MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139723/FO/2024
Date registered valid:	17 April 2024
Proposal:	Erection of a part single, part two storey rear extension.
Address:	234 Moston Lane East, Manchester, M40 3QH
Ward(s):	Moston Ward
Applicant:	Mr Ian Simmons CRS Surveys
Agent (if any):	Mr Ian Simmons CRS Surveys
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 June 2024

Application details

Type of application: Full Application Consent

Development type: Householder

Date of site visit: 15 May 2024

Standard consultations:
Printed: 23 April 2024 Expired: 15 May 2024

Neighbour notifications
Printed: 23 April 2024 Expired: 15 May 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

This application relates to a 2 storey, bay fronted semi-detached dwellinghouse situated within a predominantly residential area of Moston in North Manchester. The property benefits from amenity space along the front, side and rear with gated access along the side elevation. Off street car parking is along a front driveway. There is an existing front porch and a single storey lean-to rear outrigger - approximately 756mm deep with stepped access. The rear garden significantly large, measuring approximately 23.6 metres deep x 7.8 metres wide.

Description of development

The consent is sought for a part single storey, part two storey rear extension to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (email from agent dated, 31/05/2024). The initially proposed rearward projection at approximately 4500mm has now been pulled in. The revised proposed rearward projection would now measure 3120mm.

The revised ground floor extension creates a kitchen diner with stepped access, which would be flush with and follow the existing side elevation building line and would measure approximately 3120mmm projection x 5502.5mm width, whilst retaining a gap from the common boundary. It would incorporate a lean-to pitch roof design with a proposed maximum height at approximately 4010mm with 1no. window and French doors along the rear elevation.

The first floor element would also be flush with and follow the existing side elevation building line and would create a bedroom measuring 3120m projection x 3815mm width and would incorporate a hip roof design which would be set below the roof ridge of the existing dwellinghouse, with 1no. window along the rear elevation.

It is intended to use external facing materials matching the primary dwellinghouse to construct the proposed extension.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objection, comment, or representation were received.

2. The Coal Authority

No comments to make on this occasion.

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 came 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 of development

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 residential and visual amenity.

Residential and Visual Amenity

Impact of works (part single, part two storey rear extension) - In light of the revised plans, (email from agent dated, 31/05/2024 and 05/06/24) and given the existing contextual relationship along the boundaries, together with the sizable rear garden, coupled with the resultant context of the proposed development, it is considered that the revised proposed scale and massing would be acceptable in this location in this instance on the basis that there are no undue overbearing adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. Moreover, the revised rearward projection at approximately 3120mm deep is within the guidance set out in saved policy DC1.3(a) regarding rearward extensions. The proposed development would also allow for amenity space to be retained and on site car parking and refuse management arrangements would be unaffected. It is however recommended further conditions are attached limiting any further windows and door openings and the continued use remains Class C3. This is considered necessary to safeguard

residential amenity, and in accordance with policy DM1, SP1, EN1 of the Core Strategy and saved policy DC1 of the UDP.

Impact of works (design and appearance) - The design of the proposal would be informed by the existing dwellinghouse and would reflect similar planning permissions in the locality, (reference nos. 129232 and 117010). It is also intended to use external facing materials in keeping with the primary building, which is considered acceptable in design terms. However, a materials condition has been attached to ensure that materials are adhered to.

Impact of works (car parking) - The existing arrangement would be unaffected, pursuant to policy T2 of the Core Strategy and saved policy DC1 of the UDP.

Impact of works (waste management) - The existing arrangement would be unaffected, pursuant to policy EN19 of the Core Strategy and saved policy DC1 of the UDP.

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.

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, following negotiations, the initially submitted plan has been revised in the interest of residential amenity, and revised plans subsequently submitted, (email from agent dated, 31/05/2024). 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 05 April 2024.
- Location Plan with application site edged in red, Plan Reference: MLE 001, Revision: B, received by the City Council as the Local Planning Authority on 05 June 2024.
- Existing and Proposed Floor Plans and Elevations, Plan Reference: MLE 001, Revision: C, received by the City Council as the Local Planning Authority on 05 June 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 (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).
3) The materials used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the approved plans and submitted information.

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 (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 development hereby approved other than those shown on: Existing and Proposed Floor Plans and Elevations, Plan Reference: MLE 001, Revision: C, received by the City Council as the Local Planning Authority on 05 June 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 the Core Strategy for the City of Manchester (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

Oldham Metropolitan Borough Council
The Coal Authority

51 Parkleigh Drive, Manchester, M40 3RZ
45 Parkleigh Drive, Manchester, M40 3RZ
236 Moston Lane East, Manchester, M40 3QH
232 Moston Lane East, Manchester, M40 3QH
New Moston Primary School, Moston Nursery, Moston Lane East, Manchester, M40 3QJ
New Moston Primary School, 16 Moston Lane East, Manchester, M40 3QJ
230 Moston Lane East, Manchester, M40 3QH
49 Parkleigh Drive, Manchester, M40 3RZ
47 Parkleigh Drive, Manchester, M40 3RZ
266 Moston Lane East Chadderton, Manchester , M40 3QH
268 Moston Lane East Chadderton, Manchester, M40 3QJ
2 Scholes Drive, Chadderton, Manchester , M40 3RX
4 Scholes Drive, Chadderton, Manchester , M40 3RX
51 Parkleigh Drive Chadderton, Manchester, M40 3RZ
8 Scholes Drive , Chadderton, Manchester , M40 3RX
6 Scholes Drive, Chadderton, Manchester , M40 3RX

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA