

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142547/JO/2025

Date registered valid: 18 April 2025

Proposal: Variation of conditions 2 (specified plans), 5 (landscaping) and 6 (boundary treatment) attached to planning permission ref: 136739/FO/2023 to enable amendments to rear gardens and associated fencing locations.

Address: 685 Moston Lane, Manchester, M40 5QD

Ward(s): Charlestown Ward

Applicant: Mrs Arica Helsby

Agent (if any): Mr Alun Jones, A.F Architectural Designs

Case officer: Steven McCoombe
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Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 June 2025

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 27 May 2025

Standard consultations:

Printed: 2 May 2025 Expired: 24 May 2025

Neighbour notifications

Printed: 2 May 2025 Expired: 24 May 2025

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 relates to a part single, part storey, building, formerly occupied as a care home, but now in use as 6 self-contained flats, following the granting of the host permission to which this variation application relates.

The building is situated at the corner of Moston Lane and Nunfield Close and is arranged in a 'T' shape comprising a number of different single storey and two storey building elements, including a conservatory.

To the front is a predominantly hard surfaced area used for car parking, with access off Nunfield Close. To the rear are private garden areas which back onto an area of hardstanding.



View of area of hard-standing subject to the application

To the side of the property, the site is enclosed by a low level, concrete post and timber panel fence. To the outer side of the fence line is a recessed area off Nunfield Close used for car parking.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is predominantly residential in character, largely containing a mixture of single and two storey dwellinghouses of various architectural styles. Immediately to the rear of the property is a small development of retirement bungalows, with access achieved off the narrow cul-de-sac of Nunfield Close.

Description of development

Variation of conditions 2 (specified plans) and 5 (landscaping) attached to planning permission referenced 136739/FO/2023 which allowed for the conversion of the building into 6 self-contained dwellinghouses (Class C3), comprising 5 x 2 bedroom and 1 x 3-bedroom properties.

The proposal involves the creation of a communal parking area to the front and for the existing parking recess off Nunfield Close to be brought within the curtilage of the proposed end property. A fence-line between the rear of the garden areas and neighbouring bungalow development acts as a service access for bins.

The proposed variation in this case involves alterations to the approved landscaping and boundary treatment to regularise unauthorised works that have been undertaken.

Due to the discovery of an underground electricity cable towards the rear of the proposed rear garden areas and the requirements of Electricity Northwest for an easement and for the area above not permitted to be incorporated within private garden areas, the originally proposed garden areas have been shortened in length and a paved area created to meet Electricity Northwest's requirements.

In addition, the Council raised concerns about the rear garden fences not adhering to the approved boundary treatment and that the paved area could be used for ad hoc car parking. As such, alterations have been made to the boundary fences, and a new fence and single leaf gate is proposed to across the boundary with the area of hardstanding and Nunfield Close to prevent parking, due to the concerns surrounding the impact to neighbouring living conditions from vehicular activity. The application follows investigations by the Planning Compliance team.

Consultations & Notification Responses

Local Residents/Occupiers – 1 neutral representation has been received from a neighbouring occupier in which questions are raised.

Relevant Planning History

136739/FO/2023

Change of use of vacant care home (Class C2) to 6 dwellinghouses (Class C3) with associated elevational alterations. *Approved 1 June 2023.*

Policy

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

- Policies DM1, SP1, H1, H2, H3, T2, EN16, EN19 of the Core Strategy;
- Places for Everyone Joint Development Plan – policies JP-S1 and JP-P1;
- Manchester Residential Quality guidance;
- National Planning Policy Framework (NPPF).

Issues

Principle

The principle of the residential conversion has already been established by the host planning permission. The only issues for consideration as part of the current application relate solely to the variation to the landscaping and boundary treatment.

In this case, it is considered that the proposed changes would result in an acceptable balance of amenity space, whilst protecting the interests of Electricity Northwest. It is further considered that the changes would safeguard residential amenity and would be of an acceptable standard so not to undermine visual amenity. On this basis, the proposal is considered to accord with the aforementioned policy and guidance. Specific issues are outlined further below.

Landscaping

Whilst the reduction in the length of the rear garden areas is regrettable, the easement required by Electricity Northwest because an underground electricity cable prevents the area above from being included within private garden area for maintenance and health and safety reasons. However, despite this, it is considered that decent sized garden areas would remain and with the addition of tree planting to the sectioned off area of hardstanding, the amended landscaping scheme would achieve an acceptable balance.

Visual Amenity

The boundary fences to the rear garden areas had not been erected in accordance with the originally approved drawings, with unpainted/treated panels and non-uniform heights. This presented a scruffy appearance.

As indicated the submitted drawings, during the course of the application, the fences have now been painted the same colour and the fence heights aligned, resulting in an acceptable impact to visual amenity.

Further, trees are proposed along the centre of the newly created area of hard standing to break-up the amount of hard surface and to add some visual interest to the benefit of visual amenity.

Residential Amenity

The fencing-off of the area of hardstanding from Nunfield Close would prevent car parking and associated vehicular activity next to the adjoining bungalows. The proposed boundary treatment would therefore maintain existing levels of residential amenity to an acceptable degree.

Waste Management

Gated access onto the paved area at the rear from each of the rear gardens and then through the proposed access gate from the area of hard standing onto Nunfield Close would maintain waste management collection arrangements. On this basis, the waste management arrangements are considered satisfactory.

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 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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The development must be begun not later than 1 June 2026.

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:

Drawings referenced TP2.1, TP2.3, TP2.2, TP3.3, TP3.4, TP5.3 and TP5.4, received by the City Council as Local Planning Authority on 13 April 2023 and notwithstanding details show on these drawings, with respect to the site layout and landscaping, drawing referenced 05 (site layout), received by the City Council as Local Planning Authority on 20 June 2025, supplemented by an e-mail from A.F Architectural Designs, dated 23 June 2025, which provides confirmation of the boundary fencing height.

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

3) The development hereby approved shall only be implemented in accordance with the Construction Management Plan, received by the City Council as Local Planning Authority on 29 November 2023, as agreed as part of discharge of condition application referenced CDN/23/0752.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

4) The car parking areas indicated on drawing referenced T3P.3 received by the City Council as Local Planning Authority on 13 April 2023 shall be surfaced, demarcated and made available for use prior to any of the residential units hereby approved being occupied. The parking areas shall be for the sole use of residential occupants of the development and shall be available for use at all times whilst the dwellinghouse are occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy.

5) The landscaping scheme, including the fencing and tree planting shown on drawing referenced 05 (site plan), received by the City Council as Local Planning Authority on 20 June 2025 shall be implemented not later than 3 months from the date this decision. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

6) The development hereby approved shall only be implemented in accordance with boundary treatment shown on drawing referenced 05 (site plan), received by the City Council as Local Planning Authority on 20 June 2025, which shall be implemented in full, not later than 3 months from the date this decision and shall thereafter be retained.

Reason - In the interests of residential amenity and to ensure that the appearance of the development is acceptable to the City Council as Local Planning authority, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

7) The development hereby approved shall be implemented in accordance with the waste management details indicated on drawing referenced TP3.3 and the accompanying waste management pro forma, received by the City Council, as Local Planning Authority on 13 April 2023. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. No bins shall be stored

outside the curtilage of each property, other than on the day of collection. On collection day, no bins shall be stored which restrict vehicular access along Nunfield Close.

Reason - In the interests of amenity and public health, pursuant to policies EN19, DM1 and SP1 of the Manchester Core Strategy.

8) Notwithstanding the bicycle storage areas indicated on drawing referenced TP3.3 received by the City Council as Local Planning Authority on 13 April 2023, full details of the cycle parking provision/stores shall be submitted to and agreed in writing by the City Council as Local Planning Authority prior to first occupation of any of the residential units hereby approved. The approved scheme shall remain available for use whilst the units are occupied and retained thereafter.

Reason - To ensure there is adequate bicycle parking provision, pursuant to policies DM1, T1 and SP1 of the Manchester Core Strategy.

9) Notwithstanding details submitted, prior to first occupation of the residential development hereby approved, full details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development and be in place prior to the first occupation of the apartments.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

10) (a) A scheme for acoustically insulating proposed residential accommodation against noise from the local traffic network and noise transfer between units shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved noise insulation scheme shall be completed before the first occupation of the development.

(b) Within 1 month of first occupation of the development, a verification report will be required to validate that the work undertaken conforms to the recommendations and requirements approved as part of part (a) of this planning condition. The verification report shall include post completion testing to confirm the noise criteria has been met. In instances of non-conformity, these shall be detailed along with mitigation measures required to ensure compliance with the noise criteria.

11) The dwellinghouses hereby approved shall not be occupied until details of the security measures to be incorporated into the development, which shall be to 'secured by design' specification, have been submitted to and approved in writing by the City Council as Local Planning Authority. This shall include details of external fittings, boundary treatment and dusk till dawn lighting. The development shall only be carried out in accordance with these approved details which shall be retained thereafter.

Reason - To reduce the risk of crime pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

12) The materials to be used on the external surfaces of the building, as a result of the agreed elevational alterations, shall match those of the existing building 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 policy DM1 of the Manchester Core Strategy.

13) 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) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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 Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

14) The development hereby approved shall be used as a private dwellinghouses only. This shall not include a serviced property, short term let or similar use, where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity such as short term lets do not commence without prior approval; 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 Manchester Core Strategy.

15) 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 garages, extensions, porches, roof alterations, new window/door insertion or upwards extensions shall be erected other than those expressly authorised by this permission.

Reason - In the interests of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

7A Nunfield Close, Manchester, M40 5QB
7 Nunfield Close, Manchester, M40 5QB
5A Nunfield Close, Manchester, M40 5QB
5 Nunfield Close, Manchester, M40 5QB
3 Nunfield Close, Manchester, M40 5QB
1 Nunfield Close, Manchester, M40 5QB
9 Claife Avenue, Manchester, M40 5QJ
7 Shackliffe Road, Manchester, M40 5GQ
10 Claife Avenue, Manchester, M40 5QJ
6 Claife Avenue, Manchester, M40 5QJ
633 Moston Lane, Manchester, M40 5QD
631 Moston Lane, Manchester, M40 5QD
629 Moston Lane, Manchester, M40 5QD
689 Moston Lane, Manchester, M40 5QD
8 Bourne Drive, Manchester, M40 5GA
8 Claife Avenue, Manchester, M40 5QJ
19 Nunfield Close, Manchester, M40 5QB
13 Nunfield Close, Manchester, M40 5QB
9 Nunfield Close, Manchester, M40 5QB
11 Shackliffe Road, Manchester, M40 5GQ
9 Shackliffe Road, Manchester, M40 5GQ
5 Shackliffe Road, Manchester, M40 5GQ
3 Shackliffe Road, Manchester, M40 5GQ
1 Wortley Grove, Manchester, M40 5GS
17 Nunfield Close, Manchester, M40 5QB
15 Nunfield Close, Manchester, M40 5QB
11 Nunfield Close, Manchester, M40 5QB
14 Bourne Drive, Manchester, M40 5GA
12 Bourne Drive, Manchester, M40 5GA
10 Bourne Drive, Manchester, M40 5GA
13 Bourne Drive, Manchester, M40 5GA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 50m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA