 Hart Road, in terms of residential amenity it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The extension would project off the rear back wall of the property by 3.23 metres extending across the rear wall by 6.07 metres approximately with a gap to the shared boundary with the adjoining semi-detached property. The height to ridge at its highest point would be 6.7 metres this being lower than the existing roof ridge height of the property.

It is considered that the proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse, is not excessively large or bulky and is therefore considered to accord with the principles set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching materials by way of brick and tile as specified in the application form. The design is typical of other extensions to be found within the area and it is not considered that the proposal would have a detrimental impact upon the character of the property itself nor the area within which it is located.

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

Waste

It is considered that there would be ample space retained at the side of the property for the movement of bins for collection and therefore is not affected by this proposal.

Parking

Car parking is not affected by this proposal.

Comments on local resident objection.

Whilst it is acknowledged that it is likely to have some impact on the neighbouring property by the very fact that a 2- storey extension is being introduced where there is currently no built form, given the modest rearward projection and the set in off the common boundary together with the relationship to the windows on the neighbouring property it is not considered so detrimental an impact as to merit a refusal. Conditions will be attached to any consent granted to ensure no windows are installed in the future in elevations which would then afford a view into the neighbouring property.

Conclusion

It is therefore considered that the proposal is considered to accord with the principles set out in the NPPF, saved UDP policies DC1 and accords with policy 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

Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case no significant issues have arisen during the consideration of this application and the application has been determined in line with both national and local policies. Appropriate conditions have been attached to the permission granted.

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:

P1- Location Plan

P2- Proposed Site Plan

P3- Proposed Ground Floor Plan

P4- Proposed First Floor Plan

P5- Proposed Roof Plan

P6- Proposed Front Elevation

P7- Proposed Side Elevation

P8-Proposed Side Elevation

P9- Proposed Rear Elevation

All received 11th April 2022.

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 of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, including the mortar and patching in.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

45 Whitmore Road, Manchester, M14 7RH

91 Hart Road, Manchester, M14 7EZ

49 Whitmore Road, Manchester, M14 7RH

47 Whitmore Road, Manchester, M14 7RH

87 Hart Road, Manchester, M14 7AE

48 Hart Road, Manchester, M14 7AD

46 Hart Road, Manchester, M14 7AD

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