

| Application Number | Date of Appln | Committee Date | Ward |
|---------------------------|----------------------|-----------------------------|---------------|
| 126927/FH/2020 | 18th May 2020 | 18 th March 2021 | Rusholme Ward |

Proposal Erection of two storey side and part two, part single storey rear extension to provide additional living accommodation

Location 9 Norman Road, Manchester, M14 5LF

Applicant Mr Muhammad Mahmood , 9 Norman Road, Manchester, M14 5LF

Agent Mr Nasar Ishfaq, JAAN Architects Ltd, 37 Sudbury Drive, Stockport, SK8 3BT

Executive Summary

This application is for the erection of side and rear extension to the outrigger of a large semi-detached property to form a multi-generational home. The property is not listed or in a conservation area, however, it is a distinctive property with ground floor front bay window and projecting arch porch with stepped access. The proposed extensions have been amended since they were originally submitted to reduce their scale and to reduce impacts on the appearance of the main body of the building and the adjoining property.

The main issues arising from the proposals are the intended levels of occupation of the property together with the impacts on residential and visual amenity that arise from the proposed extensions.

10 neighbouring occupiers were notified of the application proposals, due to the amendments to the proposals a further notification period was undertaken. As a result of this process there has been a high level of interest in the application, with 94 objections and 35 comments in support received over the two notification periods. Local ward members have also commented on the scheme.

Description

This application relates to a large two storey semi-detached villa on the north side of Norman Road. The property has an elevated ground floor and is accessed by a flight of steps leading to a substantial decorative entrance porch. There is also a flat roofed bay to the ground floor and basement levels. At the rear there is a three-storey outrigger shared with the adjoining property. On the side of the outrigger is a substantial bay window, glazed on three sides. There is a substantial attached garage, 8 metres deep by 2.3 metres wide, at the side of the main body of the property infilling the space between the building and the site boundary. The property has a hipped roof with decorative brick eaves detailing. The outrigger has a dual pitch roof with a gable to the rear elevation. The building was originally of brick construction, this has, together with the neighbouring property been painted in a combination of off white and grey.



Front elevation of number 9 and 11 Norman Road (no. 9 to the left hand side)

The front garden is 9.6 metres wide by 11.5 metres deep. There is a drive on the west side and a pedestrian gate adjacent to the boundary with the adjoining property. The rear garden is 20 metres long. The rear garden contains a number of shrubs but no trees although there are TPO trees in the neighbouring garden of number 7 Norman Road.



View of the rear of the application property to the right and adjoining semi-detached property

In December 2017 planning permission reference 117702/FH/2017 was granted for the erection of a single storey rear extension on the outrigger projecting 3.5 metres. The planning permission has not been implemented.

The site is located in a predominantly residential area. The other half of the semi is a mirror image although without the side garage and the plot is not quite as wide.

To the east is a large two storey double fronted detached property, again with an elevated ground floor. This property has a 27 metre deep front garden resulting in the front face of the property being level with the rear face of the outrigger of the application property. The ground floor appears to be in use as offices for psychotherapist, psychologists and psychiatrists, with residential use above. There are several trees, two of which are subject to Tree Preservation orders in the front garden adjacent to the boundary with 9 Norman Road.

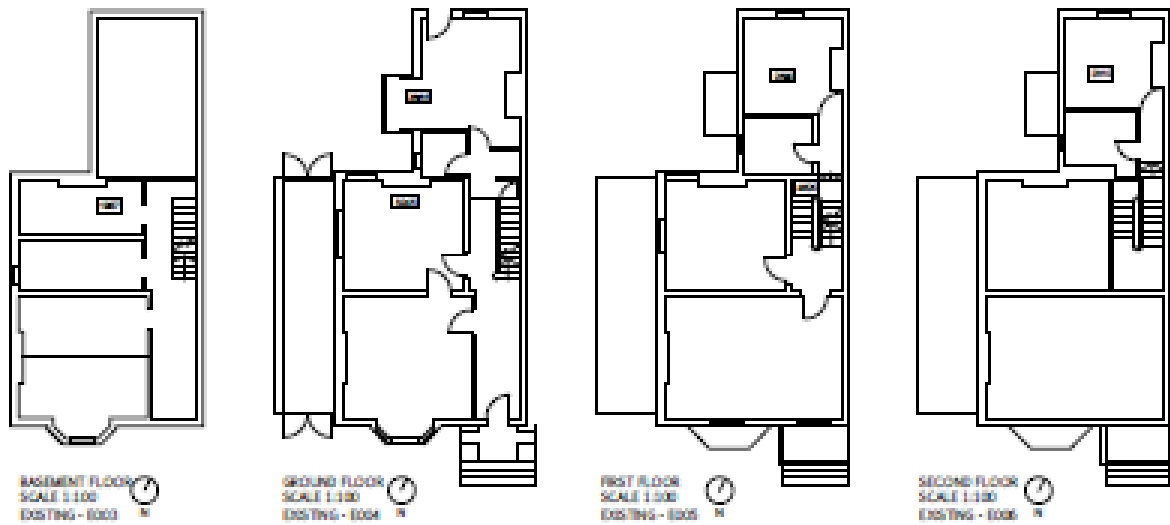
To the north of the site adjoining the rear garden is the rear garden of a residential property at 32 Hall Road. The distance from the rear wall of the application property to the boundary fence with this garden is 20 metres.

This application proposals have been amended since they were originally submitted, and planning permission is now sought for the erection of a two storey side and part two, part single storey rear extension.

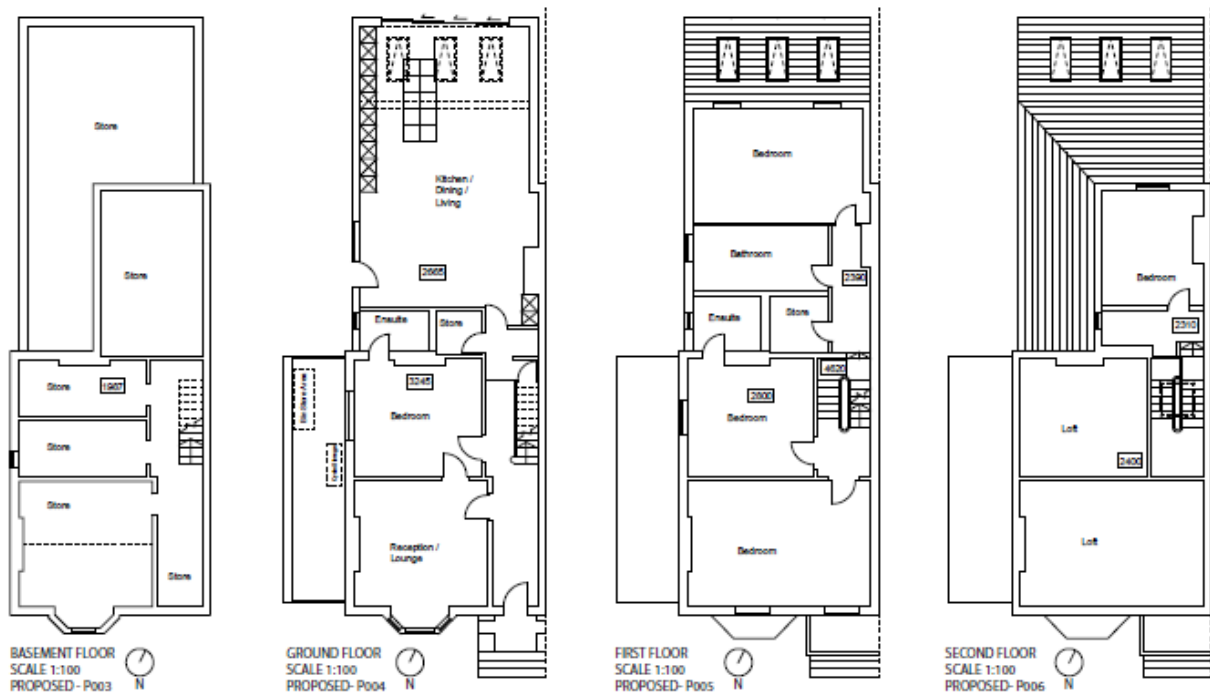
The two-storey side extension would project approximately 2.7 metres from side of outrigger, so that the side elevation is set in approximately half a brick to create a break between the existing building and the proposed. The rear extension would project approximately 5.75 metres at ground floor level and approximately 3 metres at first floor level. The rear extensions would be set in marginally from the shared boundary but otherwise occupy the full width of the outrigger and the proposed side extension. The two-storey part of the extension would have a hipped roof that wraps around the side and rear of the property and the single storey element would have a mono pitch roof.

The side elevation of the extension would contain at ground floor level a door with a glazed side panel to the open plan living area and a window to an en-suite. At first floor level would be two windows; one to an en-suite and the other to a bathroom. In the rear elevation there would be a set of bi folding doors across the width of the extension at ground floor level and two-bedroom windows at first floor level. The mono pitch roof to the ground floor would have three roof lights.

The existing floorplans are shown below.



Following the erection of the proposed development the accommodation would comprise, storage in the basement. On the ground floor a reception room, a large open plan, living space, a bedroom with en-suite and a store. On the first floor would be three bedrooms, one with an en-suite, a bathroom and a store. The second floor would contain a bedroom above the outrigger and loft space above the main body of the house. The proposed floorplans are shown below.



Proposed floor plans that also show refuse and cycle storage within the existing garage.

The applicant has indicated that the extensions are required as the property is to be used as a multi-generational family home.

Consultations

Ward Members

Councillor Ahmed Ali objected to the application as originally submitted. The comments made were:

-The plans as submitted would entirely wreck the pleasingly simple symmetry of the original historic facade, by both extending it significantly to the west (across the whole of the current driveway/sideway) and also creating an entirely anachronistic new dormer feature reshaping the original roof design.

-The plans significantly alter the established balance between buildings and spacious garden settings that are a characteristic feature of the design heritage of this area of Birch-in-Rusholme.

-It is also proposed to remove the front garden's soft landscaping and replace this with hard standing in order to make up for the loss of off-street from the built-over sideway. This and the loss of established soft-landscaped back gardens is not acceptable in a time when our city has to prioritise retaining and extending soft-landscaping to combat climate change.

-The scale and form of the proposed reconstruction of this house is unacceptable. It also brings with it the danger of a subsequent repurposing for HMO usage, which the previous owner had unsuccessfully attempted and which would be wholly undesirable in this area and lose its aesthetic appearance.

Councillor Rabnawaz Akbar has commented in respect of the revised scheme. His comments are:.

He declares an interest in that he knows one of the parents of the applicant, the father, and knows the family at 11 Norman Road extremely well too; , the relationship with both these families goes back prior to being elected as a Councillor for the Rusholme ward in 2010.

Confirms that after a long discussion with the applicant that this will be a family home. The applicant is moving back to Manchester from his present residence in Birmingham. The applicant's parents presently live elsewhere in Rusholme and the applicant has a family comprising of a wife and 3 children. His desire is for his parents and, relative, to move in with him and his family .

States he is strongly in favour of family homes in Rusholme and like many of the objections feels there are too many HMO's/flats which sadly get neglected over time and result in families moving away from the neighbourhood. It is also a fact that with the changing demographics of the city, more families from the Black, Asian and Minority Ethnic background are looking out for large properties which will meet the need of multigenerational living.

With regards to the main concerns from the neighbours which are conversion to HMO, overdevelopment, loss of light and the 45-degree rule and the loss of landscaping. The applicant has stated that this is going to be a family home and not a HMO. He is moving to Manchester from Birmingham with his family.

As for overdevelopment and the fact that there was a previous owner who was unsuccessful, it is I believed the previous owner's intention was to convert into a HMO whereas this applicant is repeatedly stating that this is going to be a family home and he needs the space for a multigenerational household. . Can we place a condition that it cannot be converted into a HMO?

As for the loss of light and the 45-degree rule, I am no planning expert, and I would leave this decision in the hands of the Planning Service.

With regards to the last point about loss of soft landscaping, multigenerational households tend to have more vehicles per household and parking is major issue (even street parking) and people want their vehicles to be safe at night so it is no surprise that the applicant is looking to create space which will keep the vehicles registered at this property safe. The opinion of neighbours that it will spoil the street view of one of the area's most unique and historic buildings cannot be ignored but the applicant is keen to reinforce that this is not the intention and it is more a case of need.

Afzal Khan MP - Forwarded a request he had received for assistance from the applicant.

Local Residents.

Residents were notified on two occasions in respect of the proposed development and the subsequently amended proposals. The initial notification received 57 responses objecting to the proposed development and 1 supporting the application. The issues raised are summarised below.

Comments opposing the proposed development

- The proposal would have a detrimental impact on this historic house.
- The proposal is an overdevelopment of the site.
- There is a risk that such a large building will become a House in Multiple Occupation.
- The development will result in the loss of the front garden.
- The development will harm a much loved historic building.
- There will be a loss of amenity.
- The condition of the building has been allowed to deteriorate by the applicant.
- The proposed dormers are out of character with the building.
- The extensions would detract from the character of the area.
- One of the properties used to justify the proposed development is the subject of enforcement action.
- The extensions would have an overbearing impact on the adjoining properties.
- The development would destroy the symmetry of this pair of semi detached properties.
- The development could result in flooding.
- One of several applications in the area seeking to overdevelop sites.
- An application for a two storey extension was withdrawn when faced with refusal (no record can be found of any such application)

Comments supporting the proposed development

-The development will bring back into use a run down and neglected building.

The re- notification following the redesign of the scheme resulted in 37 responses objecting to the proposal, 34 supporting the application and 1 neutral response.

Comments objecting to the proposal

- The design and access statement has not been updated, for the revised proposal.
 - The development does not comply with the Residential quality guidance as there will be a poor quality of light in the rooms.
 - As a result of the revisions to the proposed development the number of bedrooms has been reduced and it is not inconceivable that the rooms within the building are sub divided to make up the shortfall.
 - The extensions will adversely affect the general character of the property.
 - The extensions will result in overlooking and a loss of daylight to the adjoining properties.
 - The applicant does not live in the property yet and therefore should have looked for a property more suited to his needs rather than excessively extending the property.
 - The bulk of the extensions will impact on the street scene.
 - There are no details of the proposed car parking and it is possible that the front of the property could be converted into a car park.
 - The property has been left vacant and deliberately allowed to deteriorate to help justify the proposed works.
 - The development will encourage more students to come to the area.
 - This is the first stage of turning the property into a House in Multiple Occupation
 - The proposal will result in an increased risk of flooding as the site is within a flood plain.
 - The proposals will wreck the appearance of this pair of Victorian villas, and thus that of no.11. These houses are among the oldest houses in the area and have significant historic value. It is inconceivable that such major changes should be made to either house.
 - The development would result in the loss of soft landscaping.
- The proposal shows no respect to the community
- The extension is twice the size of a previous unsuccessful application.
 - The proposal does not comply with the 45 degree rule.

Comments in support of the proposal.

- The development would bring into use a vacant building that is detracting from the area
- The proposal looks good.
- It is right to be able to extend your property so that you live close to family and friends.
- The objections are unfair and cannot be justified.

Rusholme and Fallowfield Civic Society

In respect of the application as submitted the Society were concerned about the scale of the extensions, the impact on the fenestration, the use of the property, the impact on the amenity of neighbours and the impact on the building lines.

The Civic Society also submitted comments objecting to the revised proposals. The issues raised are summarised below.

- The design and access statement has not been updated, for the revised proposal.
- The development does not comply with the Residential quality guidance as there will be a poor quality of light in the rooms.
- As a result of the revisions to the proposed development the number of bedrooms has been reduced and it is not inconceivable that the rooms within the building are sub divided to make up the shortfall.
- The extensions will adversely affect the general character of the property.
- The extensions will result in overlooking and a loss of daylight to the adjoining properties.
- The applicant does not live in the property yet and therefore should have looked for a property more suited to his needs rather than excessively extending the property.
- The bulk of the extensions will impact on the street scene.
- There are no details of the proposed car parking and it is possible that the front of the property could be converted into a car park.
- The proposed development will maximise the homes potential.

Policies

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.

Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles – 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 and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy 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, odours, litter, vermin, birds, 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.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques

Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- 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 the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 states that 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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require adaptations to their homes.

Green Blue Infrastructure

The strategy lays the foundations for the preservation and improvement of green and blue infrastructure within the City. It is considered that gardens form an important part of this infrastructure. The Strategy advised that gardens play an important part in defining the character and attractiveness of an area.

Guide to Development In Manchester

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester.

It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

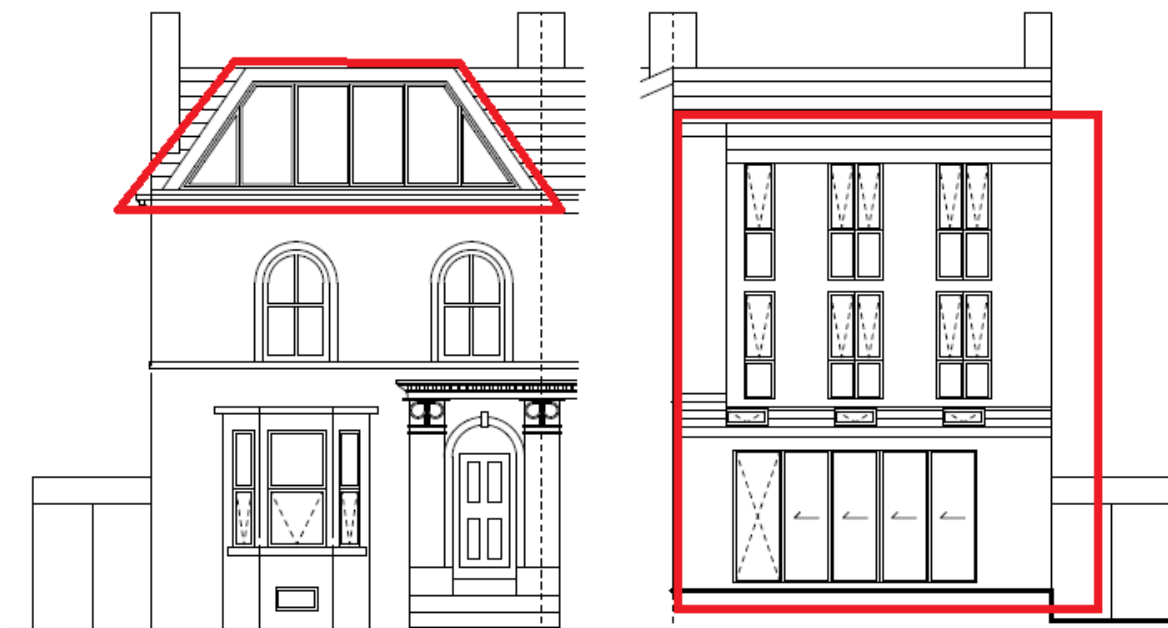
Issues

Principle

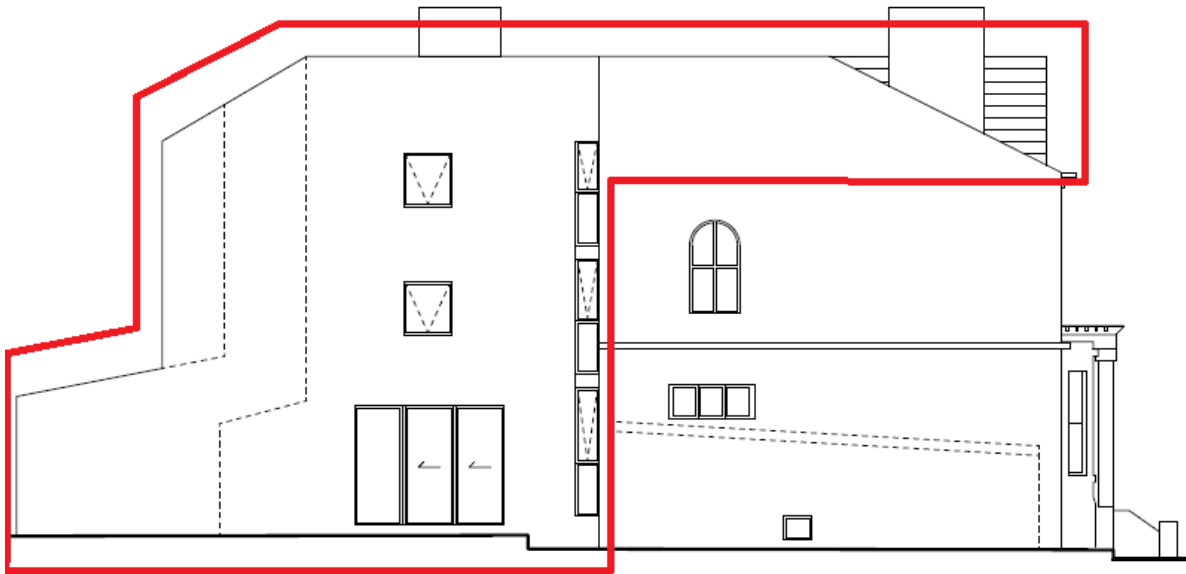
The principle of householders extending their properties to provide additional living accommodation and meet changing needs is generally considered acceptable subject to further consideration of impacts on residential and visual amenity. As set out below the proposed development is considered to accord with the principle of extending a residential property as set out in saved UDP policy DC1.

Scale

The originally submitted proposal sought to envelop the outrigger and add an additional floor to the whole building with a hip to gable conversion and substantial rear dormer. These are demonstrated on the following drawings.



Originally submitted proposals – Front elevation which included insertion of front roof dormer and rear elevation that included a three storey rear extension



Originally submitted proposals – Side elevation indicating height and scale of rear extension together with changes to roof profile and front dormer

Following a request for amendments to the scheme the applicant has revised their proposals and the scheme now proposed has been significantly reduced in scale.

The amended proposed extensions whilst still wrapping around the outrigger are now set lower which will enable the original form of the property to be distinguished. This assists in ensuring that the extensions are not unduly prominent and subservient to the original building.

The rear ground floor extension projects 5.75 metres from the rear wall of the property, and whilst this is longer than that generally considered acceptable of 3.65 metres in saved UDP policy DC1 the application property benefits from a long rear garden which is considered able to accommodate this proposed length of rear extension.

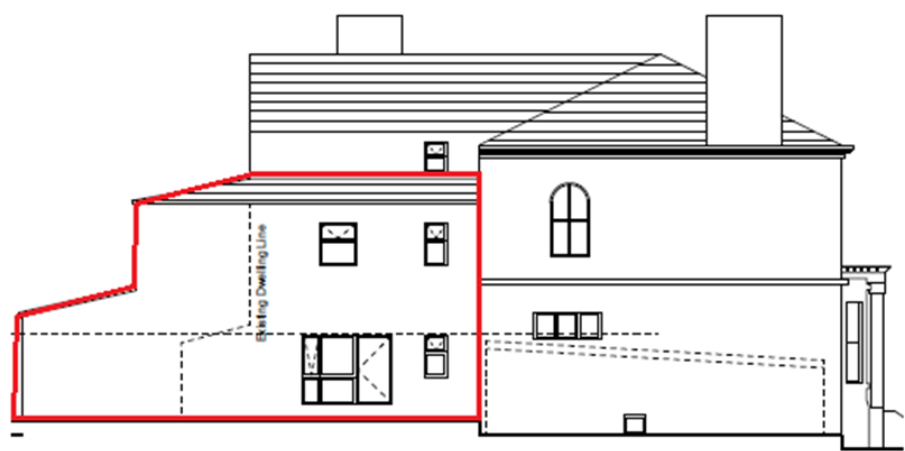
The first-floor element of the rear extension projects 2.7 metres from the rear wall of the existing outrigger and is within the limit of 3.65 metres set down in Unitary Development Plan policy DC1 and is not considered excessive.

On balance it is considered that this is a large property set in a substantial garden and the proposed development as amended would be subservient to the original property as required by saved Unitary Development Plan policy DC1. It is therefore considered that the scale of the extension is acceptable.

Design

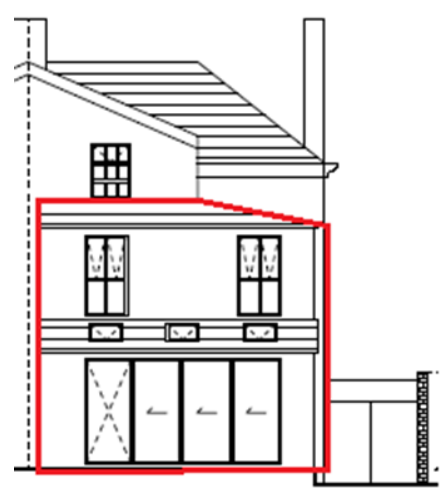
The building the subject of this application is not a Listed Building and is not located within a conservation area, it is however, a distinctive building. As submitted the proposed extension completely enveloped the existing outrigger and created a second floor across the whole of the buildings footprint through a hip to gable

conversion, the installation of a front dormer and a substantial rear second floor extension.



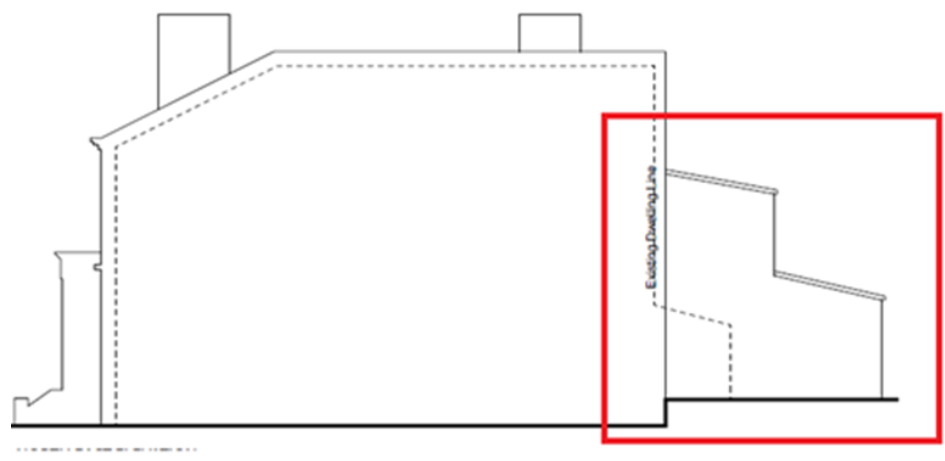
SOUTH WEST ELEVATION

Proposed side elevation with extension highlighted red



NORTH WEST ELEVATION

Proposed rear elevation with extension highlighted red



Proposed side elevation as viewed from 11 Norman Road – The rear extension is highlighted within the red box

The proposed extensions have been significantly reduced in scale and the alterations to the roof removed from the proposals. The proposed extension is now subservient to the host property and windows are of a proportion that reflect the original design of the building. On balance it is considered that the design of the proposed extension is acceptable and given the amendments to its scale together with their location at the rear this would not cause harm to disrupt the overall distinctiveness of the property.

Refuse storage

The proposed development would not impact on the current arrangements for the storage of refuse which is located within the substantial garage.

Parking

The application does not contain any provisions that will change the existing parking arrangements, although the Design and Access Statement states that there is a spacious front garden that could be used for parking. The loss of the front garden is clearly of concern and depending upon the scope and design of any future works proposed in this respect, these may not be permitted development and would require a separate planning application. The proposals subject of this application do not propose changes to the parking arrangements at the property which currently contains a front drive approximately 13 metres in length together with area of hardstanding to the front of the property all of which are available for off street car parking provision. This level of provision is considered acceptable for this dwellinghouse.

Trees

It is not considered that the proposed extensions would impact on the protected trees located within the garden area of number 7 Norman Road. These trees are located close to the boundary wall separating the gardens and the areas proposed for the siting of the extensions are currently covered in concrete hardstanding. However, it is considered prudent that a condition is attached to any approval for the preparation of an Arboricultural Method Statement prior to works started including the removal of the existing hardstanding to ensure works proceed without damaging the adjacent trees and the roots.

Residential Amenity

Any alterations to a property can impact on the amenity of the occupiers of adjoining and adjacent properties. It is the role of the planning system to assess if the impacts are so significant as to warrant the refusal of planning permission.

The proposed side extension would be approximately 2.3 metres from the boundary with 7 Norman Road and it is considered that as the extension is on the side of the outrigger, which is taller, it would not have an overbearing impact. The rear

extension which would be level with the side elevation of 7 Norman Road would be 2.3 metres from the boundary with that property and 8.3 metres from the side elevation. As the proposed extension is on the north face of the property any overshadowing would only be likely to occur early in the morning however, due to the space between the properties this impact is not considered to be significant.

The impact of the proposed rear extension on the adjoining property, 11 Norman Road, could potentially be greater, however, there is a small lean to adjacent to the boundary, which projects approximately 1.5 metres, this lean to already serves to screen the opening in the rear elevation of the ground floor of the outrigger of 11 Norman Road from the proposed extension. The ground floor extension projects approximately 5.9 which is just below the maximum that is allowed for single storey rear extensions under the prior approval Larger Homes extensions provisions. At eaves level the extension would be 2.8 metres high increasing to 3.4 metres where it adjoins the second floor of the extension, again these dimensions would be in line with the provisions allowed for under the prior approval route for larger homes extensions.

The eaves of the first floor extension would be 5.8 metres above ground level and the highest part of the roof 6.2 metres. The first floor element of the extension has a modest rearward projection of 3 metres, and would be approximately 1.5 metres from the first floor rear window in the adjoining property. It is considered that any overbearing impact that this element of the extension could have, would be reduced by the distance of the openings from the proposed extension and the orientation of the rear of the property, which is north facing. On balance it is considered that the proposed extensions would not have a significant overbearing impact on the adjacent properties.



Rear view of the two storey outriggers at numbers 9 and 11 Norman Road, the rear windows of number 11 are identified edged red



Propose site setting out drawing showing the relationship of the proposed extensions to number 11 Normand Road

In the proposed extension the principle windows are located in the rear elevation of the property. These windows face down the rear garden towards the rear garden of a house on Hall Road, there would also be oblique views across the rear gardens of the properties to either side. From the first-floor windows of the proposed extension the distance from the windows to the end of the garden would be reduced to approximately 17 metres. Such views down a garden are not an unusual situation and in view of the size of the adjacent gardens and the distances involved it is not considered that there would be any significant overlooking or loss of privacy in respect of the rear windows from the proposed extension. .

In the side elevation of the first floor of the extension it is proposed to install two windows, that would serve a bathroom and en-suite. These windows would be obscure glazed, and a condition is proposed should consent be granted to ensure that this remains the case. There is also a door and secondary window to the open plan living area at ground floor. This is a secondary window and facing the front garden of 7 Norman Road and would be replacing the existing bay window and would be screened from that property by a high boundary wall. As such it is considered that there would be no significant overlooking or loss of privacy from the windows in the side elevation onto the occupiers of number 7 Norman Road.



Existing bay window to the side of rear outrigger and view of boundary wall with no. 7 Norman Road

On balance it is considered that the proposed development would not have such a significant impact on residential amenity that would warrant refusal of the amended proposals.

Character of the Area.

In the revised scheme the principle elevation of the property when viewed from Norman Road would remain unchanged. However, due to the unusual setback of the adjacent property the side elevation of the property is more visible when heading east along Norman Road, although it is noted that the boundary trees within the garden of number 7 Norman Road do provide some screening. Having reduced the scale of the proposed extension on the side elevation, it is considered that any visual impact would be significantly reduced. The presence of trees on the boundary would also serve to further soften the impact of the extension.



View from Norman Road looking across front of 7 Norman Road towards side elevation of 9 Norman Road highlighted in red

There would be some views through to the proposed extension from Hall Road between the gap of existing houses, such views of the extension would be limited due to the existing outrigger of the neighbouring property and would be over a distance of approximately 30 metres.



View from Hall Road towards application site. Outrigger edged red is that of number 11 Norman Road.

Given the siting of the proposed extension to the rear together with the use of materials to match the existing it is not considered that the proposed extension would have a significant impact on the character of the area.

Use as a House in Multiple Occupation

Concern has been expressed by a ward member and local residents that the property would be so large that it would only find use as a House in Multiple Occupation. The applicant has indicated that the extensions are required in order to create a multi-generational home for his family and therefore the application is to be determined on that basis. Should at some point in the future there be a desire to change the use of the property to a House in Multiple Occupation then this would require planning permission, either as a consequence of the Article 4 Direction in place in Manchester which removes permitted development rights to change from a dwellinghouse to a small HMO of between 3 and 6 unrelated occupiers; or if there are more than 6 unrelated occupiers as a sui generis House in Multiple Occupation. As such it would be at that point that consideration of an HMO use would be considered against the adopted planning policies in place regarding such uses.

In this instance given the confirmation from the applicant that the property is to be occupied by a multi-generation family it is proposed to add an appropriate condition restriction the use to a Class C3 dwelling should permission be granted.

Flood Risk.

The application property is not located in Flood Zones 2 or 3 and therefore no further information is required in respect of these matters in this instance. It is noted that the areas where the proposed extensions are to be sited are generally already hardstanding. It is not considered that the proposals would increase the risk of flooding.

45 Degree Rule

This is used by some authorities to determine what is an acceptable rearward projection for an extension. This measure is not embedded into any adopted planning policies within Manchester. As with each application they are considered on their own merits having regards to the particular circumstances of each site. In this instance, as indicated within the previous sections of this report the proposals are not considered to give rise to unacceptable impacts on residential amenity of neighbouring properties.

Conclusion

This application seeks to enlarge a property in order to create a multi-generational home, following amendments to the scheme the best architectural features of this unlisted building, not located within a conservation area have been retained. The amended proposals are considered to have been sited and designed to minimise impacts on residential amenity and the visual amenity and character of the area. On balance it is considered that the extensions are of a scale and design that is acceptable and that the development accords with Council policies.

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 the right to a fair hearing and to this end the Committee 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 approval of the application is proportionate to the wider benefits of approval 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 issues arising from the consideration of this application. In this instance issues were raised with regards to the design and scope of proposed extensions to the property and amended proposals were provided.

Conditions to be attached to the decision

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:
9NORPPRR rev 13 received 8 March 2021

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) No development, including the breaking of any hard surfacing, shall commence until an Arboricultural Method Statement for construction works for the site has been submitted and approved in writing by the City Council as local planning authority. The submitted statement shall considered the potential for roots of protected roots to be present on the site and appropriate methods for working and construction to avoid

any damage to any roots that may be present. The development shall be subsequently be undertaken in accordance with the agreed statement.

Reason – In order avoid damage to trees subject to Tree Preservation Orders adjacent to the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

4) No development that is hereby approved shall progress beyond damp proof course level unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

6) Before first occupation of the extensions hereby approved the windows in the side elevation, excluding the door and adjoining window, 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 property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

7) 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) windows other than those shown on the approval drawings shall be installed in the side elevation of the extension hereby approved.

Reason - To protect the amenity of the occupiers of the adjoining properties pursuant to Core Strategy policy DM1.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 126927/FH/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

| | |
|-----------------------------------|-------------------------------|
| Relevant Contact Officer : | Dave Morris |
| Telephone number : | 0161 600 7924 |
| Email : | dave.morris@manchester.gov.uk |

