Planning

Growth & Development

Delegated officer report for planning application

Application no.	140860/FH/2024
Date registered valid:	27 August 2024
Proposal:	Erection of a single storey side and rear extension.
Address:	206 Nuthurst Road, Manchester, M40 3PP
Ward(s):	Moston Ward
Applicant:	Mr Simon Aspinall
Agent (if any):	Mr Stuart Broadhurst, Purple Plans Ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 October 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 September 2024

Standard consultations:
Printed: 16 September 2024 Expired: 7 October 2024

Neighbour notifications
Printed: 16 September 2024 Expired: 7 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 substantially large, hip roof, 2 storey, bay front and rear, detached dwellinghouse within a predominantly residential area of Moston ward in north Manchester.

The site is bounded by predominantly residential to the south, east and west boundaries, recreation ground directly opposite which is north of the site and Park View Day Nursey (a pre-school) immediately along the western boundary.

The property benefits from a relatively large plot with detached outbuildings along the rear garden, off-street parking along the front and side, together with boundary treatment.

There is an existing small, single storey side extension which is flush with the rear building line of the main house, whilst being set-back from the front building line approximately 6.9 metres and retaining a distance of approximately 1.4 metres from the common shared boundary with Park View Day Nursey.

The existing rear garden is broadly south facing and relatively sizable, measuring approximately 46.2 metres deep x 17.9 metres wide.



(Officer's site visit, 18.09.2024)

Site Planning History

o No record.

Description of development

The submitted application relates to a proposed single storey side and rear extension.

Clarification was sought for the planning agent in relation to the annotation on the initially submitted location plan. Revised plans were subsequently submitted, (dated, 16/10/2024) showing the annotation removed.

The proposed extension would be sited along the along the common shared boundary with Park View Day Nursey along the western boundary, whilst being stepped away approximately 1700mm (minimum) from this boundary. It would be set-back from the front building line of the host dwellinghouse approximately 2347mm, whilst maintaining a proposed width of approximately 3708mm. It would then project approximately 10921mm along this boundary, then comes forward of the common shared boundary with no. 208 Nuthurst Road approximately 12553mm wide, then returns forward of the rear building line of the host dwelling approximately 3987mm deep. The existing side access along the common shared boundary with no. 208 Nuthurst Road would be unaffected. The extension would incorporate a combined hip to pitch roof design with a maximum proposed roof height at approximately 4254mm. In terms of fenestration, it would include windows along the front elevation, 1no. door and 1no. window along the side elevation, 3no. windows along the rear roof elevation; together with double opening doors and sliding doors along the rear 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 comments, objections or representations were received.

2. Environmental Health

No comments to make on the application on this occasion.

POLICY

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

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system `only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through `which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- 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 polices 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:

o Chapter 2: Design

ISSUES

In this instance, further clarification was sought from the planning agent in relation to the annotation on the initially submitted location plan. Revised plans were subsequently submitted, (dated, 16/10/2024) showing the annotation removed.

Principle

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey side and rear extension) - In light of the revised plan (dated, 16/10/24) and given the existing contextual relationship along rear elevation and side boundaries, and due to the fact that the proposal would be stepped away from the common boundaries, coupled with the sizable plot that would still be retained, together with the separation from the common shared boundaries, it is considered that the proposed extension would be acceptable in this location in this instance. Moreover, although the proposed rearward projection at approximately 3945mm deep would be approximately (295mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it is considered that given the sizable plot of the land, this variance would not present any significant adverse impact to residential amenity. Therefore, for these reasons and on balance, and subject to planning conditions, the revised submitted plan is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or loss of privacy impacts. It is recommended that an additional condition is attached requiring the proposed ensuite bathroom window along the side elevation to be obscurely glazed.

Impact of works (design and appearance) - The proposed development is considered to be acceptable in design terms, and it is also intended to broadly match materials with those of the existing building, whilst introducing elements of aluminium colouration along the rear elevation fenestration. 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 Policies 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.

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.

Conclusion - 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); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no neighbour comments or objections have been received in response to this application.

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 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

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, further clarification was sought from the planning agent in relation to the annotation on the initially submitted location plan. Revised plans were subsequently submitted, (dated, 16/10/2024) showing the annotation removed. The local planning authority had no other issues to raise with the agent but has 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:

o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 27 August 2024.

o Existing Plans and Elevations, Drawing Number 976-24-01 Revision B, received by the City Council as the Local Planning Authority on 16 October 2024.

o Proposed Plans and Elevations, Drawing Number 976-24-02 Revision B, received by the City Council as the Local Planning Authority on 16 October 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans and submitted information; 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 extension hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy (July 2012).

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 stated on: Proposed Plans and Elevations, Drawing Number 976-24-02 Revision B, received by the City Council as the Local Planning Authority on 16 October 2024.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Manchester Core Strategy (2012).

5) Before first occupation of the development thereby approved, the proposed window along the side elevation to serve the annotated "EN SUITE" and as shown on: Proposed Plans and Elevations, Drawing Number 976-24-02 Revision B, received by the City Council as the Local Planning Authority on 16 October 2024; shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - In the interest of privacy and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012), and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

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

Environmental Health

Park View Day Nursery, 204 Nuthurst Road, Manchester, M40 3PP
208 Nuthurst Road, Manchester, M40 3PP
16 Onslow Avenue, Manchester, M40 3PW
10 Onslow Avenue, Manchester, M40 3PW
14 Onslow Avenue, Manchester, M40 3PW
12 Onslow Avenue, Manchester, M40 3PW

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