

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 139260/FH/2024  
**Date registered valid:** 14 February 2024  
**Proposal:** Erection of single storey rear extension to provide additional living accommodation  
**Address:** 1 Torbay Road, Manchester, M21 8XE  
**Ward(s):** Chorlton Park Ward  
  
**Applicant:** G Lilley  
**Agent (if any):** Mr Andrew Brodie AGB CAD Services Ltd  
**Case officer:** Tracie Simpson  
Tel: 0161 234 4537  
Email: [tracie.simpson@manchester.gov.uk](mailto:tracie.simpson@manchester.gov.uk)  
  
**Recommendation:** Approve  
**Date of recommendation:** 3<sup>rd</sup> April 2024



## Application details

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 2.04.2024

**Standard consultations:**

No consultations have been printed and sent.

**Neighbour notifications**

Printed: 26 February 2024 Expired: 18 March 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 site/building relates to a two storey semi detached property in the Chorlton Park ward area of Manchester. The site features gable fronted brick bay windows to the ground and first floor front elevation. Block paving is to the front which provides off street car parking with some landscaping, attached garage to the side and garden to the rear. The site also features a two storey rear outrigger and dormer window.



**Listed building:** Not applicable

**Conservation area:** Not applicable

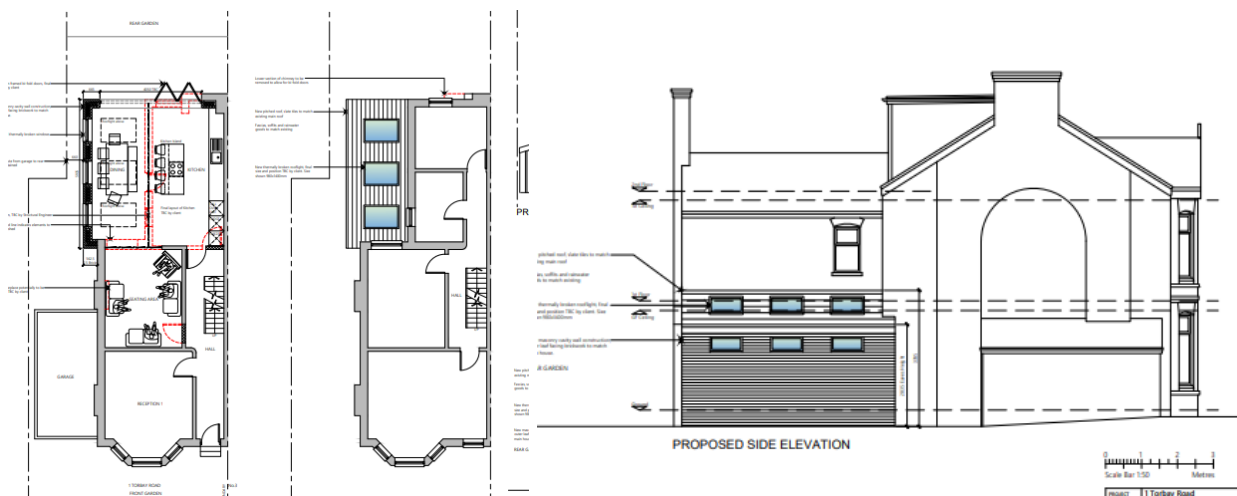
**Tree Preservation Order:** Not applicable

## Description of area

The area is predominantly residential in nature

## **Description of development**

The applicant is seeking planning for the erection of a single storey side extension to provide additional living accommodation



## **Consultations & Notification Responses**

**Local residents** - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received.

## **Policy and Issues**

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

## **Places for Everyone**

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.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February). There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is 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.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

The City Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

### Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed changes are deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

### History

Previous planning applications relating to this site as follows:

Planning reference number; 118022/LE/2017 - Certificate of Lawful Existing Development for dormer to rear and rooflights to front. This application was approved on 18.12.2017

### Residential Amenity

The applicant is seeking planning for the erection of a single storey side extension to provide additional accommodation.

The proposal would extend off the side wall marginally retaining a gap to the shared boundary with no. 42 Corkland Road measuring 562mm. The proposal would extend rearwards in line with the existing outrigger measuring a total of 5.9m and would not extend beyond. The roof would be mono pitch with the inclusion of three roof lights.

Three high level windows are proposed along the side elevation, however, given the height above ground level, it is not anticipated that there will be any overlooking or loss of privacy given by the location of these windows. Bi folding doors are proposed within the rear elevation

The extension would not be visible from the public highway as it would be screened from the road by the attached garage along the side, however, the character of the area has been retained although over time the houses in the immediate vicinity are themselves altered and extended. Therefore, the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Overall, the changes to the property are considered to be acceptable in this location and it is not considered that the proposal would create any undue loss of privacy, loss of light or have an overbearing impact upon neighbouring occupiers and therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

### Scale and Mass

The size and footprint of the extension is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the design, scale and appearance of the proposed changes are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

### Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use brick and roof tiles to match existing property as specified in the application form.

The design is detailed as what is normally expected of such a structure and would not unduly impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable

### Conclusion

On balance, it is believed that the proposal would not interfere with the character of the area and in terms of residential amenity it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

### **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**

Positive and proactive working Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

### **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:

Received on 3<sup>rd</sup> April 2024 numbered 2408-03 Revision A Proposed Plans and Elevations  
Received on 14<sup>th</sup> February 2024 numbered 2408-04 Existing and Proposed Site Plans

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 materials to be used on the external surfaces of the hereby permitted development shall match those as specified in the application form in size, type, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

48 Corkland Road, Manchester, M21 8XH  
2 Torbay Road, Manchester, M21 8XD  
50 Corkland Road, Manchester, M21 8XH  
3 Torbay Road, Manchester, M21 8XE  
8 Torbay Road, Manchester, M21 8XD  
46 Corkland Road, Manchester, M21 8XH  
44 Corkland Road, Manchester, M21 8XH  
42 Corkland Road, Manchester, M21 8XH  
6 Torbay Road, Manchester, M21 8XD  
4 Torbay Road, Manchester, M21 8XD  
10 Torbay Road, Manchester, M21 8XD

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