MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139174/FO/2024
Date registered valid:	5 February 2024
Proposal:	Erection of single storey rear extension to provide additional living accommodation
Address:	13 Oldcastle Avenue, Manchester, M20 1AR
Ward(s):	Old Moat Ward
Applicant:	Maher
Agent (if any):	Mr Karim
Case officer:	Jake Walther Email: jake.walther@manchester.gov.uk
Recommendation:	**Approve**
Date of recommendation:	**04/03/2024**

Application details
Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 16/02/2024
Standard consultations:
No consultations have been printed and sent.
Neighbour notifications
Printed: 9 February 2024 Expired: 1 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 relates to the ground floor of two storey end of terrace property in the Old Moat Ward of Manchester. The property is in the ground floor portion of a 'cottage' style flat. Gardens are to the front and rear with the first-floor property having gardens and access to the side.



Figure 1. Front view of property



Figure 2. Rear view of property

Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

Oldcastle Avenue is a residential cul-de-sac, located in the Old Moat Ward of Manchester, close to Princess Road (A5103), Hough End playing fields, and Old Moat primary school. In terms of character, the area is predominantly residential with a mixture of semi-detached and terraced houses and benefits from its proximity to Withington District centre with shops and services on Wilmslow Road.

Description of development

The applicant is seeking planning permission for a single-story rear extension. The proposed extension is roughly 4000mm by 9500m and is 2600m in height with a flat roof. There is to be a new set of glazed sliding doors and an additional window added to the rear elevation of the extension, with no additional windows or doors added to the side elevations.

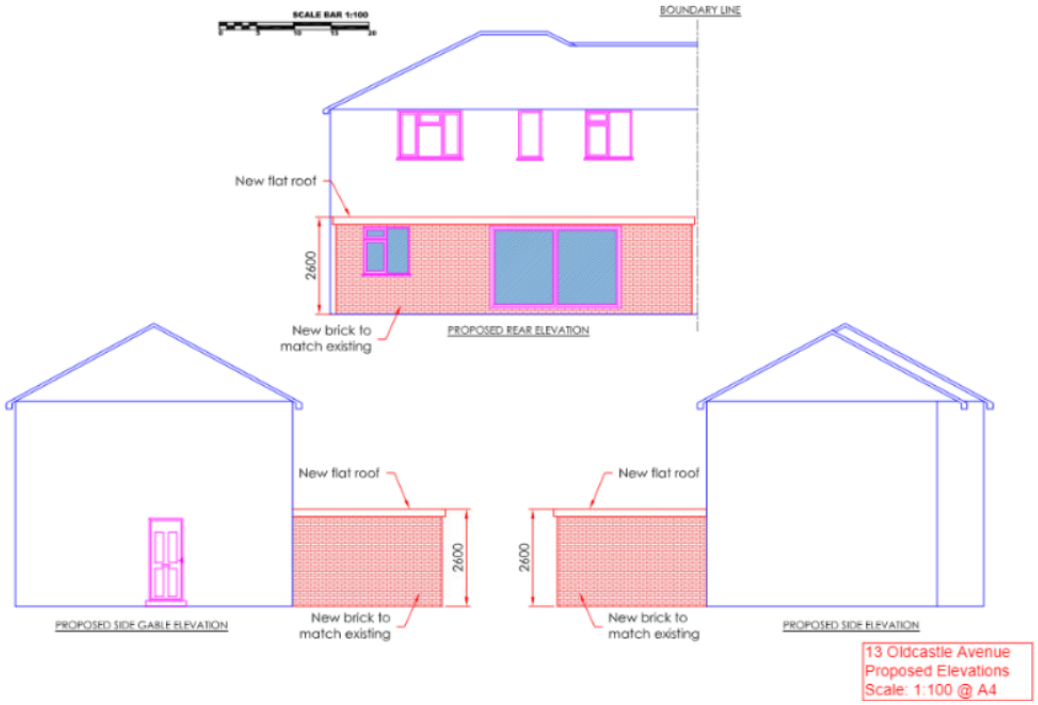


Figure 3. Proposed Elevations



Figure 4. Proposed floor plan

Consultations & Notification Responses

Local residents, as per Appendix 1 -
One comment was received that was generally supportive of the application but raised concerns about the current outbuilding at the property.

Policy

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

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

Places for Everyone

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'.

You can view the Inspectors' Report on the GMCA's website at Places for Everyone - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

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.

The following policies are relevant:

- S1- Sustainable development
- S2 – Carbon and energy
- S5 – Flood risk and the water environment
- H1 – Scale, distribution and phasing of new housing.

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):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

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

Principle
The submitted development application is for the erection of single storey rear extension to form additional living accommodation. 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 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.

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 extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy

History
There are no previous applications relating to this site.

Residential Amenity
The applicant is applying for planning permission for the erection of a single storey rear extension to form additional living accommodation.

The proposed extension is to be sited across the rear of the property up to the shared boundary with 11 and 15 Oldcastle Avenue, leaving a gap of 150mm to each boundary. The extension will have a rear projection of 4m, will span 9540mm with a height of 2600mm with a flat roof. A window and a double door are proposed on the rear elevation.

Given the properties end of terrace position, it is not anticipated that the introduction of a single storey flat roofed extension in this location will provide undue harm to the neighbouring properties.

The extension would not be visible from the public highway and therefore would not feature within the street scene, as such the characteristics of the area would be retained and the impact upon visual amenity is considered negligible.

The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 Unitary Development Plan.

Siting, scale and massing

The proposed extension would be sited at the rear of the property. It is unlikely that the addition will provide an overbearing impact upon the residential amenities of the neighbouring properties. As a result, it is considered that scale and mass of the proposal is satisfactory and considered to accord with the principles for residential extensions set out in the carried forward policies DC1 and DM1 of the UDP and EN1 of the Core Strategy.

Design

The design of the proposal is considered to be in keeping with the existing and neighbouring properties in the area. The design of the extension and use of matching brick with UPVC windows is what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

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.

Refuse

The storage of refuse bins is not affected by the proposal.

Parking

Parking is not affected by this proposal.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, without unduly detrimentally affecting the amenities of the occupiers of neighbouring properties, or the character and appearance of the street scene, and there are no material considerations of sufficient weight to indicate otherwise. For these reasons, the proposal is unlikely to have any detrimental impact and therefor accords with the relevant Core Strategy, extant UDP, NPPF policies and material considerations.

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.

Article 35
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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.
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Recommendation: Approve

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1. **3-year time limit:**
   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. **Specified plans:**
   The development hereby approved shall be carried out in accordance with the following drawings and documents:
   a. Drawing - Location Plan -05 Feb 2024 - THE LOCATION PLAN
   b. Drawing – Existing and Proposed 05 Feb 2024 – 13 Oldcastle Avenue - PLANS

   Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. **Specified materials:**
   The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, 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 policies DM1, SP1 and EN1 of the Core Strategy.

4. **Additional glazing restriction:**
   Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than

those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

17 Oldcastle Avenue, Manchester, M20 1AR
11 Oldcastle Avenue, Manchester, M20 1AR
29 Doncaster Avenue, Manchester, M20 1AG
19 Oldcastle Avenue, Manchester, M20 1AR
15 Oldcastle Avenue, Manchester, M20 1AR
31 Doncaster Avenue, Manchester, M20 1AG
27 Doncaster Avenue, Manchester, M20 1AG
25 Doncaster Avenue, Manchester, M20 1AG

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 (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA