MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139893/FO/2024
Date registered valid:	26 April 2024
Proposal:	Erection of single storey lounge/kitchen extension to the rear elevation and elevational alterations to host property.
Address:	711 - 713 Moston Lane, Manchester, M40 5QD
Ward(s):	Charlestown Ward
Applicant:	Mr D Hughes, Vestacare
Agent (if any):	Mr Joe Jennings, ExtensionsNW Ltd
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**20 June 2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 15 May 2024

Standard consultations:
Printed: 8 May 2024 Expired: 30 May 2024

Neighbour notifications
Printed: 8 May 2024 Expired: 30 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 area

The application site relates to 711-713 Moston Lane within the north Manchester ward of Charlestown. The application site relates to a single storey bungalow rendered in a yellow colouration with timber coloured windows and doors and gable roof element within the primary elevation. Once two properties, it has been turned into one residential property as per the planning approval of 103913/FO/2013/N1. The property has a C2 use class (residential care facility) for young adults with learning difficulties. Amenity space to the front of the property consists of hard standing for some off street parking and amenity space to the rear is characterised by an expansive rear amenity space with areas of grass, hardstanding and a raised patio. Two outbuildings and several timber high poles were evident within the rear amenity space at the time of the site visit.

The surrounding area is residential in nature.

Description of development

The submitted application seeks planning permission for the erection of single storey lounge/kitchen extension to the rear elevation and elevational alterations to host property.

The extension would be sited against the eastern elevation of the host property and would have approximate dimensions of Height: 3.5 x Length: 4.9 x Width: 9.8 metres. The proposal would involve the insertion of three windows within the rear elevation, a set of doors within the side elevation and a large skylight within the flat roof of the extension.

The proposal would involve the windows and door within the existing rear elevation of the existing property to be removed and blocked up as a result of the proposal. In turn, this would involve elevational alterations to the host property including the insertion of a window within the side elevation of the host property facing onto the shared boundary with neighbouring property no.715 Moston Lane.

Materials to be used throughout the proposal would match the host property including the use of the GRP flat roof construction to match the elements of flat roof within the host property and the insertion of a roof lantern.

Negotiations during the Application

During the course of the application, the description of development was amended to include the insertion of a window within the host property, as C2 use do not benefit from permitted development rights for the insertion of windows and doors. The agent agreed to the description change and was so amended accordingly. Concern was raised that the insertion of the window could give rise to adverse privacy implications to no.715 Moston Lane and measures to overcome any adverse implications were provided during the course of the application. The agent was also asked to confirm what the timber poles related to within the rear amenity space at the time of the site visit.

Planning History

103913/FO/2013/N1- 711-713 Moston Lane- Change of use of 713 Moston Lane from dwellinghouse to residential care facility (Use Class C2), together with the erection of a link extension to the existing care facility at 711 Moston Lane, and associated works.
Approved 29 April 2014.

085830/FO/2008/N1-711 Moston Lane- Change of use from single family dwelling house (class C3) to residential care home (class C2) for three people and retrospective application for ramps and low walls to front and rear.
Approved 29 May 2008.

080432/FH/2006/N1-711 Moston Lane- Extension to increase roof height at the rear elevation, together with 3 no. dormer windows to the front elevation, a single storey conservatory to the rear and the erection of a detached garage.
Withdrawn 26 October 2006.

Consultations & Notification Responses

Local Residents

Local residents were consulted, and no responses were received.

Environmental Health

Environmental Health were consulted on the application and had no comments to make.

Issues

POLICY

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):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

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 following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of single storey lounge/kitchen extension to the rear elevation and elevational alterations to host property. This is considered acceptable as many people prefer to alter homes to meet the changing residential needs of

residential use class C2 facilities. 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 not to see an increase to the number of residents living at the property, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Single storey extension:
The proposal would create an additional kitchen/ lounge area for the residents' use and as such, would increase the quality of life for the residents. The kitchen and lounge area would extend along the eastern side elevation of the host property and would have a projection of 3.3 metres at the point closest to the shared boundary with no.715 Moston Lane. Given the extension is only 3.3 metres at ground floor level and would not come closer to the shared boundary with no.715 than is currently the case, the proposal is not considered to give rise to an overbearing feature. Given the existing fence and the fenestration type of the windows within the side elevation of the neighbouring property, the proposal is not considered to give rise to adverse overshadowing implications. No windows are to be inserted in the side elevation of the proposal and so no adverse privacy implications would occur for the neighbour.

Given the proposal is single storey and given the approximate 17 metre gap to the rear boundary, the extension would not give rise to adverse implications to the neighbouring properties to the rear (along Shackliffe Road).

The extension would come further out of the rear elevation than is currently the case. However, given the 24 metre distance between the proposal and the shared boundary with no.709 Moston Lane it would not adversely impact the neighbour to the west.

Elevational alterations to host property:
During the course of the application, the description of development was amended to include the insertion of a window within the host property, as C2 use do not benefit from permitted development rights for windows and doors. However, the window gave rise to the potential for direct overlooking onto the windows situated within the side elevation of no.715 Moston Lane. As such, the window has been annotated within the plans and conditioned so that the window is openable (requested by the agent) but is obscure glazed up to a level of 1.7 metres. This is to ensure it is not possible for direct overlooking to occur. This is considered acceptable to overcome harm and a further condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

Single storey extension:
The extension at the largest point would have a projection of 4.9 metres. Whilst it is acknowledged the projection would exceed Policy DC1.3 of the UDP, although the property is not a single dwellinghouse the Larger Homes Extension route can be used as a comparable measure for suitable projection. Given this and given the detached and large nature of the property (two properties converted into one), the external amenity space is considered ample to accommodate the extension. Further, the extension would not come further forwards than the existing flat roof extension close to the western boundary of the site, as so the extension is not

considered excessively large- pursuant to Policy DC1 of the UDP and Core Strategy policies DM1 and SP1. The introduction of a flat roof extension is considered acceptable given the range of roof types at the property already.

Elevational alterations to host property:
The insertion of the window within the host property is considered acceptable given it is necessary for the bedroom losing fenestration as a result of the proposal. This element of the proposal is considered acceptable in terms of design and appearance, pursuant to Policy DC1 of the UDP and Core Strategy policies DM1 and SP1.

The materials would match the host property where appropriate, except the use of the flat roof and large roof lantern and are therefore considered sympathetic and appropriate. A materials condition to that effect would be attached to any consent granted.

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.

Car Parking

No change to parking arrangements would occur as a result of the proposal.

Bin Storage

No change to bin store arrangements would occur as a result of the proposal.

Further Development within the Rear Amenity Space

At the time of the site visit, several timber poles were in place within the rear amenity space. It is not clear whether this relates to future development at the site. The agent was asked to clarify however no clarification was provided. An informative to such an effect would be attached to any approval granted.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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
The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner, information has been provided to overcome concerns, and appropriate conditions have been attached to any approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 26 April 2024.
-Drawing- Site Plan- Proposed, stamped as received by the City Council as Local Planning Authority on 26 April 2024.
-Drawing- Existing & Proposed- Plans and Elevations, numbered 3370-01, stamped as received by the City Council as Local Planning Authority on 11 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 Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations

of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the window within the side elevation of the host property as shown on the approved 'Drawing- Existing & Proposed- Plans and Elevations, numbered 3370-01', stamped as received by the City Council as Local Planning Authority on 11 June 2024, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent up to a height of 1.7 metres off internal finished floor level, and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and 'Drawing- Existing & Proposed- Plans and Elevations, numbered 3370-01' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Informatives

1) During the site visit, several timber poles were sited within the rear amenity space of the property. This element of works should be reviewed and if planning consent is required, applied for separately.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

717 Moston Lane, Manchester, M40 5QD
32 Shackliffe Road, Manchester, M40 5QS
26 Shackliffe Road, Manchester, M40 5QS
715 Moston Lane, Manchester, M40 5QD
28 Shackliffe Road, Manchester, M40 5QS
709 Moston Lane, Manchester, M40 5QD
30 Shackliffe Road, Manchester, M40 5QS
24 Shackliffe Road, Manchester, M40 5QS
22 Shackliffe Road, Manchester, M40 5QS
20 Shackliffe Road, Manchester, M40 5QS
18 Shackliffe Road, Manchester, M40 5QS

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA