

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132329/FO/2021

Date registered valid: 1 December 2021

Proposal: Erection of a single storey rear extension to form access to first floor flat together with alterations to existing single storey rear extension including raising of roof.

Address: 299 Moston Lane, Manchester, M40 9WJ

Ward(s): Moston Ward

Applicant: IB3 Consulting Limited 299 Moston Lane, Manchester, M40 9WJ

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

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 January 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 6 December 2021 Expired: 27 December 2021

Neighbour notifications

Printed: 6 December 2021 Expired: 27 December 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The application site relates to the rear of a two storey, end terraced property situated at the corner of Moston Lane.

Currently the premises is in a poor condition externally. The premises ground floor retail unit has been used as a grocers and the first floor is a flat.

At the rear is a small external yard, enclosed by brick walls and which backs onto a rear alleyway.

The rear yard has a rear extension. It is this area which is subject to the proposed roof alteration.

Description of the Development

Planning permission is sought for the erection of a single storey rear extension to form access to first floor flat together with alterations to existing single storey rear extension including raising of roof.

The ground floor extension creates a covered stair access and landing area to access the first floor flat.

Description of area

Description of development

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

Environmental health recommended a gas membrane condition to be attached to the consent and the construction hours have been added as an informative.

Greater Manchester Police were consulted and recommended security measures be incorporated into the consent and an informative has been added to the consent.

Issues

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, EC1, EN18, EN19 and SP1 of the Manchester Core Strategy;
- Guide to Development in Manchester (SPD);
- National Planning Policy Framework (July 2021).

Issues

Principle

Extensions or improvements to this type of premises are generally acceptable, provided that there is no overriding, undue impact upon either the character of the property and visual amenity of nearby residential occupiers.

In this case, it is anticipated that the proposed extension will facilitate refurbishment for the occupier of the premises which in turn would enliven the street-scene.

Given the limited floorspace proposed and an extension that is comparable to that which it partially seeks to replace, any impact to amenity is unlikely.

As such, the proposed extension is considered to accord with the aforementioned policy and guidance.

Specific planning issues are outlined further below.

Residential and Visual Amenity

The proposed extension relates to a commercial terrace and only neighboured by residential properties to the rear, which are situated beyond the adjoining alleyway that separates the site from properties along Bute Street North.

Given that size and position of the extension, the existing site context, whereby the rear yard already incorporates an extension of similar proportions, it is not believed that there would be any significant or harmful impact as a result of an over-dominance, overshadowing or overlooking. The roof alteration would raise the height of the roof on one elevation however, the overall height of the roof would remain the same. The proposed roof alteration would not detract

from the architecture of the host building nor would it have an harmful impact on the occupants of the neighbouring property due to its size.

There are no windows proposed to the rear elevation, and the first floor side window would be obscurely glazed and would not give rise to any undue overlooking.

Ground Conditions

As the site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, Environmental Health have advised that the proposed extension should incorporate a gas membrane, in order to protect future occupiers. An appropriate condition has been included.

Security

The position of the proposed entrance to the first floor flat was a concern in relation to security, located at the rear of the premises accessed from the back yard, which increases the security risks for the occupants of the premises. This would only be acceptable if the entry gate is capable of restricting access to the yard, as stated below:-

The gate should include access controls operable by residents and ground floor occupants only, and it should include a self-closing device and mechanism so it automatically locks on closure.

A secure mail box with external delivery / internal collection should be installed so postal delivery staff do not require regular access to the yard.

The rear yard and entrance door to the flat should include dusk-to-dawn lighting.

Installation of an audio intercom connection to the apartment (and ground floor business) would enable visitors to contact the residents.

The gate and frame should be of robust construction with security rating equivalent to LPS 1175 SR2.

New doors, windows, mailboxes should be in accordance with Secured by Design standards (www.securedbydesign.com provides details of approved products).

These provisions must be met by the applicant in order to minimise the risk of crime, the fear of crime and effect of antisocial behaviour on the occupants. The proposals compliance with the informative added to the consent would achieve an acceptable level of security.

Waste Management

The refuse arrangements would remain the same as a result if the extension.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner by requesting further information and public consultation to update residents on the location changes to the scheme. Appropriate conditions to the approval have also been attached.

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:

The Location Plan, stamped as received 1 December 2021 and the Floor Plans C, stamped as received on the 26 November 2021 and the elevations, stamped as received on the 14 January 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 external facing materials to be used on the extensions hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that 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 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.

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 drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to the first occupation of the development, the first floor bathroom window and side door shown on drawing numbers NAP 02, stamped as received on the 14 January 2022, and the Floor Plans C, stamped as received on the 26 November 2021, shall be obscurely 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Informatives

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

2) The gate should include access controls operable by residents and ground floor occupants only, and it should include a self-closing device and mechanism so it automatically locks on closure.

A secure mail box with external delivery / internal collection should be installed so postal delivery staff do not require regular access to the yard.

The rear yard and entrance door to the flat should include dusk-to-dawn lighting.

Installation of an audio intercom connection to the apartment (and ground floor business) would enable visitors to contact the residents.

The gate and frame should be of robust construction with security rating equivalent to LPS 1175 SR2.

New doors, windows, mailboxes should be in accordance with Secured by Design standards (www.securedbydesign.com provides details of approved products).

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

Flat Above, 303 Moston Lane, Manchester, M40 9NL
297A Moston Lane, Manchester, M40 9WJ
Moston Dental Surgery, 301 Moston Lane, Manchester, M40 9NL
303 Moston Lane, Manchester, M40 9NL
40 Brodick Street, Manchester, M40 9WL
297 Moston Lane, Manchester, M40 9WJ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1