

Application Number	Date of Appln	Committee Date	Ward
135731/FH/2022	13 Dec 2022	16 Feb 2023	Moss Side Ward

Proposal Erection of a single storey rear extension and enlargement of front porch

Location 24 Victory Street, Manchester, M14 5AE

Applicant Ms Amuun Mohamed

Agent Mr Mohamed Muse, Muse Architects

Executive Summary

The applicant is seeking permission for the erection of a single storey rear extension together with a front porch enlargement, to provide additional living accommodation for a family dwellinghouse. The property is not listed, nor is it located within a conservation area.

Thirteen neighbouring dwellings were notified of the proposed development and four letters of objection were received as well as one enquiry. The main issues that were raised were concerns relating to the proposal's impact upon visual and residential amenity, traffic, noise, waste management, wildlife, and health. These are fully considered within the main body of the report.

Description

The application site is located along a residential street consisting of a mixture of terraced and detached dwellinghouses as well as a residential apartment complex. Victory Street is located off Claremont Road within the Moss Side ward of Manchester and benefits from its proximity to Platt Fields Park and Wilmslow Road, which features an abundance of bars, restaurants and shopping facilities as well as being well-connected to the City Centre, Fallowfield, Withington and Didsbury via its established bus routes.



Figure 1. Submitted location plan with site edged in red.



Figure 2. Submitted plan of the proposed site of development, edged in red.



Figure 3. Photograph of the principal elevation of No.24 Victory Street.



Figure 4. Photograph of the rear elevation of No.24 Victory Street.



Figure 5. Photograph of the rear garden of No.24 Victory Street.

The application relates to a two-storey terraced dwellinghouse, constructed of redbrick with a dual pitch roof of grey concrete roof tiles. The property features white uPVC windows, an original front porch, a small front garden where bins are stored and a modest rear garden with an outbuilding.

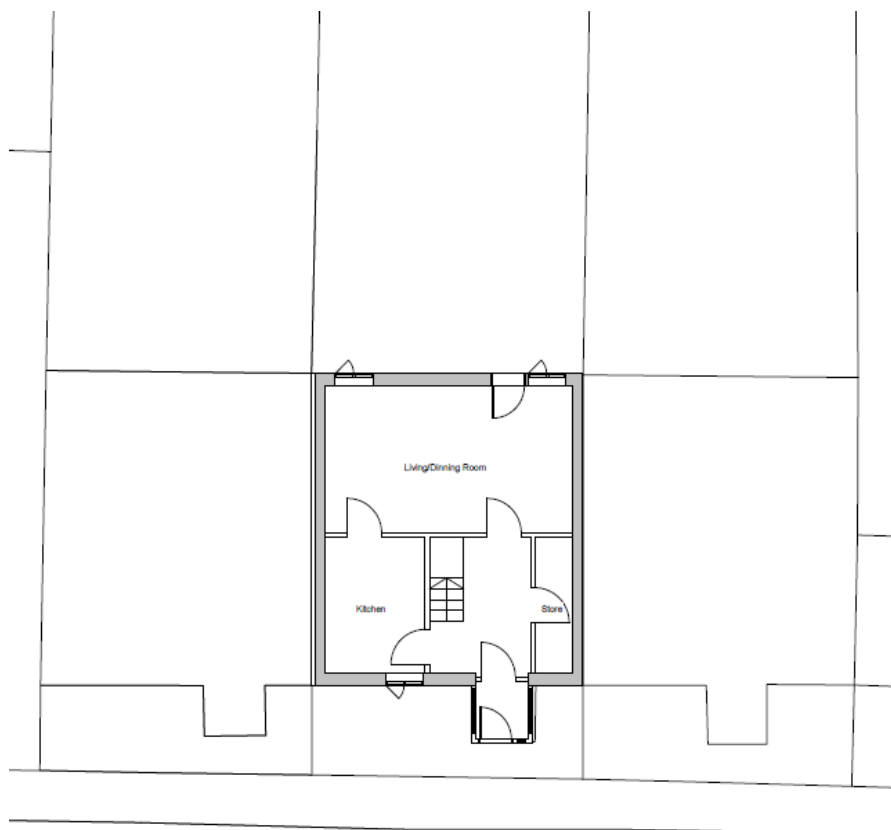


Figure 6. Submitted existing ground floor plan.

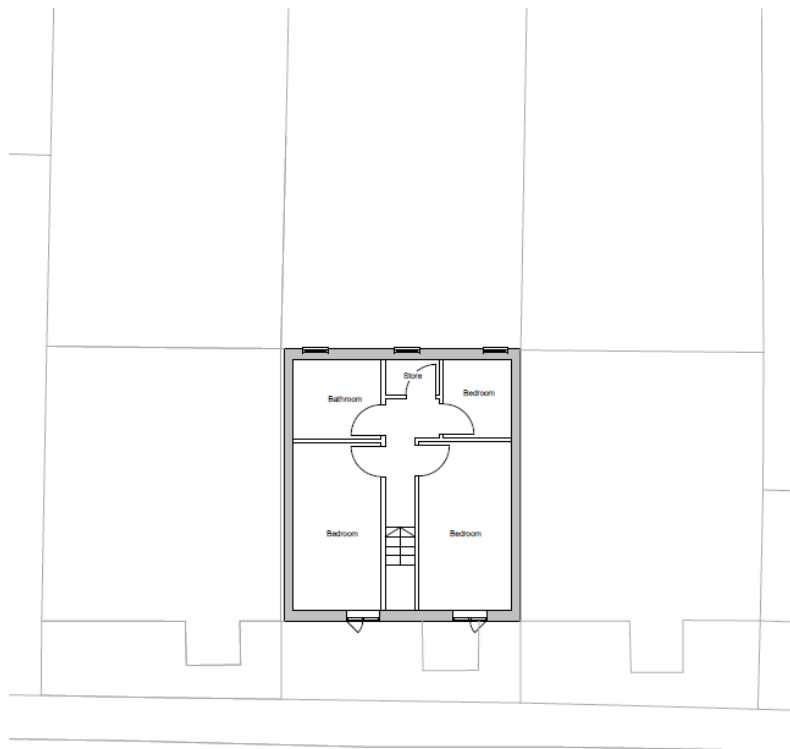
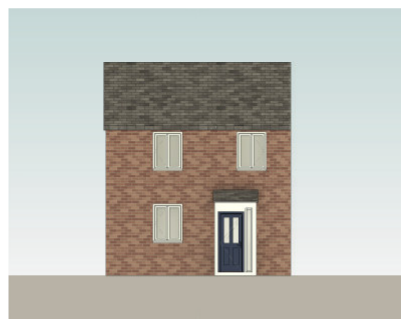
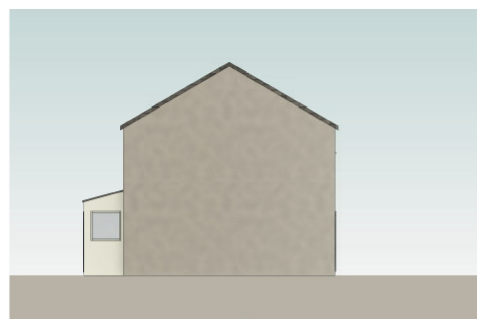


Figure 7. Submitted existing first floor plan.



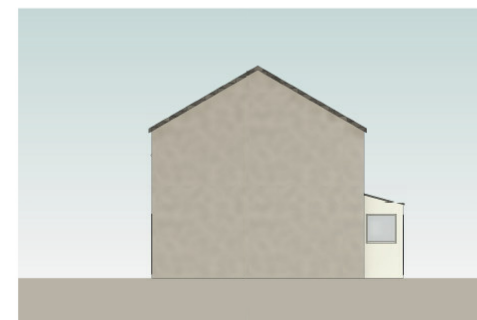
A East Elevation
1:100



2 North Elevation
1:100



3 West Elevation
1:100



4 South Elevation
1:100

Figure 8. Submitted existing elevations

The plot measures approximately 21.361m in length and 6.396m in width. The front garden is 2.085m in depth and the rear garden is 11.944m. Both the front and rear garden feature boundary treatment with the front garden being bordered by a low-level iron railing and the rear garden being bordered by high-rise timber fencing. The neighbouring plots on Victory Street are of a similar size and shape as the property in question, though No.22 does feature a larger rear garden.

The applicant is seeking permission to build an additional single storey rear extension together with a front porch enlargement. The works would provide additional living accommodation in the form of a larger kitchen, dining room and living area as well as the introduction of a study room within the footprint of the original dwellinghouse.

The single storey extension would be sited at the rear of the property, facing southwest. It would project 3.5m from the current rear elevation and would span the entire width of the property (6.318m) with a maximum mono pitch roof height of 3.4m and an eaves height of 2.625m. The proposed development would be sited along the boundaries shared with No.22 and No.26.

Alterations to the front porch would slightly enlarge the porch as it currently stands. The length / frontward projection and height of the porch would remain the same at 1.25m and 2.95m respectively. The width, however, would be enlarged from 1.445m to 2.225m (an increase of 0.78m). The proposed development would slightly reduce the current gaps to the shared boundaries, however a distance of approximately 0.84m would be maintained between the porch and No.22 and a gap of approximately 3.126m would be maintained between the porch and No.26.

Planning History

129866/FH/2021 - Erection of a part single, part two-storey rear extension to provide additional living accommodation – **Application Withdrawn**

130909/PDE/2021 – Prior notification of proposed larger home extension projecting 4.8m to the rear with a maximum height of 3.4m and a height at eaves of 2.7m – **Refused Extension**

132304/PDE/2021 – Prior notification of proposed larger home extension projecting 4.8m to the rear with a maximum height of 2.7m and a height at eaves of 2.7m – **Refused Extension**

132809/LP/2022 – Certificate of lawful proposed development for the erection of a single storey rear extension – **Application Withdrawn**

Consultations

Ward Members

Councillor Emily Rowles - This application encroaches too far onto the neighbouring property and would be detrimental to their quality of life. The property would be overlooked, and the neighbours' privacy would be affected.

Four letters have been received from or on behalf of a neighbouring resident. The concerns raised can be summarised as follows -

- Neighbouring garden will be overlooked, and neighbours will be disturbed for the duration of the works.
- the road is already extremely narrow and prone to congestion.
- traffic related to construction activities associated with the proposal would have an adverse effect on the accessibility and navigability of Victory Street and this would cause a nuisance to local residents who currently rely on a limited amount of on-street parking, would restrict accessibility for emergency service vehicles and have the potential to contribute to highway incidents.
- the overall appearance of Victory Street would be negatively affected by the proposal as, at present, the properties are relatively uniform.
- the installation of the proposal would 'destroy' the visual amenity of the area as it would not be in-keeping with the neighbouring properties which do not feature additional residential extensions or alterations.
- the proposed developments would be very obvious additions to the property, which would detrimentally affect the amenity of the area.
- the enlargement of the front porch would cause an obstruction to neighbouring residents and members of the public who utilise the pavement to the front of the property.
- the property is terraced and is nestled between two other dwellinghouses and the proposal would negatively affect both of the adjoining properties, creating an 'overbearing feeling and presence' as well as compromising their privacy.
- implications of the potential noise associated with the proposed developments, stating that it would have an adverse effect on neighbouring occupiers.
- concerns relating to management and storage of construction materials and waste.
- concerned about how the proposed developments and their associated works may have a negative effect upon the existing health conditions of neighbouring occupants, namely how noise disturbance and invasions of privacy would affect their mental wellbeing.
- undue loss of daylight as a result of the siting, scale, and massing of the proposed developments.
- proposals would cause darkness, result in a dull appearance and would create an 'enclosed' feeling for neighbouring residents.
- the front porch enlargement would cause issues relating to the management of waste as bins are currently stored in this area.
- concerns regarding the proposal's potential to disturb wildlife inhabiting the area of private land located immediately behind Victory Street.

Policies

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

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.

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 (2021):

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF was updated in July 2021 and 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.

Other Legislative requirements:

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Issues

Principle - The principle of building a single storey rear extension together with the enlargement of a front porch in order to provide additional space for a family dwellinghouse is acceptable, however consideration must be given to the proposal's siting, scale and massing, appearance, impact upon existing levels of residential and visual amenity and its impact upon waste management, parking / traffic, noise, wildlife, and health.

Siting, scale, and massing – The single storey extension would be sited at the rear of the property and would face southwest. It would project 3.5m from the current rear wall and would span the entire width of the house (6.318m) with a maximum mono pitch roof height of 3.4m and an eaves height of 2.625m. The proposal would be sited along the boundaries shared with No.22 and No.26. The 3.5m rearward projection accords with the limit stipulated within policy DC1 of the UDP (of 3.65m) and is therefore considered acceptable in principle. At this stage it is also important to note that the current proposed rear extension is a reduction in scale from a number of previously refused or withdrawn schemes (see: 129866/FH/2021, 130909/PDE/2021, 132304/PDE/2021 and 132809/LP/2022). The previous schemes were much larger in terms of their scale and massing, some with rearward projections of 4.8m, and were ultimately refused on the basis that they would have created an overbearing presence and an oppressive sense of enclosure for neighbouring occupants. The current scheme however presents revised dimensions which are considerably reduced, therefore mitigating the potential 'overbearing feel' of the rear extension and ensuring its subservience to the host dwellinghouse. The proposed development therefore accords with policies DM1 of the Core Strategy and DC1 of the UDP, with its siting, scale and massing being considered acceptable.

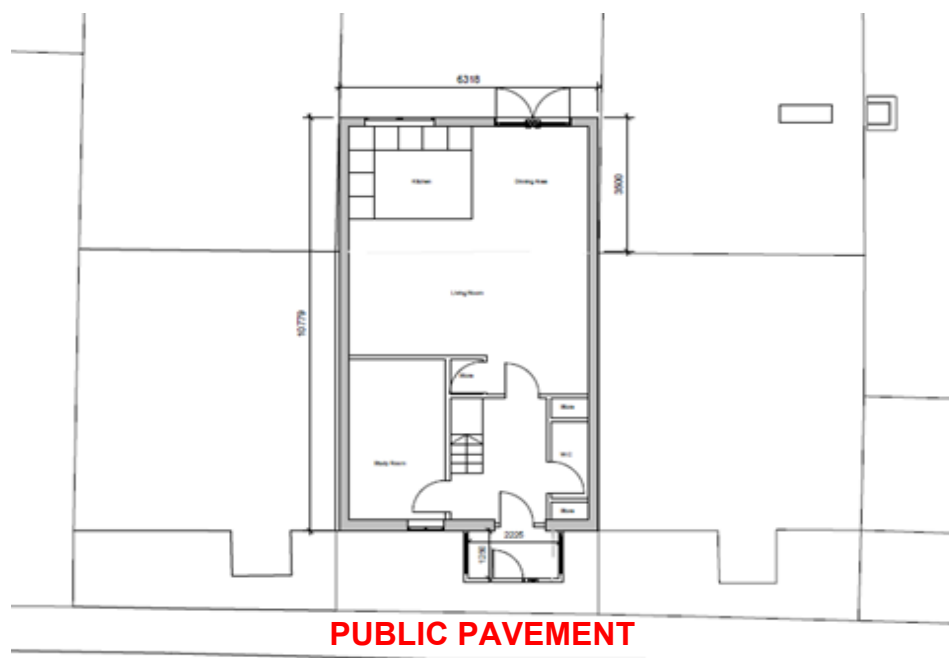


Figure 9. Submitted proposed ground floor plan.

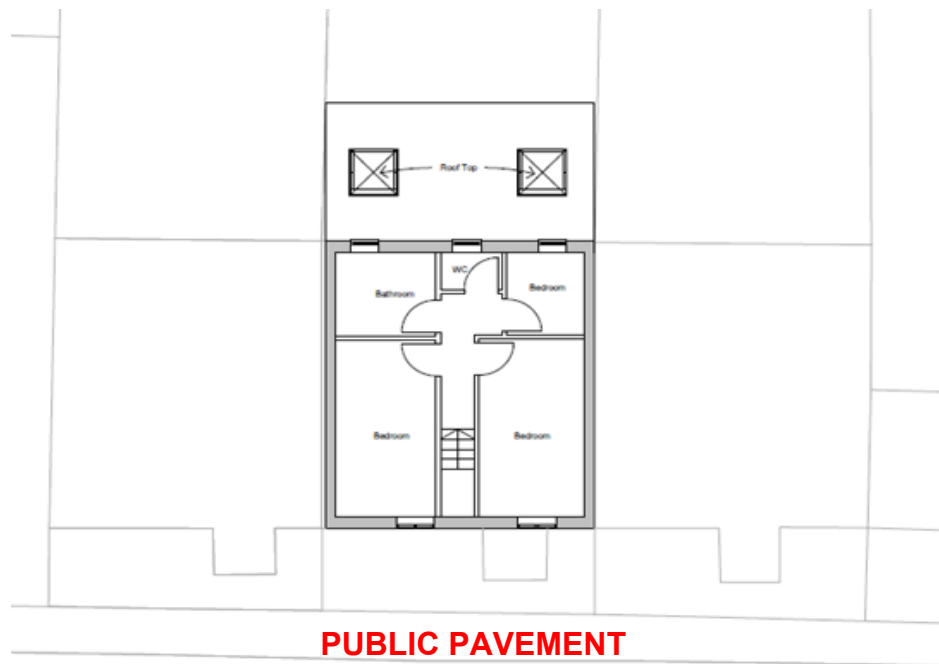


Figure 10. Submitted proposed first-floor plan.

Alterations to the front porch would slightly enlarge the porch as it currently stands. The length / frontward projection and height of the porch would remain the same measuring to 1.25m and 2.95m respectively. The width, however, would be enlarged from 1.445m to 2.225m (an increase of 0.78m). The proposal would slightly reduce the current gaps to the shared boundaries, however a distance of approximately 0.84m would be maintained between the porch and No.22 and a gap of approximately 3.126m would be maintained between the porch and No.26. This, combined with the fact that the porch would be single storey with a north-easterly orientation should ensure that the proposal does not result in significant overshadowing or create an overbearing feel for neighbouring residents. The proposed porch would not encroach onto the footway and would not affect or impede the accessibility of the public pavement. Overall, it is considered that the dimensions detailed above would not result in an 'excessively large or bulky' addition to the property. The proposed development is therefore considered acceptable as it accords with policies DC1 of the UDP and DM1 of the Core Strategy.

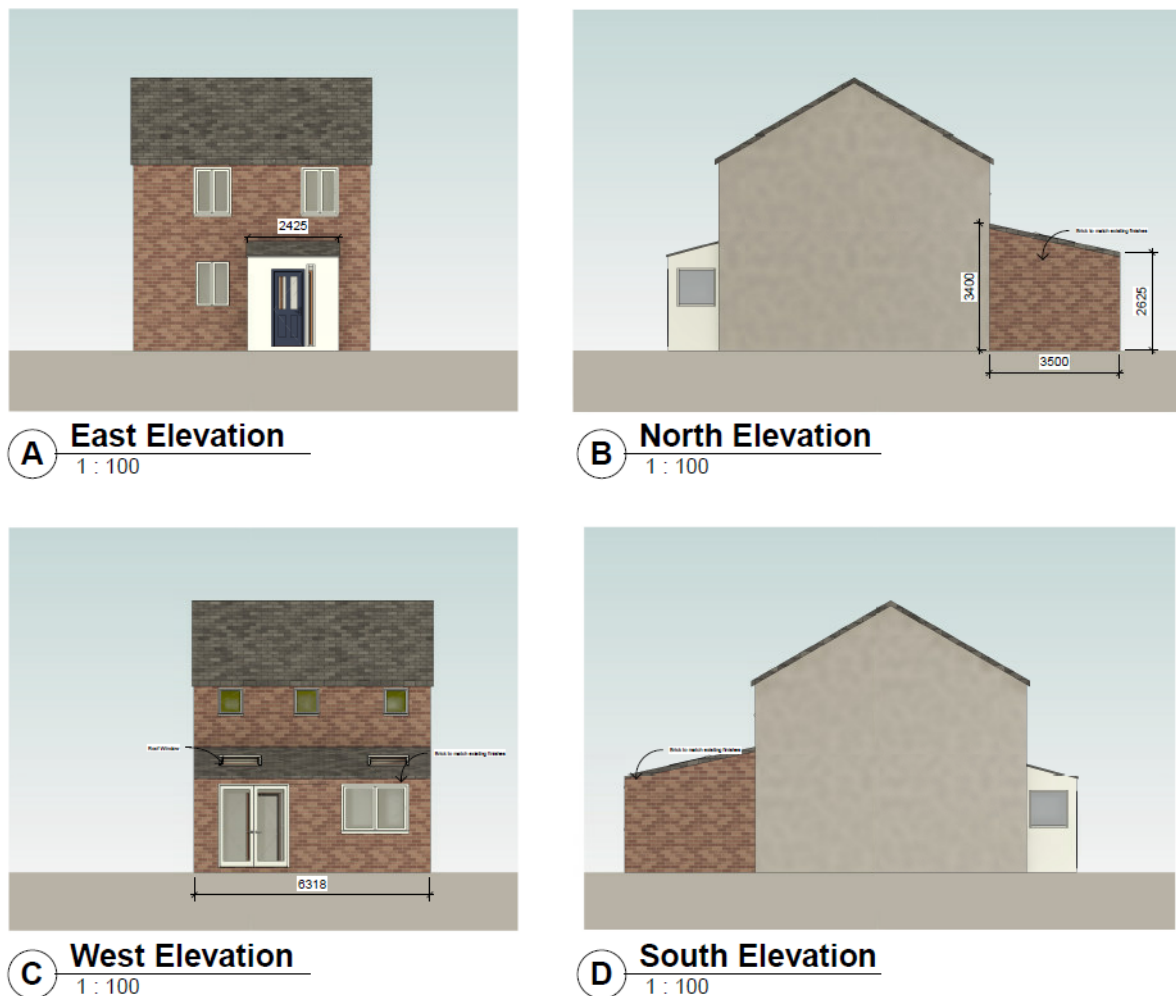


Figure 11. Submitted proposed elevations.

Appearance and visual amenity – The property is not located within a conservation area, nor is it a listed building. The street on which it sits is comprised of a number of terraced properties which are relatively uniform in appearance, a block of flats, some new-build detached properties to the north and Trinity House Community Resource Centre and Shahjalal Mosque and Islamic Centre to the south. Though none of the terraced properties along this road feature residential extensions, a precedent for development does exist in this area, as indicated by the new-build properties present at the northern end of the street, the conversion and extension of the Gardener's Arms into two apartments and a four-bedroom dwellinghouse, the construction of the three-storey block of flats located opposite No.24 Victory Street and the conversion of Osborne House Inn into two houses, with a two-storey rear and first-floor side extension (091566/FO/2009/S1, 123513/FO/2019 and 124870/FO/2019).

It must also be noted that a single storey rear extension could be erected under permitted development rights, without the need for an application for planning permission, at the application property with a rearward projection of 3m.

Both extensions would be constructed from materials to match the existing house. The rear extension would be built of brickwork, concrete roof tiles and white uPVC windows, to help it assimilate with the original building. Its side elevations would form

blank walls, whilst its rear elevations would feature one window, a set of doors and two rooflights. The front porch would maintain a rectangular footprint and would be built of uPVC, concrete roof tiles and white uPVC windows to match the existing. Much like the current porch, its side elevations would each feature one window whilst its principal elevation would feature a door and a narrow, vertical window. The design of the proposed porch would therefore be very similar in appearance to that of the current porch. The proposed rear and front porch extensions are relatively standard in terms of design for developments of their type and would be in-keeping with the materials already present at the property. The front porch would have a minimal impact upon the street scene as it would maintain a similar appearance to the current porch of the property with slightly larger dimensions. Moreover, due to the rear extension's siting at the back of the property, it would not be visible within the street scene. The proposal would therefore not be out of character with the street scene or the character of the area in general.

With reference to the impact of the rear extension it is considered to be well-designed, utilising matching materials and would be subservient to the original dwellinghouse. The proposal would therefore avoid causing significant visual harm to the overall character of the property and local area. As stated above an extension with a rearward projection could be erected under permitted development without the need for an application for planning permission.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as their impact upon visual amenity is considered to be minor.

Residential amenity – Concerns were raised by local residents regarding the proposal's potential to cause an undue loss of sunlight, daylight, and privacy for neighbouring occupants. However, given the maximum roof height of 3.4m, in addition to the south-westerly orientation, and the 3.5m rearward projection of the rear extension as well as the existing high-level timber fencing present along the shared boundaries, it is considered that the impacts would not be unduly harmful. The occupants of No.26 are unlikely to experience any significant impact upon their residential amenity as they are located to the south of the proposal and, as such there would be no loss of direct sunlight. There would be an impact on number 22 with some loss of direct sunlight. However, the proposal is in accordance with relevant Council Policy and is not significantly larger than an extension that could be erected under permitted development rights. The proposed porch would not have any significant impacts on the neighbouring houses with regard to loss of light or privacy. With reference to privacy the rear extension only incorporates windows which directly face into the application property rear garden.

The proposed developments are therefore acceptable in regard to their minimal effect upon residential amenity as they accord with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.



Figure 12. Photograph of the rear elevations of No.24 and No.26 Victory Street.



Figure 13. Photograph of the rear elevations of No.24 and No.22 Victory Street.

Waste management – The bins are currently stored in the small garden located at the front of the property. The proposed enlargement of the porch would therefore slightly reduce the space available for the storage of bins, as highlighted by a local resident in their objection letter. However, an adequate bin storage area would be retained as a space measuring to at least 3.126m by 2.089m would be available for use. The proposal therefore accords with policies EN19 and DM1 of the Core Strategy.



Figure 14. StreetView image of No.24 Victory Street.

Parking / traffic – Concerns were raised by residents regarding the proposal's potential impact upon parking and traffic along Victory Street. Residents highlighted that Victory Street is already extremely narrow and prone to congestion. They suggested that the proposal and its associated works would cause an influx of traffic that would cause a nuisance to local residents, reducing the availability of on-street parking, impeding access needs of emergency service vehicles, and potentially contributing to an increase in highway incidents.

The proposed development and their associated works may result in a slight increase in traffic in the form of construction vehicles, this increase is understood to be very minor and for a short period of time.

The application property would remain as a single dwelling and the proposal is therefore considered acceptable in terms of its minimal effect upon the traffic along Victory Street.

Wildlife – A resident raised concerns regarding the proposal's potential to disturb wildlife inhabiting the area of private land located immediately behind Victory Street. The proposed development would not encroach onto that area of land and does not raise any issues in relation to ecology.

Construction Impacts - Any impacts associated with construction would be short lived and would not be material considerations which could be used to refuse planning permission. If there are any issues relating to noise or pollution associated with the construction phase, then these would be controlled through separate legislation such as the Environmental Pollution Act. It is understood that any materials or waste associated with the proposal would be stored within the confines

of the plot boundary. The proposal is therefore considered to be acceptable in this regard.

Conclusion –The proposal complies with policies DM1 and SP1 of the Core Strategy, policy DC1 of the Unitary Development Plan and aligns with the advice given within the National Planning Policy Framework allowing improvements to a family dwelling.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 of the application 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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The materials to be used on the external surfaces of the extension hereby submitted shall match those of the existing dwellinghouse in type, size, colour, and texture.

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.

3) The development hereby approved shall be carried out in accordance with the drawings numbered 'VIC-MA-100', 'VIC-MA-101', and 'VIC-MA-200', stamped as received by the City Council as Local Planning Authority on the 13th December 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.

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: 135731/FH/2022 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:

Flat 2, 25 Victory Street, Manchester, M14 5AE
Flat 9, 25 Victory Street, Manchester, M14 5AE
Flat 8, 25 Victory Street, Manchester, M14 5AE
Flat 7, 25 Victory Street, Manchester, M14 5AE
Flat 6, 25 Victory Street, Manchester, M14 5AE
Flat 5, 25 Victory Street, Manchester, M14 5AE
Flat 4, 25 Victory Street, Manchester, M14 5AE
Flat 3, 25 Victory Street, Manchester, M14 5AE
Flat 11, 25 Victory Street, Manchester, M14 5AE
Flat 10, 25 Victory Street, Manchester, M14 5AE
Flat 1, 25 Victory Street, Manchester, M14 5AE
22 Victory Street, Manchester, M14 5AE
26 Victory Street, Manchester, M14 5AE

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 :	Holly Wright
Telephone number :	0161 219 6381
Email :	holly.wright@manchester.gov.uk

