

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138828/FH/2023
Date registered valid: 23 January 2024
Proposal: Erection of a single storey rear conservatory
Address: 11 Boat Lane, Manchester, M22 4HR
Ward(s): Northenden Ward

Applicant: Catherine Lee
Agent (if any): Mr Mike Taylor
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 February 2024

Standard consultations: Printed: 26 January 2024 Expired: 16 February 2024

Neighbour notifications: Printed: 26 January 2024 Expired: 16 February 2024

Site notice: Posted: 09 February 2024 Expired: 01 March 2024

Press advert: Published: 30 January 2024 Expired: 13 February 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Northenden Conservation Area 1979

Tree Preservation Order: Not applicable

The application relates to a two-storey mid-terraced C3 dwellinghouse of redbrick and white-coloured render with a grey slate dual pitch roof. The property features grey uPVC windows, a modest front garden bordered by a mid-level timber fence, a part-single / part-two storey rear outrigger, and a detached garage situated within a spacious rear garden.



Figure 1. Principal elevation.



Figure 2. Rear elevation.



Figure 3. Rear garden.

Description of area

Boat Lane is a residential street situated within the Northenden ward of Manchester, close to the River Mersey, Manchester Outer Ring Road (M60), and Didsbury Golf Club. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to Northenden town centre.

It should also be noted that the application property is sited within the Northenden conservation area (first designated in December 1981). The conservation area covers just over seven hectares centred on the parish church. It extends northwards to include the river banks and southwards to the 19th century shops, houses and other buildings on Church Road and Royle Green Road.

Development control in the Northenden conservation area is aimed at ensuring that development proposals pay attention to its special architectural, historical and visual qualities.

Description of development

The applicant is seeking permission for the erection of a single storey rear conservatory.

Planning history

18015 - Kitchen extension at rear of house – **APPROVED** (02.09.1982).

072289/FH/2004/S2 - Erection of detached single storey garage within rear garden area – **TMP** (02.08.2004).

Consultations & Notification Responses

One letter of objection was received from one local resident in response to this application. Their concerns are summarised as follows:

- No objection to the principle of the proposal.
- Concerns relating to loss of light and impact on appearance.
- Requests for the extension's brickwork to match the existing.
- Concerns relating to the 'party wall' being positioned in the correct location.
- Concerns relating to the potential for the development to impede future plans for their own property.

Flood Risk made no objection to the proposal, requesting an informative note be attached to the decision notice.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions
- Policy DC18 – Conservation Areas

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN19 – Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 - Conserving and Enhancing the Historic Environment

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 \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/places-for-everyone). 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.

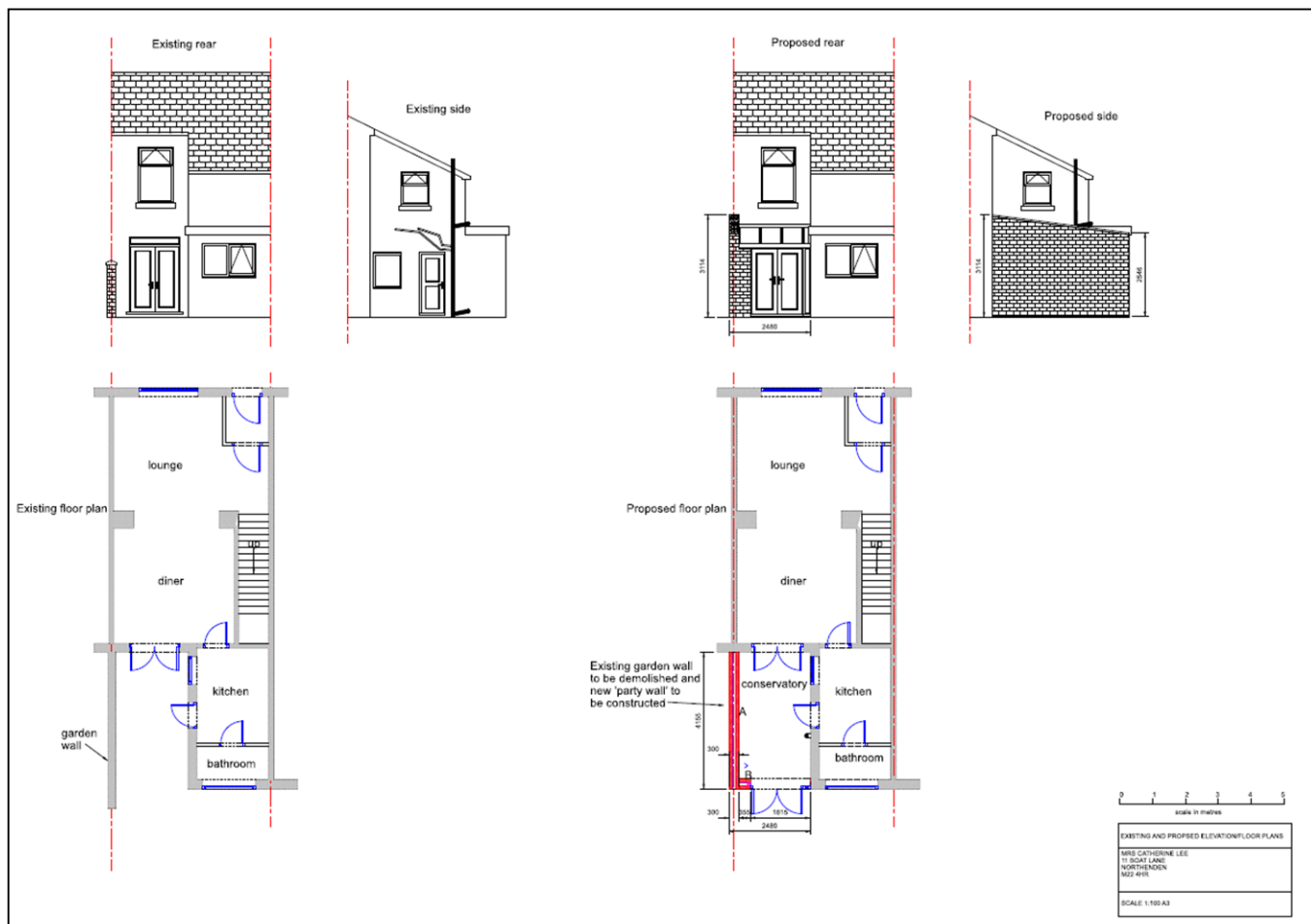


Figure 4. Submitted existing and proposed plans and elevations.

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey rear conservatory in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, parking and the Northenden conservation area.

Siting, scale, and massing – the single storey conservatory would be sited at the back of the property, adjoining the existing part-single / part-two storey rear outrigger, acting as an infill extension. It would project 4.155m rearwards, with a width of 2.48m, mono pitch roof height 3.114m, and an eaves height of 2.546m. It would be sited along the boundary shared with No.13 Boat Lane.

The 4.155m rearward projection (of the rear conservatory extension) exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m), however is considered acceptable in these circumstances given that it would not limit the private outdoor amenity space of the property to an unacceptable degree and would have a less than substantial impact upon the area's residential amenity due to its siting within the shadow of the property's existing outrigger. The extension is also considered to be subservient to the host dwellinghouse in terms of its dimensions and would not result in an 'excessively large or bulky' addition to the property.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the single storey conservatory would be built of brickwork to match the existing, in addition to a glazed conservatory roof, and white uPVC windows and doors. Its side elevation, facing No.13 Boat Lane, would be blank and featureless, whilst its rear elevation would feature a set of outward-opening doors and one vertical window panel. Its mono pitch roof would be built of glazed panels, sloping away from the host dwellinghouse.

It is acknowledged that concerns were raised in relation to the proposal's potential to impact the visual amenity of the area, with requests for the extension's brickwork to match the existing.

However, the proposal is considered to be relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Sited at the rear of the property, the proposal would not be visible within the street scene or public realm and, as such, should have a minimal impact upon the visual amenity of the area. Moreover, its use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that the development does not form a prominent visual feature. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Impact upon the Northenden conservation area – the proposal would be sited at the back of the property and would utilise matching and sympathetic materials to those already featured on the host dwellinghouse, which would provide a blended appearance with the existing property, ensuring minimal harm is caused to the visual amenity of the area and the character of the Northenden conservation area, in accordance with policy DC18 of the UDP, policy EN3 of the Core Strategy and chapter 16 of the NPPF.

Residential amenity – it is acknowledged that concerns were raised in relation to the proposal's potential to impact the residential amenity of neighbouring residents, in terms of a loss of light.

However, given that the conservatory extension would be single storey, sited north of the property's existing part-single / part-two storey rear outrigger (within its existing shadow), with a maximum height of 3.114m, it is considered that such affects would be limited, causing less than substantial harm. The proposal should also not cause issues associated with loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its blank side elevation should ensure that the privacy of neighbouring occupiers is not infringed upon.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

Other matters – the proposal also includes works to the boundary shared with No.13 Boat Lane in the form of extending the party wall to a maximum height of 3.114m.

On their application form, the applicant indicated that they had given the requisite notice to the relevant landowners, notifying them of the proposed works.

It is acknowledged that concerns were raised in relation to the party wall being positioned in the 'correct' location, central to the shared boundary line. It should be noted that these concerns are regarded as civil legal matters between the parties that should be dealt with under separate legislation (e.g., the Party Wall Act, 1996) and would not represent material considerations of Manchester City Council Planning.

Flood Risk – the application site is situated within Flood Zone 2.

Flood Risk Management reviewed the submitted flood risk statement, which indicated that the floor levels of the proposed extension would be no lower than the existing floor levels of the host dwellinghouse, and confirmed their approval, requesting an informative note be attached to the decision notice.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, standard of accommodation, siting, scale and massing, appearance, impact upon visual and residential amenity and effect upon the Northenden Conservation Area, waste storage and parking as it broadly complies with policy DC18 of the UDP, policies DM1, SP1, and EN3 of the Core Strategy and chapters 12 and 16 of the NPPF.

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

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.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

- 'Householder Application for Planning Permission for works or extension to a dwelling', stamped as received by the City Council as Local Planning Authority on the 23rd January 2024.
- 'EXISTING AND PROPOSED ELEVATION/FLOOR PLANS', stamped as received by the City Council as Local Planning Authority on the 14th December 2023.

-‘Flood risk statement for planning application: 138828/FH/2923’, stamped as received by the City Council as Local Planning Authority on the 23rd January 2024.

Reason - To ensure 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 developments hereby permitted shall match those specified on the submitted application form and approved plans.

Reason - To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the developments, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Informatives

1) As per the FRA, the proposed site is within Flood Zone 2, floor levels should be set no lower than existing floor levels of the existing property.

The site is within Flood Zone 2. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

20 Boat Lane, Manchester, M22 4HR
30 Govan Street, Manchester, M22 4HA
9 Boat Lane, Manchester, M22 4HR
18 Boat Lane, Manchester, M22 4HR
13 Boat Lane, Manchester, M22 4HR

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
Conservation Area - Northenden Conservation Area 1979
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: SOUTH AREA