MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130562/FH/2021
Date registered valid:	27 May 2021
Proposal:	Erection of a single storey rear extension to form additional living accommodation,
Address:	52 Old Moat Lane, Manchester, M20 3FL
Ward(s):	Old Moat Ward
Applicant:	Mrs Jackie Kelly 52 Old Moat Lane, Manchester, M20 3FL
Agent (if any):	Mrs Laleh Fadaipour Silver Linden Apartment 135, 94 The Quays, Manchester, M50 3TW
Case officer:	Linda Marciniak Tel: 0161 234 4636 Email: linda.marciniak@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 July 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 28 June 2021

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 8 June 2021 Expired: 29 June 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

The application site is an early C20 mid-terrace, red brick dwelling situated on the north side of Old Moat Lane in the Old Moat ward.

The property has small front and rear gardens and a lean-to outrigger at the rear.
The rear of the property opens out onto a gated alleyway.

Listed building: Not applicable

Conservation area: --- Not applicable

Tree Preservation Order: --- Not applicable

Description of area

The site is in a suburban residential estate of early C20 housing that is west of Withington District Centre.

Description of development

Erection of a single storey rear extension to form additional living accommodation.

The extension provides an extended kitchen and re-configures a ground floor bathroom to provide a separate utility room.

Consultations & Notification Responses

Neighbour notifications – No comments received.

Policy

Policy

The following planning policy documents which make up the Development Plan for Manchester are material considerations in this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policy DC1 'Residential Extensions' is extant and therefore material to the assessment of the application.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. The following policies are relevant to this application:

o Policy DM1 - Development Management
o Policy SP1 - Spatial Principles
The National Planning Policy Framework (NPPF) (June 2019)

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Issues

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed.

Residential Amenity

The proposal is for a single storey rear extension which extends the footprint of the existing outrigger to span the width of the rear elevation.

The height (3.467 metres to apex / 2.198 to eaves), length (3.414 metres) and width (6.317 metres) are unlikely to impact significantly in residential amenity given that the original outrigger is of a similar scale and the applicant's fallback position is to erect a slightly shallower extension to both boundaries under Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015

The extension will form the new boundary with No.54 to the west. As all properties are north-west facing, there will be no new loss of light. There are no impacts on No.50 to the east which has the outrigger of the site on its boundary at present.

No windows are proposed on the side elevations, the only openings being a set of French doors and 3no. rooflights to the rear elevation. There are no concerns that these will give rise to any overlooking.

On the basis of the above, there are no concerns that the proposal will have any detrimental impacts on residential amenity as set out in saved UDP policy DC1.

Visual amenity

The extension is of a standard rectangular box design that makes the best use of the small rear garden area to provide an extended kitchen and separate utility room. It would occupy just under half of the rear curtilage.

It has no visibility in the public realm, the rear being viewed only from within the alleyway which is overlooked on the opposite side by the gable ends of houses on St. Brendan's Road North and St. Catherine's Road.

It is nonetheless acceptable in terms of the siting, scale, design and materials which are to match the existing as required by condition 3 at the end of this report.

On the basis of the above, there are no concerns that the proposal will have any detrimental impact on visual amenity in accordance with saved UDP policy DC1.

Parking / Bin storage
Parking and bin storage are unaffected by the proposal.

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 polices 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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received no objections on notification and has been approved with appropriate conditions as set out below, in the interests of residential and visual amenity.

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 received on the 27th of May 2021 or as stated:

Application form
Location Plan (Ref: 01 Rev L1)
Existing and Plans and Elevations (Ref: 02 Rev L1)
Proposed Plans and Elevations (Ref: 03 Rev L1)

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

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

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

1 St Brendan's Road North, Manchester, M20 3FE
54 Old Moat Lane, Manchester, M20 3FL
50 Old Moat Lane, Manchester, M20 3FL

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH