

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140823/FH/2024
Date registered valid: 20 August 2024
Proposal: Erection of single storey front extension.
Address: 2 Duxford Walk, Manchester, M40 5JN
Ward(s): Charlestown Ward

Applicant: Mrs A Siddiq
Agent (if any): Mr R Anwar, RA Design & Project Management Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 14 October 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 September 2024

Standard consultations:

Printed: 2 September 2024

Expired: 23 September 2024

Neighbour notifications

Printed: 29 August 2024

Expired: 19 September 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

The application site relates to 2 Duxford Walk within the north Manchester ward of Charlestown. The application site relates to a an end-terraced, two storey, red brick dwellinghouse set within a Radburn style estate. As such, whilst being sited against Moston Lane, the property faces in the direction of the communal footpath to the west. Amenity space for the property consists of an open grassed area to the front, side and rear. Amenity space to the rear is enclosed and consists of hard landscaping and an outbuilding. Public amenity space has been taken into the owner's curtilage and has involved the installation of high timber boundary treatment along Moston Lane. At the time of the site visit, the property benefitted from a timber canopy and green shed, plus a gazebo to the side of the property- none of which benefitted from planning consent.

Description of area

The surrounding area is residential in nature and includes an industrial use to the east of the applicant site.

Description of development

The submitted application seeks planning permission for the erection of single storey front extension.

The proposal would create a new entrance porch for the property and would have approximate dimensions of Height: 2.5 x Length: 1.6 x Width: 4 metres. The proposal involves the insertion of a window and a door in the front elevation and would have a flat roof. As a result of the proposal, the existing front porch, canopy, shed and gazebo would be removed.

Materials to be used for the proposal would include:

- grey flat roof,
- red brick wall to match existing,
- white uPVC doors and windows.

Negotiations during the Course of the Application

During the course of the application, the following information was requested from the agent:

- Plans which are accurately to scale
- Several structures were noted on site which did not benefit from planning permission (a timber canopy and green shed, plus a gazebo to the side of the property). The agent updated the plans to show all unauthorised structures would be removed as a result of the proposal.
- A conversation took place regarding the public space which has been taken into the curtilage of the dwellinghouse. The applicant supplied information to evidence confirmation for such arrangement had been granted by Northwards Housing. However, it was noted the boundary treatment erected against the highway of Moston Lane exceeded one metre in height and had been installed within the last 4 years.
- Further information on materials were supplied for consideration.

Planning History

F01159/LA- Moston Lane/Thatch Street- Housing development comprising 16 one-bedroom 2 person flats, 14 two-bedroom 4 person houses, 13 three-bedroom 5 person houses and 3 four-bedroom 7 person houses, and 48 parking spaces.

Approved 2 October 1974.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and confirmed they had no comments to make on the application.

Coal Authority

The Coal Authority were consulted on the application. Whilst an acknowledgement letter was received, no further comments were received.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities.
- ii. Chapter 12. Achieving well-designed and beautiful places.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;

- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of single storey front extension. The scheme is considered acceptable as many people prefer to alter or extend homes, rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. The unauthorised structures to the front of the property in the form of the timber canopy and green shed, plus a gazebo to the side of the

property would be removed as a result of the proposal. The agent updated the plans to show all unauthorised structures would be removed as a result of the proposal. As the property is to remain a single family dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The existing front porch would be removed as a result of the proposal and a larger front porch erected which would extend up to the side elevation of the host property. The structure would extend beyond the primary elevation of the property by 1.6 metres. Due to the Radburn style layout of the applicant and neighbouring properties, the adjoining property no.4 Duxford Walk would not be impacted by the proposal given the applicant's primary building line is set back significantly from the neighbours. This means the structure would not be easily visible from the neighbour's constrained front amenity space of the entrance.

An alleyway separates the applicant site with the neighbour to the west, no.1 Southmere Close. However given the neighbour's dense hedge, the neighbour would be unlikely to feel the structure.

The front porch would be most prominent from residents utilising the walkway offering pedestrian access from Moston Lane into the estate. Given the extension would only extend 1.6 metres and would not extend beyond the applicant's side elevation, the proposal is not considered to create an overbearing structure, nor give rise to any light or privacy implications, to the detriment of visual/ residential amenity.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, as such the proposal is considered compliant to policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

The front porch would create a new entrance way to the property and extend upon the footprint of the existing front porch at the site. The proposal would only extend 1.6 metres and would not extend beyond the applicant's side elevation, and so is not considered excessively large or bulky, pursuant to Policy DC1.2 of the UDP.

Although permitted development rights exist for the erection of front porches, the proposal would have an area of 6.4 square metres and so be over double the maximum prescribed through permitted development. However, given the spacious nature of the front amenity space, there is considered adequate space to accommodate the structure.

As existing, there are several unauthorised structures to the front and side of the property. These would be removed as a result of the proposal and as such, the property would result in a loss of the current architectural clutter. This would be beneficial to the site and welcomed.

Materials to be used have been listed within the report previously and would have a similar appearance to the existing property. This is welcomed to ensure a sympathetic addition to the property and a materials condition to this effect would be attached to any approval granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

No change to car parking would occur as a result of the proposal.

Bin Storage

No change to bin store arrangements would occur as a result of the proposal.

Fencing adjacent to Moston Lane

A conversation took place regarding the public space which has been taken into the curtilage of the dwellinghouse. The applicant supplied information to evidence confirmation that such arrangement had been granted by Northwards Housing. However, it was noted the boundary treatment erected against the highway of Moston Lane exceeded one metre in height and had been installed within the last 4 years. The agent was advised that this element appears to exceed Permitted Development stipulations and is open to enforcement action. An informative advising the applicant of the need to seek consent for the unauthorised works would be attached to any approval granted.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The proposal would result in the removal of the architectural clutter on the site and would visually improve the aesthetics of the property.

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

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, information has been received which is considered to satisfy requested information and appropriate conditions have been attached to any approval granted.

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 20 August 2024.

-Drawing- Existing & Proposed- Plans and Elevations Inc. Location Plan, numbered 1 REV C, stamped as received by the City Council as Local Planning Authority on 11 October 2024.

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) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the 'Drawing- Existing & Proposed- Plans and Elevations Inc. Location Plan, numbered 1 REV C' specified in Condition 2 of this approval.

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.

Informatives

- 1) This decision notice does not confer planning consent to the boundary treatment at the site adjacent to Moston Lane.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
The Coal Authority

6 Duxford Walk, Manchester, M40 5JN
550 Moston Lane, Manchester, M40 5RS
Hesketh Bank, 558 Moston Lane, Manchester, M40 5RS
560 Moston Lane, Manchester, M40 5RS
554 Moston Lane, Manchester, M40 5RS
552 Moston Lane, Manchester, M40 5RS
1 Durrington Walk, Manchester, M40 5JY
1 Southmere Close, Manchester, M40 5JJ
4 Duxford Walk, Manchester, M40 5JN
556 Moston Lane, Manchester, M40 5RS

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 - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA