MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139569/FH/2024
Date registered valid:	19 March 2024
Proposal:	Erection of single storey rear extension
Address:	212 Moston Lane East, Manchester, M40 3QH
Ward(s):	Moston Ward
Applicant:	Emma Morris
Agent (if any):	Mr John Edmondson, Edmondson Design Limited
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 May 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 April 2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 5 April 2024 Expired: 26 April 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 2-storey, bay-fronted, hip roof, semi-detached dwellinghouse in the Moston ward of north Manchester. The application site benefits from amenity space along the front side and rear elevations, including boundary treatment along the rear perimeter, approximately 1.8 metres high. Off-street parking is along a front driveway and bins are stored along the side and rear garden, screened behind boundary treatment. There is an existing two storey rear extension, rearward projection approximately 2401mm deep, whilst being flush with the side building line of the original house and retaining a separation distance of approximately 1593mm from the common shared boundary with no. 214 Moston Lane East, including a canopy covering projecting from the rear building line of the host building and along the common shared boundary with no. 210 Moston Lane East.

Description of development

Consent is sought for a single storey rear extension. The submitted information indicates that the proposal would relate to a small in-fill development.

The proposed single storey rear extension would be sited along the side elevation of the existing two storey rear extension and along the common shared boundary with no. 210 Moston Lane East, whilst being stepped- away approximately 48mm to leave a small gap from this boundary and would measure approximately 3209mm wide x 2401mm deep x 3526mm maximum height, and it would be flush with the rear building line of the existing two storey rear extension. It would incorporate a lean-to pitched roof design and would include bi-fold doors 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.

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. 214 and 210 Moston Lane East, 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. Moreover, the proposed rearward projection at approximately 2401mm deep is within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, and therefore, 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 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 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, 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 19 March 2024.
- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 19 March 2024.
- Existing and Proposed Site Plans, Existing and Proposed Floor Plans and Elevations, DRAWING No: 2414 PL 200, received by the City Council as the Local Planning Authority on 19 March 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: Existing and Proposed Site Plans, Existing and Proposed Floor Plans and Elevations, DRAWING No: 2414 PL 200, received by the City Council as the Local Planning Authority on 19 March 2024

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, 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) 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

214 Moston Lane East, Manchester, M40 3QH
210 Moston Lane East, Manchester, M40 3QH
29 Parkleigh Drive, Manchester, M40 3RZ
27 Parkleigh Drive, Manchester, M40 3RZ
25 Parkleigh Drive, Manchester, M40 3RZ

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