MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139614/FH/2024
Date registered valid:	7 May 2024
Proposal:	Erection of single storey front and rear extensions to dwellinghouse
Address:	2 Clivewood Walk, Manchester, M12 5NE
Ward(s):	Ardwick Ward
Applicant:	Lidia Rato
Agent (if any):	Tomislav Vuletic, Flocc Studio Limited
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	30 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 May 2024

Standard consultations:
Printed: 16 May 2024 Expired: 7 June 2024

Neighbour notifications
Printed: 16 May 2024 Expired: 7 June 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application relates to a modern, two storey, pitched roof end-of -terrace dwellinghouse within the Ardwick ward of Manchester. The houses along Clivewood Walk incorporate buff colour brick facades combined with cream render along the first floor front and rear elevations. Bennett Street runs immediately parallel to the (north) of the site - gable elevation ; and therefore, the proposal would be visible along the street scene; coupled with fact that the application site is noticeably elevated to the back of pavement along Bennett Street, with stepped access to the main front door. There is existing amenity space along the front and rear including boundary treatment along the perimeter. Given the nature of the application site, car parking is along the street and bins are stored within curtilage behind boundary treatment. The surrounding area is characterised by a mix of residential, along with warehousing, church uses and parkland on the north-east side of Trowtree Avenue.

Site Planning History:

- No record.

Description of development

The submitted application relates to the proposed erection of single storey front and rear extensions to dwellinghouse.

The proposed single storey front extension element is effectively an in-fill development that would serve as a proposed utility room. It would project approximately 2138mm forward of the front building line of the original dwellinghouse, whilst being flush along the gable elevation and maintaining a proposed width of approximately 2457mm wide and a maximum proposed height of approximately 4343mm. It would comprise of a lean-to pitched roof design, with 1no. window along the front elevation, including 1no. window along the front roof elevation.

With regards to the proposed single storey rear extension element, it would be sited along the common shared boundary with no. 4 Clivewood Walk and would then project from the rear building line of the original dwellinghouse and along this boundary approximately 1850mm deep, then come forward of the gable elevation of the host building approximately 9165mm wide, then return forward of the rear building line whilst being flush with the gable elevation. It would also comprise of a lean-to pitched roof design - maximum proposed height of approximately 4203mm and would include 1no. window and bi-fold doors along the rear elevation, together with 2no. windows along the rear roof 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

Environmental Health officers have advised of a gas membrane condition and a contaminated land watching brief condition is attached to any recommendation for planning approval.

3. Cadent Gas Ltd

Whilst Cadent Gas Ltd have advised that there are no objections to the proposal from a planning perspective, it is however recommended that an Informative Note is attached into the Decision Notice.

POLICY

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

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2024):

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 to ensure 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 must 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:

- 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:

- Chapter 2: Design

ISSUES

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 (single storey front and rear extensions) - The proposed single storey front and rear extensions would be small scale developments that would project approximately 2138mm deep along the front elevation and approximately 1850mm deep along the rear elevation; therefore, given the proposed scale, it is considered that the resultant contextual relationship along the common shared boundaries with no. 4 Clivewood Walk, no.1 Whixhall Avenue along the rear elevation, and along the Bennett Street street scene would be acceptable without any significant adverse impact to residential amenity, nor is it considered that the proposed scale would be visually intrusive along the Bennett Street street scene. In addition, the proposed rearward projection at approximately 1850mm is within the limitations set out in saved UDP policy DC1.3 a) regarding rearward extensions, and therefore, on balance, and subject to planning conditions, it is considered that the proposed extension would not unduly impact on the residential or visual amenity of the neighbouring occupiers and the wider street scene and neighbourhood.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it is intended to match materials with those of the existing building. 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 (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.

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.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 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 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, the local planning authority had no 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 the Local Planning Authority on 25 March 2024.

- Proposed Site Plan, Drawing Number WD2.1, received by the City Council as the Local Planning Authority on 25 March 2024.

- Location Plan with application site edged in red, Drawing Number WD2.2, received by the City Council as the Local Planning Authority on 25 March 2024.

- Flood Risk Assessment / Drainage Information, received by the City Council as the Local Planning Authority on 07 May 2024.

- Existing Floor Plans, Drawing Number WD3.1, received by the City Council as the Local Planning Authority on 25 March 2024.

- Proposed Ground Floor Plan, Drawing Number WD3.2, received by the City Council as the Local Planning Authority on 25 March 2024.

- Proposed First Floor Plan, Drawing Number WD3.3, received by the City Council as the Local Planning Authority on 25 March 2024.

- Existing Front and Rear Elevations, Drawing Number WD5.1, received by the City Council as the Local Planning Authority on 25 March 2024.

- Existing Side and Side Elevations, Drawing Number WD5.2, received by the City Council as the Local Planning Authority on 25 March 2024.

- Proposed Front and Rear Elevations, Drawing Number WD5.3, received by the City Council as the Local Planning Authority on 25 March 2024.

- Proposed Side and Side Elevations, Drawing Number WD5.4, received by the City Council as the Local Planning Authority on 25 March 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 policies SP1, DM1 of Manchester's Local Development Framework: The Core Strategy (2012).

3) The external facing materials to be used on the development 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 - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of

landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas. Pursuant to policy EN18, DM1 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan (1995).

5) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this prior to occupation of the development.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial
action is taken in the interests of public safety. Pursuant to policy EN18 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City Manchester (1995).

* Our records indicate that the proposal site is on or in the vicinity of an infilled pond/potentially contaminative historic land uses.

6) 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: Proposed Site Plan, Drawing Number WD2.1; Proposed Ground Floor Plan, Drawing Number WD3.2; Proposed First Floor Plan, Drawing Number WD3.3; Proposed Front and Rear Elevations, Drawing Number WD5.3; and Proposed Side and Side Elevations, Drawing Number WD5.4, all received by the City Council as the Local Planning Authority on 25 March 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 Manchester's Local Development Framework: The Manchester Core Strategy (2012).

7) 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.

Informative

1) LinesearchbeforeUdig ref: 33523252

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective; however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com
or on 0800 688 588 quoting your reference at the top of this letter.

Kind Regards,
Plant Protection Team
T: 0800 688 588
plantprotection@cadentgas.com
cadentgas.com

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

4 Clivewood Walk, Manchester, Manchester, M12 5NE
1 Whixhall Avenue, Manchester, M12 5LW
1 Hayfield Close, Manchester, M12 5DB
40 Bennett Street, Manchester, M12 5ND
3 Whixhall Avenue, Manchester, M12 5LW
14 Hayfield Close, Manchester, M12 5DB
38 Bennett Street, Manchester, M12 5ND

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA