

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139402/FH/2024

Date registered valid: 28 March 2024

Proposal: Erection of single storey side extension to provide additional living accommodation and partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway

Address: 8 - 10 Melton Road, Manchester, M8 4HG

Ward(s): Crumpsall Ward

Applicant: Weisfish

Agent (if any): Sam Golding, Gold Sketch Studios Ltd

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 May 2024 Expired: 22 May 2024

Site notice

Posted: 10 April 2024 Expired: 1 May 2024

Press advert

Published: 9 April 2024 Expired: 23 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Crumpsall Lane Conservation Area 2004

Tree Preservation Order: No

Description of area

The application site relates to 8-10 Melton Road within the north Manchester ward of Crumpsall. The application site is one of three large properties sitting on the eastern side of Melton Road. The property once a pair of semi-detached three storey dwellinghouse used as flats was converted in 2013 (see planning history for further details) as a single family dwellinghouse. The property still retains the appearance of a pair of semi-detached properties with the two front entrance doors remaining the same. The property is characterised by large box bay windows , an elegant gabled Tudor revival frontage and simple but well-proportioned gable to sides. The property is three storey, clay tiled and brick built, c.1900. The property benefits from a two storey outrigger and two single storey rear extensions which appear to be modern additions.

Since the property was previously two properties, the amenity space connected with the property is expansive- benefitting from a grassed garden to the front and hardstanding which wraps to the sides and rear of the property.

The property sits at the junction of Melton Road and Moxley Road and current off street parking is available from the dropped kerb off Moxley Road.

The applicant site sits to the west of the Crumpsall Lane Conservation Area, with the surrounding context being mainly residential in nature.

Description of development

The application seeks planning permission for the erection of single storey side extension to provide additional living accommodation and partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway.

The side extension would sit to the north of the applicant site, would have a box bay window and front gable to match the architectural features within the host property and would key into the existing outrigger at the site. The extension at the largest point would have approximate dimensions of Height: 5.7 x Length: 10 x Width: 6 metres. The proposal would involve the insertion of two windows within the front elevation, a door and window within the side elevation and two windows within the rear elevation.

As a result of the proposal, the existing parking arrangements would be shifted to the rear boundary line of the site. The agent has confirmed through the course of the application that the creation of driveway and additional paving stones would not require consent. However, as part of the application, two 1.8 metre high timber panel fences would be removed to allow for the altered parking provision. As the applicant site and Moxley Road sit within the conservation area and the fence panels are above 1 metre and abut a highway, this element of works would require planning consent.

Materials to be used would match the existing property.

Elevational alterations including the loss and re-location of windows would occur within the host property as a result of the proposal. This would not require planning consent.

Negotiations through the course of the application

The original submission raised concerns. The form and appearance of the side extension has been amended during the course of the application given a flat roof extension was proposed which was considered to relate poorly to the host property and conservation area. Concern was raised that the side extension could be used as a separate dwelling. The description of development was also altered to include the alteration to the boundary treatment along Moxley Road. Clarification was also sought in relation to other parts of development on the site, to which the agent was able to confirm they did not require planning consent.

The description of development was amended accordingly and a short re-notification period conducted.

Planning History

101721/FO/2013/N1-Conversion of the existing pair of semi-detached properties currently used as flats/bedsits into a single detached dwelling including the demolition of single storey rear outrigger and associated elevational alterations and boundary treatments.
Approved 19 April 2013.

Further historic planning permission exists prior to the current plan period of 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses 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
- 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
- iii. Chapter 16. Conserving and enhancing the historic environment

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)
Policy EN1 (Design Principles and Strategic Character Areas)
Policy EN3 (Heritage)

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).

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

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.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 significant 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 side extension to provide additional living accommodation and partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway. This is considered acceptable in principle as many people prefer to alter and 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 Crumpsall Lane Conservation Area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Erection of single storey side extension:

Concern was raised during the course of the application that the side extension could operate as an independent dwellinghouse, given the side extension would have the amenities of a bedroom, shower room, kitchen and living room and own entrance door accessible from Moxley Road. The concern was raised to the agent during the course of the application to which the agent confirmed the space would be used for an elderly relative who would also be involved with the residents living at the host property, via email on 19 April 2024. A condition ensuring the side extension is only used for ancillary accommodation would be attached to any approval granted and the agent agreed to the condition via email on 3 May 2024. This is considered acceptable to overcome any potential issues in relation to the side extension being used as an independent dwelling- now or in the future.

A window would be inserted in the shower room window and would be conditioned to be obscure glazed and top opening only to protect the privacy of the applicant. A further condition would be placed on any approval restricting the insertion of further windows approved beyond this consent.

Given the property sits on the junction of Melton Road and Moxley Road, the immediate neighbour to the north would not be impacted by an overbearing feature or any loss of light

implications, given the separation from the road and the partial screening from the retained hedging along Moxley Road.

Two bedroom windows would look onto the proposed driveway in connection with the property. It is acknowledged that overlooking from the driveway and external amenity space may be possible from the applicant and overlooking possible from pedestrians along Moxley Road. However, given the windows would be top opening and it is the client's preference to have them in this location, plus any adverse implications would be minimised by the proposed driveway, on balance the insertion of the windows are considered acceptable.

Given the proposal is single storey and sited approximately 14 metres from the shared boundary with no.27 Moxley Road, the extension would not create an overbearing feature to the neighbour to the east.

Partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway: Two fence panels along Moxley Road would be removed to allow for the re-positioned driveway as a result of the proposed side extension. The reduction in the number of fence panels along this stretch of Moxley Road is welcomed as timber fence panels to such a height have not benefitted from consent when they should have done and are not a favourable feature within a Conservation Area- to the benefit of visual amenity.

Due to the reasons stated above, any impacts in terms of residential or visual amenity have been addressed via condition or the use of obscure glazing and/ or top opening windows. This is considered acceptable and pursuant with Policy SP1 and DM1 of the Core Strategy and policy DC1 of the UDP.

Design and Appearance

Erection of single storey side extension:

Concern was raised during the course of the application that the proposed flat roof side extension related poorly to the host property, especially given the property sits within a Conservation Area. The roof form of the proposal was subsequently altered to be pitched, with the incorporation of gable features to replicate the roof formation within the host property. As such, the proposal was considered to better relate in terms of form and appearance. The materials are listed to match the host property, however given the prominence of the development on a corner within the Conservation Area, a materials condition would be attached to any approval granted for specifications and samples to be assessed by the LPA. This is considered necessary given the property sits within a Conservation Area and using materials to match would ensure the proposal maintains the character of the area through the use of materials. A materials condition to this effect would be attached to any approval granted.

Since the property sits within the Conservation Area, the property does not benefit from the fallback position of Permitted Development rights for a single storey side extension. However, given, the proposal is only single storey and does not extend the entire length of the property (including the outrigger), the proposal is therefore considered subservient and as such, pursuant to Policy DC1 of the UDP.

Partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway: As a result of the proposal, the existing parking arrangements would be shifted closer to the rear boundary line of the site. Two 1.8 metre high timber panel fences would be removed to allow for the altered parking provision. As the applicant site and Moxley Road sit within the conservation area and the fence panels are above 1 metre and abut a highway, this element of works would require planning consent. The removal of the fence panels are considered

acceptable and would be an improvement on the existing circumstances as the use of fence panels relate poorly to the conservation area. This element of the proposal is therefore considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Crumpsall Lane Conservation Area

The application site sits within the Crumpsall Lane Conservation Area. The application site is one of three large properties sitting on the eastern side of Melton Road, which are unique in appearance and are characterised by strong gable and pitched front roofs.

The property is characterised by large box bay windows, an elegant gabled Tudor revival frontage and a simple but well-proportioned gable to side. The property is three storey, clay tiled and brick built, c.1900. The property benefits from a two storey outrigger and two single storey rear extensions which appear to be modern additions.

The property is sited against a western boundary of the conservation area and looks onto the Cricket grounds which sit outside of the designated area.

The Crumpsall Lane Conservation Area is broadly centred on the area around Crumpsall Lane and Bennet Road. The area was developed at the turn of the 19th century as a residential suburb for the middle and upper classes, dominated by spacious late Victorian and Edwardian brick villas and terraces set at three-storeys in a verdant setting. These are constructed in high-quality traditional materials, including brickwork, stone, timber, slates and clay tiles. The spaces between the buildings make an important contribution to the townscape, urban grain and distinctive character of the area. The historic brick and stone boundaries also make a positive contribution to the local character and streetscene. These are not only attractive features in themselves but they help to define public/private space, create a sense of enclosure and provide a pleasant setting for the buildings behind. The overall significance of the area derives from its buildings, use of materials, green infrastructure, and historic floorscapes, boundaries and the pattern of urban development.

Policy EN3 of Manchester's Core Strategy requires that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

Erection of single storey side extension:

The proposal seeks to mirror the architectural qualities within the Conservation Area as shown within the proposed roof form which is pitched, with the incorporation of gable features to replicate the roof formation and the timber patterned gable within the host property. Further the fenestration within the front elevation with the use of two top opening box bay windows would replicate those shown within the host property in style and size, as would be the case for the two windows to be inserted in the side elevation. The materials are listed to match the host property, however given the prominence of the development on a corner within the Conservation Area, a materials condition would be attached to any approval granted for specifications and samples to be assessed by the LPA. This is considered necessary given the property sits within a Conservation Area and using materials to match would ensure the proposal maintains the character of the area through the use of materials. A materials condition to this effect would be attached to any approval granted.

The side extension is not considered to adversely impact the existing neighbouring buildings as the proposal is considered subservient being single storey and does not extend the length of the applicant property. This is especially important given the extension sits on a prominent corner in

the conservation area. The retention of the dense hedging to the side boundary of the site against Moxley Road is necessary to not only retain soft landscaping but also acts as a buffer between the conservation area and the development to mitigate visual harm to the conservation area.

Partial removal of boundary treatment along Moxley Road to allow for enlargement of driveway: Due to the height of the fences along Moxley Road, it is acknowledged that planning permission should have been sought and through time the development is now lawful. Timber fences at such a height against the highway are not commonly accepted by the Local Planning Authority and especially not within a Conservation Area. As such, the removal of two of the fence panels is a welcome development and would help to return to the once open nature of the external amenity space along this section of Moxley Road. This would improve the aesthetic qualities of the Conservation Area, pursuant to Policy DC18 of the UDP. Whilst it is acknowledged the remaining timber fence is not favourable, the boundary treatment is now lawful over time.

In short, it is not considered that the development would undermine the residential character of the Crumpsall Lane Conservation Area due to the changes to complement the conservation area. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

In line with paragraph 202 of the NPPF, where less than substantial harm occurs, public benefits are required to mitigate against that harm. The character of this part of the conservation area contains recent and more modern additions and interventions. On reflection, the current proposal being assessed is considered small in nature and would not drastically alter the character of the Conservation Area. The design of the proposal seeks to maintain some of the original and decorative features within the roof of the host property and the wider Conservation Area.

Bin Storage

Plans show bins would be stored behind boundary treatment which would be welcomed to not cause litter within the streetscene or the Conservation Area.

Car Parking

Off- street car parking would be re-positioned and therefore no change would occur in the number of spaces proposed.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity, and any concerns have been addressed through design or conditions to be attached to any approval granted. The design, size, position, and appearance are in keeping with the character of the property and local area. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN3 and Saved Policy DC1 and DC18 of the Unitary Development Plan.

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 and a revised scheme has been supplied in a timely manner. Appropriate conditions have been attached to the 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 29 February 2024.

-Drawing- Proposed- Floor Plan, numbered 003A.3, stamped as received by the City Council as Local Planning Authority on 19 April 2024.
-Drawing- Proposed- Plans and Elevations, numbered 003B.2, stamped as received by the City Council as Local Planning Authority on 19 April 2024.
-Drawing- Existing & Proposed- Elevations- Moxley Road, numbered 003C, stamped as received by the City Council as Local Planning Authority on 13 May 2024.
-Drawing- Existing & Proposed- Site Plan, numbered 502.3, stamped as received by the City Council as Local Planning Authority on 13 May 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) Before first occupation, the bathroom window as shown on the approved 'Drawing- Proposed- Floor Plan, numbered 003A.3', stamped as received by the City Council as Local Planning Authority on 19 April 2024, shall be obscure 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.

In addition, the window shall be top opening only and remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Before the commencement of above ground construction works, samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) The proposed side extension hereby approved shall only be used as ancillary accommodation in connection with the existing residential property 8-10 Melton Road and for no other purpose.

Reason - In the interests of visual and residential amenity, pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

25 Moxley Road, Manchester, M8 4HJ
14 Melton Road, Manchester, M8 4HG
12 Melton Road, Manchester, M8 4HG
24 Catherine Road, Manchester, M8 4HA
6 Melton Road, Manchester, M8 4HG
4 Melton Road, Manchester, M8 4HG
36 Moxley Road, Manchester, M8 4HJ
27 Moxley Road, Manchester, M8 4HJ
Flat 2, 6 Melton Road, Manchester, M8 4HG
Flat 1, 6 Melton Road, Manchester, M8 4HG
22 Catherine Road, Manchester, M8 4HA
16 Melton Road, Manchester, M8 4HG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Crumpsall Lane Conservation Area 2004
Area Team Boundary - Name: NORTH AREA