

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 140547/FH/2024  
**Date registered valid:** 30 July 2024  
**Proposal:** Erection of two storey rear extension and front porch.  
**Address:** 28 Signal Drive, Manchester, M40 8NU  
**Ward(s):** Harpurhey Ward

**Applicant:** Mrs Oksana Panova  
**Agent (if any):** Mr Robert Opincans  
**Case officer:** Harriet Aidoo  
Tel: 0161 234 4532  
Email: harriet.aidoo@manchester.gov.uk

**Recommendation:** Approve  
**Date of recommendation:** 23 September 2024

## Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 21 August 2024

### Standard consultations:

No consultations have been printed and sent.

### Neighbour notifications

Printed: 9 August 2024      Expired: 31 August 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 site is a two storey, pitched roof, detached dwellinghouse situated within a predominantly residential area of the Harpurhey ward of north Manchester. The host building sits within its own substantial landscaped grounds; together with boundary treatment along the side and rear boundaries, whilst incorporating a timber frame double gated access along the common shared side boundary with no. 26 Signal Drive.



(Officer's site visit, 21.08.2024)

There are existing solar panels along the rear roof elevation, a canopy covering projecting along the ground floor side and rear building lines, including 2no. outbuildings along the side and rear garden.

Railway lines run along the rear boundary and there is significant separation distance from those properties on the opposite side of the railway line, specifically those along Carriage Drive. The separation distance along this elevation is approximately 39.6 metres (first floor window to window).

The application site is fully hard surfaced with drop kerb along the common shared side boundary with no. 26 Signal Drive; which serves as off-street car parking, and wheeled bins are stored within curtilage, screened behind boundary treatment.

The existing rear garden is approximately 13.7 metres deep (from the rear building line of the host dwelling). The gable elevation of host dwelling maintains an existing separation distance of approximately 5.9 metres from no. 26 Signal Drive, approximately 21.9 metres from no. 30 Signal Drive.

Due to the pre-existing housing layout arrangement, the application dwellinghouse projects approximately 1.2 metres forward of the front building line of no. 26 Signal Drive.

## **Site History**

- Apart from the planning permissions which granted consent for the housing development on the site (ref. nos. 067587/FO/NORTH1/03, 048403/FO/NORTH2/95, and F07801/LA), there are no other records.

## **Description of development**

The submitted plan relates to a proposed two storey rear extension, together with a front porch.

Following negotiations, the initially submitted plan has been revised in interest of design and revised plans subsequently submitted, (dated, 12/09/24). The revised plan would comprise of:

- The initially proposed 2 storey flat roof has been omitted. The revised roof design would comprise of a pitched roof.
- Clarification has been provided in terms of the proposed front porch, and the anomaly between the initially submitted plans - (Dwg No. 24005-P02, Dwg No. 24005-P04). It has been confirmed that the front building line of the proposed porch would be set away from the back of pavement.
- The revised proposal would also include photovoltaic solar panels along the roof elevation of the new 2 storey rear extension.

In terms of the revised plans, (dated, 12/09/24), the proposed two storey rear extension element would be flush with the side building lines of the host dwellinghouse (both gable elevations) and would measure approximately 4073mm deep x 8141mm wide x 6558mm high and would comprise of a pitched roof design with the proposed pitch set below the ridge of the existing dwellinghouse. It would include windows and bi-fold doors along the ground floor rear

elevation; together with further windows along the first floor rear elevation. It is intended to use matching materials.

In terms of the proposed front porch extension, it would be placed in front of the existing front door, whilst being set away from the back of pavement approximately 82mm. It would maintain approximately 2759mm from the gable elevation of the host dwelling - (no. 30 Signal Drive elevation). It would also maintain approximately 2089mm from the gable elevation of the host dwelling on the opposite side - (no. 26 Signal Drive elevation) and would measure approximately 1955mm deep x 3155mm wide x 3017mm maximum height. It would incorporate a lean-to pitch roof design and would include 1no. window along the front elevation, together with 1no. door along the side elevation (facing the common shared boundary with no. 26 Signal Drive). It is intended to use matching materials.

## **Consultations & Notification Responses**

### **1. Local residents/public opinion**

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections 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) - 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 (2024) -**

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning

consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- 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) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 (Residential Extensions) is considered relevant.

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

- Chapter 2: Design

## **ISSUES**

In this instance, the initially submitted plan has been revised in interest of design and revised plans subsequently submitted. It has also been confirmed that the front building line of the proposed porch would be set away from the back of pavement, (revised plans and correspondence from agent dated, 12/09/24).

## **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 visual and residential amenity.

## **Residential and visual amenity**

**Impact of works (two storey rear extension and front porch)** - In light of the revised plan, (dated, 12/09/24), it is considered that the revised roof configuration has been appropriately related to the host building in design terms and is more sympathetic to the neighbouring houses and wider street scene, and thereby, accords with the saved UDP policy DC1.3 b), chapter 12 of the NPPF, policies SP1, DM1, EN1, of The Manchester Core Strategy, and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. Moreover, although the two storey rear extension would project approximately 4073mm deep and the proposed depth would exceed the guidance set out saved policy DC1.3 (a) of the UDP regarding rearward extensions by approximately (423mm), given the host building is detached, and sits within its own substantial grounds, coupled with the contextual relationship along the boundaries, the significant separation distance that would still be maintained from the side and rear boundaries; together with the pre-existing housing layout arrangement, with the application dwellinghouse projecting approximately 1.2 metres forward of the front building line of no. 26 Signal Drive, it is considered that on balance, and subject to planning conditions, the proposed development could be accommodated in this location in this instance as there are no overbearing, overshadowing, or loss of privacy impacts. With regards to the front porch, in light of the fact that Householder General Permitted Development Rights allows for front porch extensions to dwellinghouses without the submission of a formal planning application, provided that certain requirements and limitations are met. In this instance, the proposed porch would measure approximately (1955mm deep x 3155mm wide x 3017mm maximum height), whilst the proposed depth at approximately 1955mm would be in line with permitted development, the proposed width and height would exceed the limitations by approximately 155mm and 17mm respectively. Therefore, it is this variance which planning permission is sought. With this in mind, it is considered that the resultant contextual relationship of this variance along the common shared boundaries with nos. 26 and 30 Signal Drive could be accommodated in this location in this instance without any significant adverse impacts to residential amenity, nor is it considered that the proposed scale would be unduly overbearing, nor would it be unduly visually intrusive along the Signal Drive highway, and for these reasons, it is considered that this element of the submitted plan could be accommodated in this location in this instance as there are no undue overbearing, overshadowing or loss of privacy impacts, subject to conditions.

**Impact of works (photovoltaic solar panels along the roof elevation of proposed 2 storey rear extension)** - In terms of the proposed solar panels, for the nature of the property as a dwellinghouse, and due to the fact that the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset, it is considered that the nature of the proposed works would generally fall within householder general permitted development and an application for planning permission would not be usually required. Therefore, given this fall back position, it is considered that this element of the submitted plan would be acceptable as it is unlikely to present any significant adverse impacts to residential or visual amenity.

**Impact of works (Design and appearance)** - The proposed solar panels would reflect the characteristics of development within the wider neighbourhood. In terms of proposed two storey rear extension and front porch, it is intended to use external facing materials in keeping with the existing house. Therefore, for the reasons stated above, on the basis of the revised plans (dated 12/09/24) and given the resultant contextual relationship with the immediate neighbouring houses and the wider neighbourhood, it is considered that the proposed

development would be acceptable in design terms. However, a condition has been attached to ensure that materials are adhered to.

**Impact of works - (Car Parking)** - The existing arrangement would be unaffected.

**Impact of works (Waste Management)** - The existing arrangement would be unaffected, wheeled bins can still be stored within curtilage, screened behind boundary treatment.

**Conclusion** - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development (dated 12/09/24) responds positively to The National Planning Policy Framework (2021) chapter 12; policies 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 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 this instance, following negotiations, the initially submitted plan has been revised in interest of design and revised plans subsequently submitted. It has also been confirmed that the front building line of the proposed porch would be set away from the back of pavement, (revised plans and correspondence from agent dated, 12/09/24). The local Planning Authority in its decision has had due regard to the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. 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 Local Planning Authority on 17 July 2024.
- Location Plan with application site edged in red, Dwg No. 24005-P01, received by the City Council as the Local Planning Authority on 17 July 2024.
- Existing Plans and Elevations, Dwg No. 24005-P03, received by the City Council as the Local Planning Authority on 17 July 2024.
- Proposed Plans and Elevations, Dwg No. 24005 P04, received by the City Council as the Local Planning Authority on 12 September 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 policy SP1, DM1 of The Manchester Core Strategy Development Plan Document (2012).

3) The materials used to construct the external elevations of the development hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the submitted information 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 Manchester Core Strategy Development Plan Document (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 front porch and two storey rear extension hereby approved other than those stated on: Proposed Plans and Elevations, Dwg No. 24005 P04, received by the City Council as the Local Planning Authority on 12 September 2024.

Reason - In the interests of residential amenity, pursuant to saved policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995), and policies SP1 and DM1 of The Manchester Core Strategy Development Plan Document (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**

1 Essington Drive, Manchester, M40 8BH  
51 Signal Drive, Manchester, M40 8NN  
55 Signal Drive, Manchester, M40 8NN  
30 Signal Drive, Manchester, M40 8NU  
53 Signal Drive, Manchester, M40 8NN  
26 Signal Drive, Manchester, M40 8NU

## **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  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: NORTH AREA