

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139911/FO/2024
Date registered valid: 30 April 2024
Proposal: Erection of single storey rear extension
Address: 18 Lingfield Road, Manchester, M11 4JZ
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Yadgar Tayfur, Optimal Design Ltd
Agent (if any):
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 23 June 2024

Application details

Type of application: Full Application Consent

Development type: Householder

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 site / building / area

The application relates to a two storey, hip roof, semi-detached dwellinghouse within a predominantly residential area of the Clayton and Openshaw ward of Manchester. The site benefits from amenity space along the front side and rear, including boundary treatment, whilst incorporating a gated access along the side elevation. The existing rear garden is relatively large, measuring approximately 13.7 metres deep x 7.2 metres wide (at the widest point). There is an existing outbuilding along the rear garden of the application site, which projects along the common shared boundary with nos. 16 and 20 Lingfield Road.

Description of development

Consent is sought for a single storey rear extension.

The proposed extension would be sited along the common shared boundary with no. 20 Lingfield Road, whilst leaving a small gap of approximately 0.25metres from this boundary. It would then project from the rear building of the application dwelling and along the common shared boundary with no. 20 Lingfield Road approximately 4.50 metres deep, then forward of

the common shared with no. 16 Lingfield Road approximately 5.84 metres wide, then forward of the rear building of the application dwelling, whilst being flush with the side elevation of the host building. It would comprise of a flat roof - (maximum proposed height approximately 2.80 metres) and would include 1no. window along the side elevation, including French doors and 1no. window along the rear 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 objections, comments, or representations were received.

2. Environmental Health

Environmental Health officers recommend the following informative to be attached to any recommendation for planning approval:

Contaminated Land Watching Brief -

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

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 12: Achieving well-designed places.

2. Places for Everyone (2024) -

The 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. Otherwise, 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 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 generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) - In light of the existing contextual relationship along the rear boundaries and along the rear garden; in particular, nos. 16 and 20 Lingfield Road, and due to the fact that the proposed single storey rear extension would be informed by similar developments along the immediate rear gardens, it is considered that the proposed development would not present a significant adverse impact to residential amenity, nor is it considered that the proposed scale would be unduly overbearing given the sizable rear gardens and the proposed roof configuration. Moreover, although the proposed rearward projection at approximately 4.5 metres deep is (850mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, it is within the limitations for a larger homes extension application and for these reasons, it is considered that the proposal could be accommodated in this location in this instance as there are no undue overbearing, overshadowing or loss of privacy impacts; subject to conditions.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it broadly mirrors similar developments along the immediate rear gardens, and 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, the; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Conclusions - 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) chapter 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 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

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 has 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 30 April 2024.
- Location Plan with application site edged in red, Drawing No. RH101, Sheet No. 005, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024.
- Proposed Site Plan, Drawing No. RH101, Sheet No. 004, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024.
- Existing and Proposed Elevations, Drawing No. RH101, Sheet No. 002, Revision A, received by the City Council as the Local Planning Authority on 16 May 2024.

- Existing Elevations, Drawing No. RH101, Sheet No. 002, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024.
- Existing and Proposed Floor Plans, Drawing No. RH101, Sheet No. 001, Revision A, received by the City Council as the Local Planning Authority on 30 April 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 and DM1 of the Core Strategy (2012).

3) The external facing materials to be used on the development hereby approved shall match those of the existing dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information 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 policy DM1 of Manchester's Local Development Framework: 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:

- Proposed Site Plan, Drawing No. RH101, Sheet No. 004, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024.
- Existing and Proposed Elevations, Drawing No. RH101, Sheet No. 002, Revision A, received by the City Council as the Local Planning Authority on 16 May 2024.
- Existing and Proposed Floor Plans, Drawing No. RH101, Sheet No. 001, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024.

Reason - In the interest 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).

5) Before first occupation of the development thereby approved, the proposed window along the rear elevation to serve the annotated 'bathroom / lavatory' and as shown on: Existing and Proposed Elevations, Drawing No. RH101, Sheet No. 002, Revision A, received by the City Council as the Local Planning Authority on 16 May 2024; and Existing and Proposed Floor Plans, Drawing No. RH101, Sheet No. 001, Revision A, received by the City Council as the Local Planning Authority on 30 April 2024, shall be opaquely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - In the interests of privacy, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

6) 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) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and call Contact Manchester on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

20 Lingfield Road, Manchester, M11 4JZ
16 Lingfield Road, Manchester, M11 4JZ
14 Lingfield Road, Manchester, M11 4JZ
7 Lingfield Road, Manchester, M11 4NX
5 Lingfield Road, Manchester, M11 4NX
14 Sandgate Avenue, Manchester, M11 4LG
12 Sandgate Avenue, Manchester, M11 4LG

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA