

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
091134/FH/2009/S1	11th Sep 2009	19th Nov 2009	Moss Side Ward

**Proposal**   Erection of single storey rear extension to form additional living accommodation

**Location**   29 Newlyn Street, Moss Side, Manchester, M14 7PQ,

**Applicant**   Mr Stuart Bayley, 29 Newlyn Street, Moss Side, Manchester, M14 7PQ,

**Agent**       ,

### **Description**

The application site relates to a two-storey, terraced dwelling on the southern side of Newlyn Street. The property fronts straight onto the street and includes a single storey outrigger to the rear and a small rear yard with side return that backs onto a rear alleyway that separates the property from the rear of dwellings along Boscombe Street.

In terms of the site's immediate surroundings, the area is predominantly residential and consists of tightly packed, two-storey, terraced streets almost identical in appearance to that of the application site.

The proposed scheme consists of a single storey, flat roofed extension to form an enlarged kitchen. It is proposed that the structure would be built off the existing outrigger.

This report is being presented to the Planning and Highways Committee as the applicant is a City Council Officer, and Members may recall that at their meeting on 23rd July 2009 they refused consent for a larger extension under reference 089605/FH/2009/S1.

### **Consultations**

Local residents - No letters of objection have been received.

### **Issues**

Unitary Development Plan - There are no site-specific policies relating to the application site. However the following city-wide policies are relevant to this proposal:

Policy DC1 relates to residential extensions and requires that consideration be given to various factors, with particular regard given to the general character of the property and the effect upon the amenity of neighbouring occupiers.

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider

include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution

Regional Spatial Strategy - In terms of regional policy, it is not considered that any policy is of particular relevance in this case.

In addition to the above, Central Government provides national planning guidance in the form of Planning Policy Guidance Notes (PPGs) and more recently on some planning issues, Planning Policy Statements (PPSs).

PPS1 'Delivering Sustainable Development' underpins the planning system and sets out the overarching policies on the delivery of sustainable development. Emphasis is placed on the need for good design to ensure attractive, usable, durable and adaptable places.

The Guide to Development in Manchester (SPD) - This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design.

Principle - It is considered that proposed single storey extension is acceptable and would not have any significant detrimental impact on the occupiers of neighbouring properties in terms of loss of light/overshadowing.

Visual Amenity - It is not considered that the visual amenity of the area will be compromised by the extension.

Refuse Storage - Bins would be stored in the remaining rear yard and moved to the rear alleyway on collection day.

**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 Unitary Development Plan, the Head of Planning 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. He 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**

APPROVE on the basis that the proposal is in accord with the City Council's Unitary Development Plan DC1 and H2.2 and there are no material considerations of sufficient weight to indicate otherwise.

### **Conditions and/or Reasons**

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) No development that is hereby approved shall commence 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. The development shall be constructed only using the approved materials unless otherwise agreed 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 policy DC1 and H2.2 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: drawing No. 5213A dated 1st September 2009

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC1 and H2.2 of the Manchester Unitary Development Plan.

### **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: 091134/FH/2009/S1 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:**

31 Newlyn Street, Manchester, M14 7PQ  
30 Boscombe Street, Manchester, M14 7PG  
28 Boscombe Street, Manchester, M14 7PG  
27 Newlyn Street, Manchester, M14 7PQ

**Representations were received from the following third parties:**

**Relevant Contact Officer :** Barbara Sheedy

**Telephone number :** 0161 234 4539

**Email :** b.sheedy@manchester.gov.uk