MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139445/FO/2024
Date registered valid:	14 March 2024
Proposal:	Erection of ground, first and second floor rear extension
Address:	1 Chiswick Road, Manchester, M20 6RZ
Ward(s):	Didsbury East Ward
Applicant:	MCR 7T7 Ltd
Agent (if any):	David Ormesher, Holborow & Ormesher Ltd
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	9 May 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 18th April 2024

Standard consultations:
Printed: 21 March 2024 Expired: 13 April 2024

Neighbour notifications
Printed: 21 March 2024 Expired: 13 April 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
The property that is the subject of this application is identified as 1 Chiswick Road it is located in the Didsbury East ward of the City. It is a 2 storey end of terrace red brick property. The ground floor is commercial, with the upper floors being in use as a flat. The property previously has the benefit of a partial 2 storey rear extension with a flat roof single storey outrigger along the common boundary with number 77 School Lane. That is also a commercial property to the ground floor with residential accommodation to the upper floors. There is an open ended alleyway to the rear that separates the proposal site from the properties with 3 Chiswick Road.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The area is a mix of commercial and residential, with the commercial being on the School Lane frontage and the residential on both School Lane and the side roads. The buildings comprise predominantly of 2 storey red brick properties, many of which have had the benefit of extensions over the years. The property on the opposite corner that is identified as 79 School Lane has had a similar extension, although having been granted consent prior to the Core Strategy, is larger than would be considered acceptable under current policy.

Description of development
The proposal is for the erection of a part 2 storey and part single storey rear extension. The applicant is proposing to construct a rear dormer extension within the existing roof slope under permitted development, prior to implementation of any approval granted. The rear extensions would be constructed following the demolition of the existing garage / store that currently occupies a large area of the rear yard.

Consultations & Notification Responses

Local residents were informed-one representation has been received, which states that they are representing the residents of Chiswick Road, however there are not multiple signatures to support this.
The main issues of concern are:
that the plans have no consideration of the extra parking that this would require for an extra bedroom and the commercial premises. There's currently no space on the road and we have the extra issue of pick up and drop off time at St Cats and Beaver Road. Beaver Road parents use the road and the alleys as cut throughs and its' really dangerous already with parents leaving cars on double yellow lines to pick up children. Some consideration needs to be made by the council planning for this.
The plans for waste management seem to show the property bins in the alley rather than within the boundary of the property so clarification needed to make sure that doesn't happen.

Environmental Health- As the shop and flat are existing and they are just extending it, they will have had an existing waste strategy for each (they have separate spaces for the commercial and residential bins on the proposed plans which are acceptable). There are no changes in hours applied for the ground floor commercial and are not putting in any external plant as such it does not require any residential insulation as it is also set back off School Lane and does not fall within 25m of known landfill.

Highways- no objections subject to the attachment of an informative relating to construction management

Issues

Local Policy
Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.
The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.
The relevant Core Strategy policies for this application are as follows:
SP1 - Spatial Principles
DM1 - Development Management 1
The relevant UDP policies for this application are:
DC 1.1 - 1.6 - Residential Extensions

The Guide to Development in Manchester SPD
National Policy
National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.
Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is

appropriate to its context.

Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

Places for Everyone Plan - 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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.
To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on
the proposed Modifications before finalising the examination report. Given the stage the Plan has reached and level of public consultation and scrutiny it has received, 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 Principle - The principle of the extension to number 1 Chiswick Road has been established by previously approved applications for similar developments within the immediate area.
The proposed extension would not increase the number of bedrooms but would increase and improve the size of the existing accommodation. The principle would however only be considered acceptable subject to the garage/ store within the rear yard being demolished prior to the implementation of any consent granted.

Residential Amenity - The property has already had the benefit of a previous 2 storey extension on the rear of the property as it sits along the common boundary towards number 79 School Lane. The current proposal as originally submitted proposed a 2- storey rear extension that projected widthways across the whole of the yard. However, it was considered that this would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring property at number 77 School Lane as it would bring a blank 2 storey gable wall right up to that common boundary and would be oppressive. Following negotiations this has been reduced and the 2 storey rear extension now only occupies part of the width, with the existing single storey outrigger being the termination point for the 2 storey element.
It is now considered that the modest extension is considered acceptable in terms of impacts upon residential amenity.

The garage/ store that currently occupies the rear yard is to be demolished prior to construction, and this will result in sufficient space for cycle storage and waste management and space for drying of clothes etc.
It is not considered that the proposal would have a detrimental impact upon the residential amenity currently enjoyed.

Visual Amenity- The materials to be used would match those of the original property, a condition to that effect would be attached to any consent granted. The roof line is hipped and is

in context with the property itself and those within the immediate and wider area. The extension reads as subservient to the original property and the design of the extension would have a hipped roof, and it would match that of the existing property and of those within the local area.

Design and Siting- the reduced extension is now considered to be acceptable in terms of both the design and siting, with the roof being of a hipped construction this reduces the massing as it approaches the common boundaries and is considered appropriate.

Therefore, the proposal in terms of siting, scale and massing accords with polices with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Waste Management- As part of the submission, the waste management has been assessed by Environmental Health who are satisfied that there is capacity within the yard area for the storage of the bins and a condition shall be attached to any consent granted requiring details to be submitted and approved in writing by the City Council as local planning authority and the approved scheme thereafter implemented.

Parking- Given that there is now new commercial use or residential units proposed as part of the scheme, rather an improvement in standard of accommodation for both the commercial and residential elements, it is not considered that there will be any increase in traffic as a result of the proposal, with the property currently relying

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Revised plans were received reducing the amount of development resulting in an acceptable development. Appropriate conditions have been attached to any consent granted. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

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:
2285/23/02 Rev B received by email 2nd May 2024.
Location Plan received 1st March 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The development hereby approved shall be constructed using materials that match those in the existing property in terms of colour, size and texture including mortar and patching in.

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.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

5) 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 extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Prior to above ground works commencing, the garage that is currently within the yard and is accessed off Chiswick Road, shall be demolished and removed from site. Only when the building has been removed from the site shall the works hereby approved be commenced.

Reason- To ensure sufficient space for servicing and for residential amenity for the occupants of the residential accommodation pursuant to Policy DM1 of the Manchester Core Strategy.

7) No above ground works shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of visual and residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

8) The area of flat roof above the ground floor shall only be used in the event of an emergency and is not for the purposes of providing a terrace as additional amenity space.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email: highwaylicences@manchester.gov.uk.
Dilapidation surveys are requested, this should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat Above, 72 School Lane, Manchester, M20 6RT
68 School Lane, Manchester, M20 6RT
75A School Lane, Manchester, M20 6WN
1 Whitehall Road, Manchester, M20 6RY
77 School Lane, Manchester, M20 6WN
75 School Lane, Manchester, M20 6WN
76 School Lane, Manchester, M20 6WL
72 School Lane, Manchester, M20 6RT
9 Chiswick Road, Manchester, M20 6RZ
6 Chiswick Road, Manchester, M20 6RZ
3 Chiswick Road, Manchester, M20 6RZ
81 School Lane, Manchester, M20 6WN
79 School Lane, Manchester, M20 6WN
70 School Lane, Manchester, M20 6RT
7 Chiswick Road, Manchester, M20 6RZ
5 Chiswick Road, Manchester, M20 6RZ
4 Chiswick Road, Manchester, M20 6RZ
2 Chiswick Road, Manchester, M20 6RZ

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 Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA