

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141296/FH/2024
Date registered valid: 18 October 2024
Proposal: Erection of single storey rear extension to form additional living accommodation
Address: 259 Moseley Road, Manchester, M19 2LJ
Ward(s): Levenshulme Ward

Applicant: Mrs Gerry Howley
Agent (if any): Mr Ian Burnett, Form. Architecture + Design
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 11 December 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 04 November 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 October 2024 Expired: 19 November 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 brown/red brick construction with tile pitch roof within the Levenshulme ward of Manchester. There is an existing amenity along the front, side and rear elevations, boundary treatment along the perimeter, together with outbuildings along the rear garden.



(Officer's site visit 04.11.2024)



The rear garden is relatively deep and is in-part semi-triangular in shape, and measures approximately 17.2 metres deep (minimum). There is vehicular access from Green Drive along the rear elevation.

Site History

- 140583/LP/2024 - Erection of a single storey rear extension including 1no. roof light to extensions roof, REFUSED 16.09.2024

Description of development

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

The proposal would also include a minor elevational alteration involving removal of the existing door along the rear elevation of the original house with replacement window in grey frames.

The proposed extension would be sited along the common shared boundary with no. 261 Moseley Road, whilst being stepped away approximately 115mm from this boundary to leave a small gap, and would measure approximately 3012mm deep (3734mm deep with bi-fold doors open) x 3512mm wide x 3063mm maximum height). It would comprise of a flat roof and would include 1no. window along the roof elevation; together with bi-fold doors along the rear elevation. It is intended to use matching materials, together with aluminium and UPVC fenestration in grey colouration.

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.

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

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 extension) - As previously mentioned, in the case of this application, the rear garden is relatively deep, measuring approximately 17.2 metres deep (minimum). The Green Drive highway also runs along the rear boundary of the application site, and therefore, there is a sense of separation from the neighbouring properties along this elevation. In addition, the resultant contextual relationship of the proposal being stepped away from the common shared boundaries, together with the fact that the extension would be contained within the curtilage of the application site; coupled with the proposed flat roof design, and that fact that the proposed development would be significantly screened by the existing boundary treatment, and would not be highly visible from the immediate highway, it is considered that the proposed development would not present any 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; 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 as the roof design would mirror the existing outbuilding. 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 local planning authority had no 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 18 October 2024.
- Location Plan with application site edged in red, Drawing No: 037_B1_00_2000 , received by the City Council as the Local Planning Authority on 18 October 2024.
- Existing Site Plan with application site edged in red, Drawing No: 037_B1_01_1200, received by the City Council as the Local Planning Authority on 18 October 2024.
- Supporting Information, received by the City Council as the Local Planning Authority on 18 October 2024.
- Visuals, received by the City Council as the Local Planning Authority on 18 October 2024.
- Existing Elevations, Drawing No: 037_B1_04_2000, received by the City Council as the Local Planning Authority on 18 October 2024.
- Existing Floor Plan, Drawing No: 037_B1_02_2100, received by the City Council as the Local Planning Authority on 18 October 2024.
- Existing Floor Plan, Drawing No: 037_B1_02_2000, received by the City Council as the Local Planning Authority on 18 October 2024.
- Existing Site Plan and Floor Plans, Drawing No: 037_B1_01_2000, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Elevations, Drawing No: 037_B1_04_2200, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Roof Plan, Drawing No: 037_B1_02_2201, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Floor Plan, Drawing No: 037_B1_02_2200, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Site Plan/Floor Plan, Drawing No: 037_B1_01_2200, received by the City Council as the Local Planning Authority on 18 October 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) 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

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 development hereby approved other than those shown on:

- Proposed Elevations, Drawing No: 037_B1_04_2200, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Roof Plan, Drawing No: 037_B1_02_2201, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Floor Plan, Drawing No: 037_B1_02_2200, received by the City Council as the Local Planning Authority on 18 October 2024.
- Proposed Site Plan/Floor Plan, Drawing No: 037_B1_01_2200, received by the City Council as the Local Planning Authority on 18 October 2024.

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).

5) 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

261 Moseley Road, Manchester, M19 2LJ

257 Moseley Road, Manchester, M19 2LJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: NORTH AREA