

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140971/FH/2024
Date registered valid: 26 September 2024
Proposal: Erection of a single storey rear extension
Address: 25 Minster Road, Manchester, M9 4QE
Ward(s): Moston Ward

Applicant: Mr Yuen Leung Chu
Agent (if any): Mr Sabin Zannou, LDM Group
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 20 November 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 October 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 27 September 2024

Expired: 18 October 2024

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: No

Tree Preservation Order: No

Description of site / building / area

The application relates to a two-storey, semi-detached dwellinghouse of red brick construction with tile pitch roof within the Moston ward of north Manchester. There is an existing single storey lean-to side extension in-part along the gable elevation, together with boundary treatment. The rear garden is relatively deep, measuring approximately 12.6 metres.



(Officer's site visit 09.10.2024)

Planning History

- 049890/FO/NORTH2/96 - Erection of 222no.dwellings with associated parking and landscaping, APPROVED 09/1996.
- 062440/FO/NORTH1/01 - Substitution of house types at plots 111/122 with the loss of 2no. plots, APPROVED 08/2001.
- 058568/FO/NORTH1/00 - Substitution of house types on Plots 66-98, 107-108, 138-141 inc. and addition of Plots 97A and 98A, APPROVED 10/2000.
- 066464/VO/NORTH1/02 - CITY COUNCIL DEVELOPMENT Increase height of existing boundary walls and fencing from 1.2m - 1.8m height to 2.0 m - 3.05m height, APPROVED 01/2003.

Description of development

The submitted plan proposes a single storey rear extension which would serve as kitchen extension.

Following negotiations the initially submitted plan has been slightly revised in the interest of privacy and revised plans subsequently, (dated, 20/11/24). The initially proposed side facing door has been removed and relocated along the rear elevation.

The revised proposal would be stepped away approximately 150mm from the common shared boundary with no. 27 Minster Road to leave a small gap from this boundary. It would also be set in from the gable elevation of the host dwelling approximately 165mm and would measure (approximately 4000mm deep x 4550mm wide x 3480mm maximum height). It would comprise of a lean-to pitched roof and would include 1no. window and dual opening doors along the rear elevation; together with 2no. windows along the roof elevation. It is intended to use matching materials.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health

Environmental health officers have advised a pre-commencement gas membrane condition is attached to any recommendation for planning approval as the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following policies are considered to be relevant:

- JP-S1 - Sustainable development

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

ISSUES

In this instance, following negotiations, the initially submitted plan has been slightly revised in the interest of privacy and revised plans subsequently, (dated, 20/11/24). The initially proposed side facing door has been removed and relocated along the rear elevation.

Principle

The principle of extending one's home is acceptable, and the planning system accommodates this 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. The key issues for this application are therefore the impacts on residential and visual amenity.

Residential and visual amenity

Impact of works (single story rear extensions) - In the case of this application, the initially submitted plan has been slightly revised in the interest of privacy and revised plans subsequently, (dated, 20/11/24) and therefore, the undue adverse impact to privacy has been sufficiently mitigated. In addition, the resultant contextual relationship of the proposal being stepped away from the common shared boundaries with nos. 23 and 27 Minster Road is considered acceptable as the extension would be contained within the curtilage of the application site; coupled with that fact that the proposed it would in-part be screened by the existing boundary treatment, and would not be highly visible along the immediate highway, and therefore, it is considered that the revised proposed development would not present a significant adverse impact to residential amenity, nor is it considered that the proposed scale would be unduly overbearing, overshadowing or present any loss of privacy impacts. Moreover, although the proposed rearward projection at approximately 4000 is (350mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it is within the limitations for a larger homes extension application, and therefore, in light of the depth of garden that would still be retained, together with the separation distance from the rear boundary, it is considered that the proposed rearward projection could be accommodated in this location in this instance; pursuant with The Manchester Core Strategy Development Plan Document Policies EN1, SP1 and DM1 and saved Policy DC1 of the Unitary Development Plan.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms and it is also intended to match materials with those of the existing building. However, a materials condition has been attached to ensure that materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policy DC1 of the Unitary Development Plan.

Impact of works (Car parking) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Impact of works (Waste management) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning

Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007); policy JP-S1 - Sustainable development of Places for Everyone (2022 - 2039), and no comments or objections have been received in response to this application from local residents.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been slightly revised in

the interest of privacy and revised plans subsequently, (dated, 20/11/24). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 04 September 2024.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 04 September 2024.
- Existing Plans and Elevations, DRAWING NUMBER: A1-002a, REV: A, received by the City Council as the Local Planning Authority on 04 September 2024.
- Proposed Plans and Elevations, DRAWING NUMBER: A1-002b, REV: B, received by the City Council as the Local Planning Authority on 20 November 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (2012).

3) 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).

Materials

4) The external facing materials to be used on the development hereby approved shall match those of the existing dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information.

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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).
Materials

5) 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 development hereby approved other than those shown on: Proposed Plans and Elevations, DRAWING NUMBER: A1-002b, REV: B, received by the City Council as the Local Planning Authority on 20

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

6) 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 exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and 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 policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

18 Minster Road, Manchester, M9 4QH
47 Lizmar Terrace, Manchester, M9 4WG
41 Lizmar Terrace, Manchester, M9 4WG
35 Lizmar Terrace, Manchester, M9 4WG
1 Cloister Street, Manchester, M9 4QB
23 Minster Road, Manchester, M9 4QE
49 Lizmar Terrace, Manchester, M9 4WG
45 Lizmar Terrace, Manchester, M9 4WG
43 Lizmar Terrace, Manchester, M9 4WG
39 Lizmar Terrace, Manchester, M9 4WG
37 Lizmar Terrace, Manchester, M9 4WG
33 Lizmar Terrace, Manchester, M9 4WG
31 Lizmar Terrace, Manchester, M9 4WG
29 Lizmar Terrace, Manchester, M9 4WG
27 Lizmar Terrace, Manchester, M9 4WG
27 Minster Road, Manchester, M9 4QE
2 Cloister Street, Manchester, M9 4QB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA