



Planning Statement

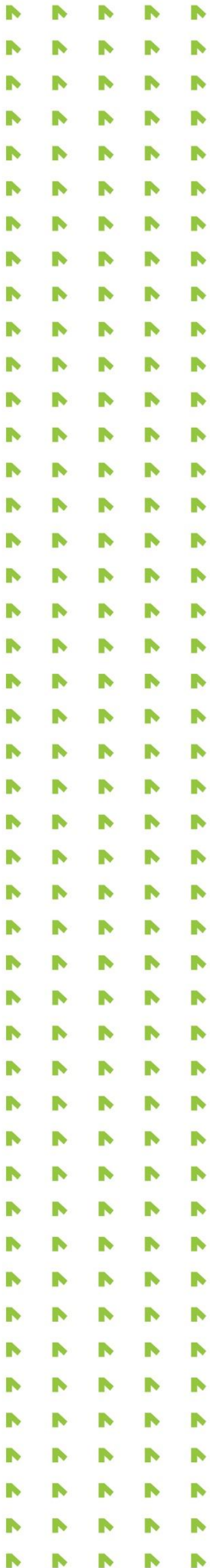
81 Ashley Lane, Manchester

M9 4NU

Regulated by RTPI

January
2024

M MIALEX



**Mialex is a bespoke planning
and development consultancy
established in 2017.**

We specialise in securing planning
permission on a wide range of
developments across the UK and
have a strong track record of success.

Please click below for details of our current
projects.

ALL PROJECTS →

M MIALEX

Contents

1. Introduction
2. Site and Surroundings
3. Planning History
4. The Proposal
5. Planning Policy
6. Planning Considerations
7. Conclusions

Appendices

1. Decision Notice for Application **Ref 128914/FH/2020**
2. Delegated Report for Application **Ref 128914/FH/2020**
3. Approved Ground Floor Plan for Application **Ref 128914/FH/2020**

1 INTRODUCTION

- 1.1 This planning statement has been prepared on behalf of 136 Holdings LLP in support of a Householder Planning Application for extensions and alterations to No. 81 Ashley Lane, Manchester M9 4NU as identified in the site location plan enclosed within Section 2.
- 1.2 The statement addresses the following matters:
- A description of the site and surroundings;
 - A review of the background and history of the site;
 - An explanation of the development proposal;
 - An assessment of relevant planning policy;
 - An appraisal of the relevant planning and design issues, and
 - Conclusions.
- 1.3 Accordingly, this statement addresses the design principles and concepts that have been applied to the development in respect of the location, use, layout, scale and appearance – in relation to the site's context. As such, the statement meets the requirement to formally state how design and access issues have been considered.
- 1.4 The statement should be read in conjunction with the Drawings Package prepared by Prospetti and submitted in support of the application.
- 1.5 The submissions conclude that the development proposal is acceptable and supportable in planning terms.

2 SITE AND SURROUNDINGS

- 2.1 The site relates to a two-storey semi-detached property located on the eastern side of Ashley Lane, Manchester.
- 2.2 The property is relatively setback from the roadside with a 3 metre separation to the highway and benefits from a substantial driveway to the south providing parking opportunities for a number of vehicles. Importantly, the site is considered to have very good accessibility to public transport with a GMAL score of 6, close to 7 thanks to a number of high frequency bus routes off Moston Lane to the north.
- 2.3 Ashley Lane benefits from a predominantly residential character, notably the site is also just 430 metres walk from Harpurhey District centre, as identified within the Council's Local Development Framework Area Map. The site is therefore considered to be both highly accessible and sustainable.
- 2.4 The site does not fall within a Conservation Area nor is it in proximity to any listed buildings. It is also confirmed that the site is positioned within Flood Zone 1.
- 2.5 Please refer to the images of the site below.



Image 1: The site as viewed at street level in August 2023.



Image 2: Overhead view of the site facing east with Ashley Lane in the foreground. Notably immediately surrounding properties display variety in their roof style and massing.



Image 3: Location Plan demonstrating the site's context in relation to surrounding residential properties.

3 PLANNING HISTORY

The Site

- 3.1 A review of the Council's records has been undertaken which indicates that the site itself has not been subject to any planning applications of relevance to this proposal.

Surrounding Area

- 3.2 Importantly, the adjoining semi-detached property does benefit from a recently approved application for extensions and alterations, that was considered under the same Local Development Framework as this application in December 2020, as summarised below.
- 3.3 Application (**Ref 128914/FH/2020**) was made at the adjoining No. 79 Ashley Lane, Manchester M9 4NU for the erection of a two storey side and rear extension to form additional living accommodation. **Granted 8th February 2021** (please refer to the Decision Notice and Delegated Report enclosed at **Appendix 1** and **2** respectively).
- In setting out what scale of extensions will be considered acceptable for this type of property in the locality, the Delegated Report (enclosed at **Appendix 2**) confirms at Page 5 that a two storey extension sited 3 - 5 metres away from adjoining properties (which benefit from large rear gardens) would not be considered excessively large or bulky and there would be no significantly negative impact with regard to overbearing or overshadowing of neighbours.
- 3.5 It can therefore be concluded that the site is capable of hosting a new proportionate extension in order to allow occupiers to deliver an improved accommodation offer.

4 THE PROPOSAL

- 4.1 Householder planning permission is sought for extensions and alterations to an existing dwellinghouse to accommodate an enlarged lounge/diner, new study and two new WCs at ground floor level following the demolition of the existing rear extension, part of the existing kitchen and garage.
- 4.2 The accompanying drawings package prepared by Prospetti and enclosed as part of this submission sets out how the floorspace of the building following development will utilise the existing extension footprint alongside infill opportunities where possible to ensure the additional scale of the property is minimised.
- 4.3 As outlined within Section 2, the site benefits from being located in a distinctly residential area with a number of two storey dwellings of varying scale and external design in the immediate host block.
- 4.4 Accordingly, all elements of the proposal have been carefully considered to ensure the development responds positively to local distinctiveness and sits comfortably in terms of visual appearance and massing, whilst delivering a high quality extension.
- 4.5 The enlarged property will maintain or improve all existing minimum separation distances to neighbouring properties with a notable reduction in the overall depth of the rear extension when compared to the existing.
- 4.6 When considered in conjunction with the low overall height of the rear projection (3.2 falling to 3.1 metres), and the recently approved floorplans of No. 79 Ashley Lane under application **Ref 128914/FH/2020** (enclosed within **Appendix 3**) this ensures that there will be no impact upon the 45 degree view of the adjoining semi-detached neighbouring property.
- 4.7 Complementary, and where appropriate contemporary external materials will be utilised throughout the development in order to ensure the visual character and appearance of the street scene is preserved. Further details of which may be found within the enclosed drawings package and be secured by way of condition as necessary.
- 4.8 As demonstrated within the enclosed block plan, the site benefits from generous levels of private rear amenity space which will be retained following development. At ground floor level provision can be made within the site for safe and secure cycle and refuse storage as necessary, alongside provision for off road vehicle parking.
- 4.9 As set out within the enclosed drawings package submitted in support of this application the proposed extensions will be concentrated to the rear of the property however some minor changes are also proposed to the side of the existing property in order to create higher quality, more usable space for occupiers.

- 4.10 Whilst falling under the scope of permitted development, in the interest of clarity the submitted drawings package also provides detail on the proposed hip to gable and rear dormer extension which is being brought forward at the property.

5 PLANNING POLICY

5.1 This section provides a review of relevant national and local planning policy and guidance.

National Policy

5.2 The National Planning Policy Framework was revised in December 2023 and sets out the Government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development.

5.3 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.4 Paragraph 8 confirms that there are three dimensions to sustainable development; economic, social and environmental. To achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

5.5 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. These sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in the framework.

Delivering a Sufficient Supply of Homes

5.6 Paragraph 60 explains that in order to support the Government's commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.7 Paragraph 61 states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area. There may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the

alternative approach should also reflect current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

- 5.8 The standard method incorporates an uplift which applies to certain cities and urban centres, as set out in national planning guidance. This uplift should be accommodated within those cities and urban centres themselves except where there are voluntary cross boundary redistribution agreements in place, or where it would conflict with the policies in the NPPF.
- 5.9 Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing, families with children, older people (including those who require retirement housing, housing-with-care and care homes, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Promoting Sustainable Transport

- 5.10 To protect and exploit opportunities for the use of sustainable transport modes, development should be located and designed to give priority to pedestrian and cycle movements and have access to high quality public transport facilities; address the needs of people with disabilities by all modes of transport; create safe and secure places minimising conflicts between traffic and pedestrians; allow for the efficient delivery of goods and access by service and emergency vehicles; and be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Making Effective Use of Land

- 5.11 The NPPF recognises the need for the planning system to promote an effective use of land in meeting the need for homes and other uses. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.12 Paragraph 124 (c) explains that the planning system should specifically give substantial weight to the value of using suitable brownfield land within settlements for new homes and other identified needs. Furthermore, sub-section (d) of this paragraph explains that planning should also promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 5.13 Sub-section (e) of paragraph 124 outlines that Council's should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.

5.14 The chapter goes on to discuss how appropriate densities can be achieved. Paragraph 128 sets out that the planning system should support development that makes efficient use of land, taking into account the following:

- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) Local market conditions and viability;
- c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) The desirability of maintaining an area’s prevailing character and setting or of promoting regeneration and change; and
- e) The importance of securing well-designed, attractive and healthy places.

Achieving Well Designed Places

5.15 This chapter sets out at paragraph 135 that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Are visually attractive as a result of good architecture and appropriate landscaping;
- Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and
- Create places that are safe, inclusive and accessible and which promote health and well-being.

5.16 Paragraph 137 stress the importance of pre-application discussions with the community and local planning authority in the design process, stating that applicants should work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in the design of the new development should be looked upon more favourably.

Decision Taking

5.17 Guidance in paragraph 38 states that local planning authorities should approach decision-taking in a positive and creative way. They should work proactively with planners to secure developments that

will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Local Development Framework

- 5.18 The Local Development Framework currently consists of the Manchester Core Strategy (CS) combined with a number of saved policies from the Unitary Development Plan (UDP) (2006).
- 5.19 Accordingly, the Core Strategy and UDP set out the detailed policies for consideration of planning applications within the City. The policies relevant to the assessment of the development proposal are summarised below.

Core Strategy

- 5.20 **Policy SP1 (Spatial Principles)** Sets a range of spatial principles which will guide the strategic development of Manchester to 2027, of relevance to this proposal is the following.
- 5.21 Development in all parts of the city should make a positive contribution to neighbourhoods of choice including:
- Creating well designed places that enhance or create character;
 - Making a positive contribution to the health, safety and wellbeing of residents;
 - Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture ethnicity or income;
 - Protect and enhance the built and natural environment.
- 5.22 **Policy DM1 (Development Management)** States that development management should have regard to the following specific issues:
- Appropriate siting, layout, scale, form, massing, materials and detail;
 - Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
 - Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions such as noise.
 - Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes;
 - Community safety and crime prevention;
 - Design for health;
 - Adequacy of internal accommodation and external amenity space;

- Refuse storage and collection;
- Vehicular access and car parking;
- Effects relating to biodiversity, landscape, archaeological or built heritage;
- Green Infrastructure including open space, both public and private;
- The use of alternatives to peat-based products in landscaping/gardens within development schemes;
- Flood risk and drainage;
- Existing or proposed hazardous installations; and
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Unitary Development Plan

5.23 **Policy DC1.1 (Residential Extensions)** 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 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 street scene;
- e) The effect of the loss of any on-site car parking.

5.24 **Policy DC1.2 (Residential Extensions)** Outlines 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 the original buildings);
- b) They do not create an undue loss of sunlight, daylight or privacy;
- c) They are out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;
- d) They would not result in the loss of on-street car parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

5.25 **Policy DC1.3 (Residential Extensions)** States that notwithstanding the generality of the above policies, the Council will not normally approve:

- a) Rearward extensions greater than 3.65m in length;
- b) Two storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c) Two 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.

6 PLANNING CONSIDERATIONS

- 6.1 The planning issues relevant to the determination of the development proposal are assessed in detail below.

Principle of Development

- 6.2 As examined within the previous section, the National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the use of previously developed sites.
- 6.3 The site is an existing two storey semi-detached dwelling located within a residential block of 7 varied properties. As such, the principle of extending the property to provide an enhanced accommodation offer is considered acceptable, provided that there will be no significant adverse impact upon the amenity of the occupiers of any neighbouring properties or the character of the street scene.

Design

- 6.4 As summarised within Section 4 the proposal seeks consent for extensions and alterations to the side and rear of No. 81 Ashley Lane.
- 6.5 The proposal has been carefully considered to ensure it is not overly dominant in size and scale to the host dwelling or neighbouring properties. As confirmed within the enclosed drawings package the existing building footprint has been utilised where possible to deliver an enlarged dwelling with more usable space that respects the siting of the original plot. As such, the proposal seeks to reduce the depth and increase the width of the existing rear projection currently on site.
- 6.6 The enlarged dwelling has been carefully designed to maintain characteristic design features to the front of the street scene with a gable roof, bay window and retained tile overhang.
- 6.7 Whilst contemporary materials in the form of grey UPVC windows, sliding doors and fascia boards will provide a contemporary modern uplift to the traditional property. Importantly, the building fabric of the extension will directly replicate the existing property with matching external brickwork and roof tiles.

Impact upon Neighbouring Properties

- 6.8 The scheme has been designed in a manner that ensures there will be no adverse overlooking or overbearing impacts upon any neighbouring properties.
- 6.9 As confirmed within Section 4 of this statement the existing outlook (and 45 degree view) of No. 79 Ashley Lane will be unimpacted as a result of development.
- 6.10 In a similar manner to the conclusions drawn by the Council in assessing application **Ref 12914/FH/2020** the property subject to this application benefits from a large rear amenity space minimising any potential impacts with regard to overshadowing and overbearing (**Appendix 2, Page 5**)
- 6.11 It is confirmed that there are no additional windows proposed above ground floor level within the side elevation with the existing obscurely glazed bathroom window to be retained.

6.12 As such, the scheme is considered to comply with both UDP Policy DC1 and Core Strategy Policy DM1.

Residential Living Standards

6.13 All internal rooms will meet or exceed targets set out within the National Space Standards. Provision can also be incorporated within the site for secure cycle accommodation and a refuse store, full details of which may be provided at the local authorities request.

6.14 The proposal has been carefully designed to ensure that generous, private, rear garden amenity space will be retained for new residents following development.

6.15 The development therefore complies with Policies DM1 and SP1 of the Core Strategy and Policy DC1 of the UDP respectively.

7 CONCLUSIONS

7.1 It is concluded that the scheme is in accordance with the NPPF and The Council's adopted Local Plan. It therefore constitutes appropriate development and should be supported for the following reasons:

- The principle of extending an existing dwelling to provide an enhanced living environment is considered acceptable in principle in line with the relevant provisions of the NPPF;
- The approach to the design of the scheme has been carefully considered and informed by recent applications in the local area and local plan policy. As such, the enlarged dwelling will deliver a high quality extension that will respect the visual character of the existing property and surrounding street scene;
- The property will retain its existing status as a semi-detached dwelling. Its scale, massing and height will continue to consist with several other properties in the immediate local area, most notably the directly adjoining No. 79 Ashley Lane.
- The scheme has been designed to provide a suitably high quality living environment for new and existing residents by ensuring appropriate levels of privacy, outlook and a design which exceeds all internal space standards. There will be no adverse impact upon the amenity of the occupiers of any neighbouring properties by way of overlooking, overbearing or overshadowing.

7.2 In light of the above, the scheme has been demonstrated to comply with all relevant national and local planning policies (most notably Policies SP1 and DM1 of the Core Strategy, and Policy DC1 of the Unitary Development Plan) and should be considered acceptable.



0330 133 1355
info@mialex.co.uk

Mialex Limited
Company No. 10612718



Work.Life Manchester
Core
Brown Street
Manchester
M2 1DH

Appendix 1

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning Act 1990 (as amended)

Planning Permission

Applicant

Mr S Bond
79 Ashley Lane
Manchester
M9 4NU

Agent (if used)

Mr Niels Skovgaard
Warburton Associates
The Old Police Station
62 Chapel Street
Salford
Manchester
M3 7AA

Part 1 – Particulars of the application/development

Proposal: Erection of a two storey side and rear extension to form additional living accommodation

Location: 79 Ashley Lane, Manchester, M9 4NU

Date of application: 22 December 2020

Application number: 128914/FH/2020

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Approved** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework

Condition(s) attached to this decision

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:

- Location Plan drawing no. 20 received by the City Council as Local Planning Authority 25 January 2021.
- Existing Site Plan drawing no. 21 received by the City Council as Local Planning Authority 25 January 2021.
- Proposed Site Plan drawing no. 26B received by the City Council as Local Planning Authority 25 January 2021.
- Existing Ground Floor Plan drawing no. 22 received by the City Council as Local Planning Authority on 17 December 2020.
- Existing First and Second Floor Plans drawing no. 23 received by the City Council as Local Planning Authority on 17 December 2020.
- Existing Elevations drawing no. 24 received by the City Council as Local Planning Authority on 17 December 2020.
- Existing Side Elevations drawing no. 25 received by the City Council as Local Planning Authority on 17 December 2020.
- Existing & Proposed Front Elevation drawing no. 33 received by the City Council as Local Planning Authority 25 January 2021.
- Existing & Proposed Floor Plans and Roof Plan drawing no. 35 received by the City Council as Local Planning Authority 25 January 2021.
- Existing & Proposed Elevations drawing no. 36 received by the City Council as Local Planning Authority 25 January 2021.

Reason - To ensure that 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 extension hereby permitted shall match those of the existing building 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 extension, 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.

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 extension hereby approved other than those shown on the 'Existing & Proposed Front Elevation drawing no. 33' and 'Existing & Proposed Elevations drawing no. 36' received by the City Council as Local Planning Authority 25 January 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to the commencement of development appropriate and comprehensive construction designs shall for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Informatives

This decision relates to the extension or improvement of an existing dwellinghouse, falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and does not infer or imply approval for the use of the property for any other purpose.

Manchester City Council has made an Article 4 Direction to remove permitted development rights that allow for a change of use from Class C3 - *Dwellinghouses* to Class C4 - *House in Multiple Occupation*. This means that from 8 October 2011, planning permission is required for a change of use from a Dwellinghouse to a House in Multiple Occupation. Further information regarding the Article 4 direction can be found on Manchester City Council's website:

www.manchester.gov.uk/info/200074/planning/4847/article_4_direction

If you intend to use the property to which this decision relates for any purpose other than a dwellinghouse, you should first contact Manchester City Council's Planning Service. Failure to obtain any necessary planning permission prior to carrying out a material change of use or physical development could result in enforcement action being taken, which can have serious implications.

This permission does not grant approval under Building Regulations.

Date: 8 February 2021

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This permission refers only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within 12 weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Appendix 2

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128914/FH/2020

Date registered valid: 22 December 2020

Proposal: Erection of a two storey side and rear extension to form additional living accommodation

Address: 79 Ashley Lane, Manchester, M9 4NU

Ward(s): Moston Ward

Applicant: Mr S Bond 79 Ashley Lane, Manchester, M9 4NU

Agent (if any): Mr Niels Skovgaard Warburton Associates The Old Police Station, 62 Chapel Street, Salford, Manchester, M3 7AA

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 February 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 December 2020

Expired: 20 January 2021

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a large, three storey semidetached property located in a predominately residential area in the Moston Ward of North Manchester. The application property benefits from large side and rear gardens and has an existing single storey rear extension along the boundary with the adjoining semidetached property.

Description of Development

The submitted application seeks planning permission for the erection of a two-storey side and rear extension to form additional living accommodation. The proposed side extension would be set back from the principal elevation by approx. 4.6 metres and have a width of approx. 5 metres. The two storey rear extension would be set away from the shared boundary by approx.. 6 metres and have a rear projection of approximately 3.8 metres beyond the rear elevation.

Consultations & Notification Responses

Local residents were notified and 1 response was received, comments made are as follows:

- Concerns raised with regards to noise and mess involved with the construction.
- Statement that 24 hour access to the neighbouring property is required to the neighbouring property.
- Concerns regarding the height / spread and roots of trees affecting the area.

Comments on objection:

- Issues regarding waste and noise during the construction as well as parking of construction vehicles of the extension are not material considerations that can be considered as part of this planning application.
- The submitted plans to not appear to impact on the existing trees, in any case these trees do not have a tree protection order and could be removed without the benefit of planning permission.

Environmental Health - Recommendation of a Gas Membrane condition

Policy

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are: an economic objective, a social 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- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.
- Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

Extant UDP Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

Policy DC1.1 - Relates to residential extensions and in this case requires consideration of: the impact of the general character of the property; the effect upon the amenity of neighbouring occupiers; the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs and the overall appearance of the proposal in the street-scene. Given the requirements of the resident it is considered that this policy is relevant and the proposed design represents an appropriate response.

Policy DC1.2 - Requires consideration of the extensions to ensure that it is not excessively large or bulky. It is considered that the extension is a proportionate response to meet changing occupational needs.

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:

- rearward extensions greater than 3.65 metres in length;
- 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- 2-storey extensions to terraced properties which occupy the full width of the house;
- flat roofed extensions to bungalows;

e). extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies are relevant for this application:

Policy DM 1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

-Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;

Issues

Principle

The proposed development is an extension to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order 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 dwelling house it is not considered that the proposed extension would give rise to any significant additional waste or parking pressures.

Residential Amenity/Visual Amenity

The proposed two storey side extension would have a width of approximately 5 metres and maintain a gap to the shared boundary with non-adjoining property no. 72 of approximately 3 metres. The side extension would be set back from the front elevation of the existing property by approximately 4.6 metres, although the extension is large, given the set back from the front elevation, gap to the boundary and large side and rear garden, the extensions are not considered to be excessively large or bulky and is a proportionate response to meet changing occupational needs in accordance with saved UDP Policy DC1.2.

The proposed two storey rear element of the extension is sited approximately 5 metres away from the shared boundary with the adjoining property, and 3 metres from the non-adjoining property, with a rear projection of approx. 3.8 metres, given that the application property as well as the neighbouring properties benefits from large rear gardens, there are not considered to be any significant impacts with regards to overbearing or overshadowing associated with the extension on either neighbouring properties in accordance with Saved UDP Policy DC1.1.

There would be no windows on the side elevation facing the adjoining property and therefore there are no significant impacts associated with the extension on the adjoining property in terms of overlooking and loss of privacy.

The extensions will allow the occupiers of 79 Ashley Lane to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of neighbouring properties in accordance with UDP policy DC1 and Core Strategy DM1.

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:

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary but appropriate conditions have been attached to

the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework

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:

-Location Plan drawing no. 20 received by the City Council as Local Planning Authority 25 January 2021.

-Existing Site Plan drawing no. 21 received by the City Council as Local Planning Authority 25 January 2021.

-Proposed Site Plan drawing no. 26B received by the City Council as Local Planning Authority 25 January 2021.

-Existing Ground Floor Plan drawing no. 22 received by the City Council as Local Planning Authority on 17 December 2020.

-Existing First and Second Floor Plans drawing no. 23 received by the City Council as Local Planning Authority on 17 December 2020.

-Existing Elevations drawing no. 24 received by the City Council as Local Planning Authority on 17 December 2020.

-Existing Side Elevations drawing no. 25 received by the City Council as Local Planning Authority on 17 December 2020.

-Existing & Proposed Front Elevation drawing no. 33 received by the City Council as Local Planning Authority 25 January 2021.

-Existing & Proposed Floor Plans and Roof Plan drawing no. 35 received by the City Council as Local Planning Authority 25 January 2021. -Existing & Proposed Elevations drawing no. 36 received by the City Council as Local Planning Authority 25 January 2021.

Reason - To ensure that 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 extension hereby permitted shall match those of the existing building 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 extension, 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.

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 extension hereby approved other than those shown on the 'Existing & Proposed Front Elevation drawing no. 33' and 'Existing & Proposed Elevations drawing no. 36' received by the City Council as Local Planning Authority 25 January 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Prior to the commencement of development appropriate and comprehensive construction designs shall for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

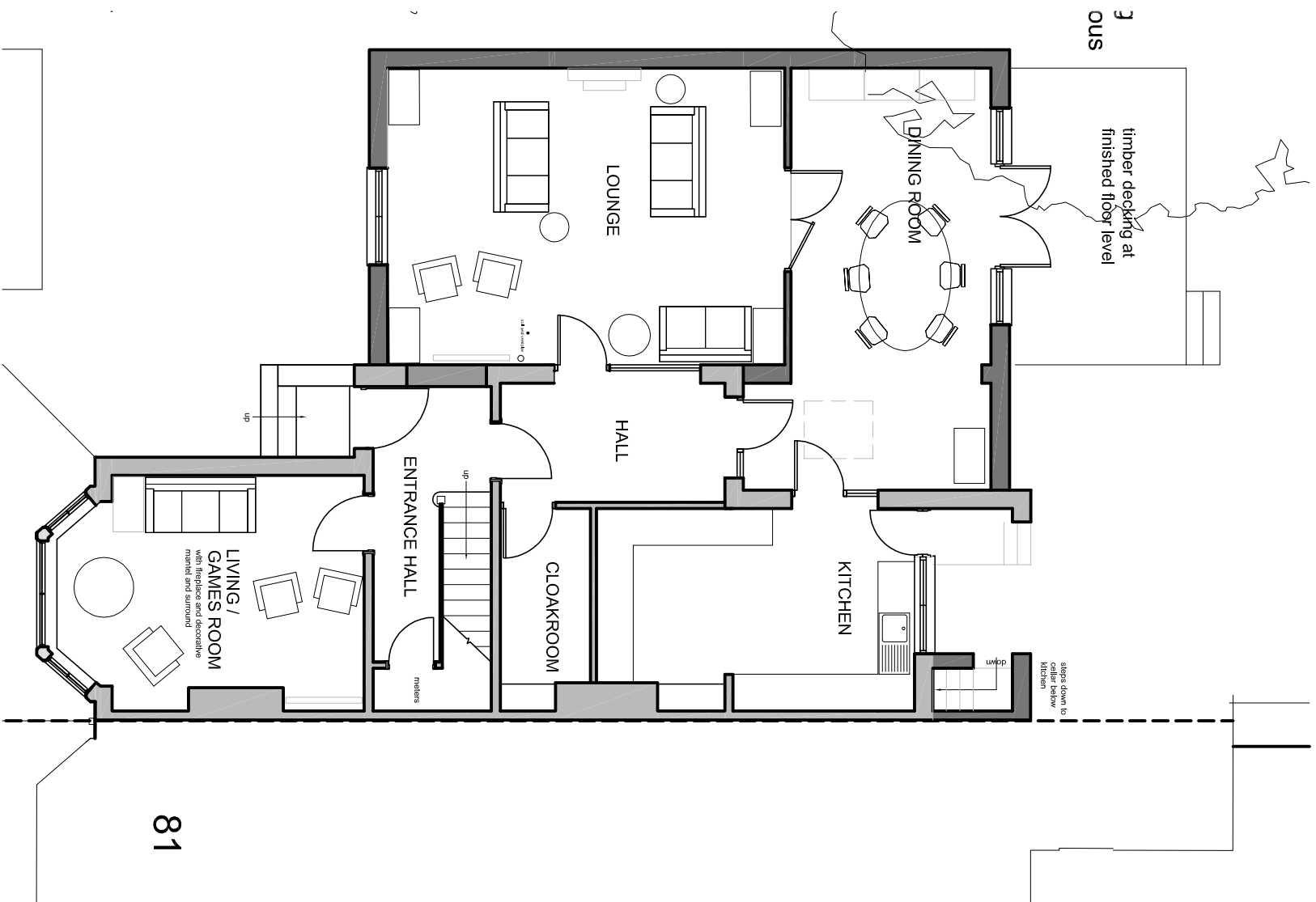
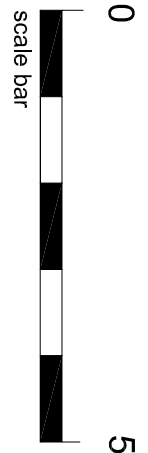
Appendix 1 – List of consultees & neighbours notified

Manchester College Of Arts And Technology, Ashley Lane, Manchester, M9 4WU
81 Ashley Lane, Manchester, M9 4NU
74 Ashley Lane, Manchester, M9 4WT
72 Ashley Lane, Manchester, M9 4WT
70 Ashley Lane, Manchester, M9 4WT
68 Ashley Lane, Manchester, M9 4WT
2 Leywell Road, Manchester, M9 4QR
73 Ashley Lane, Manchester, M9 4NU

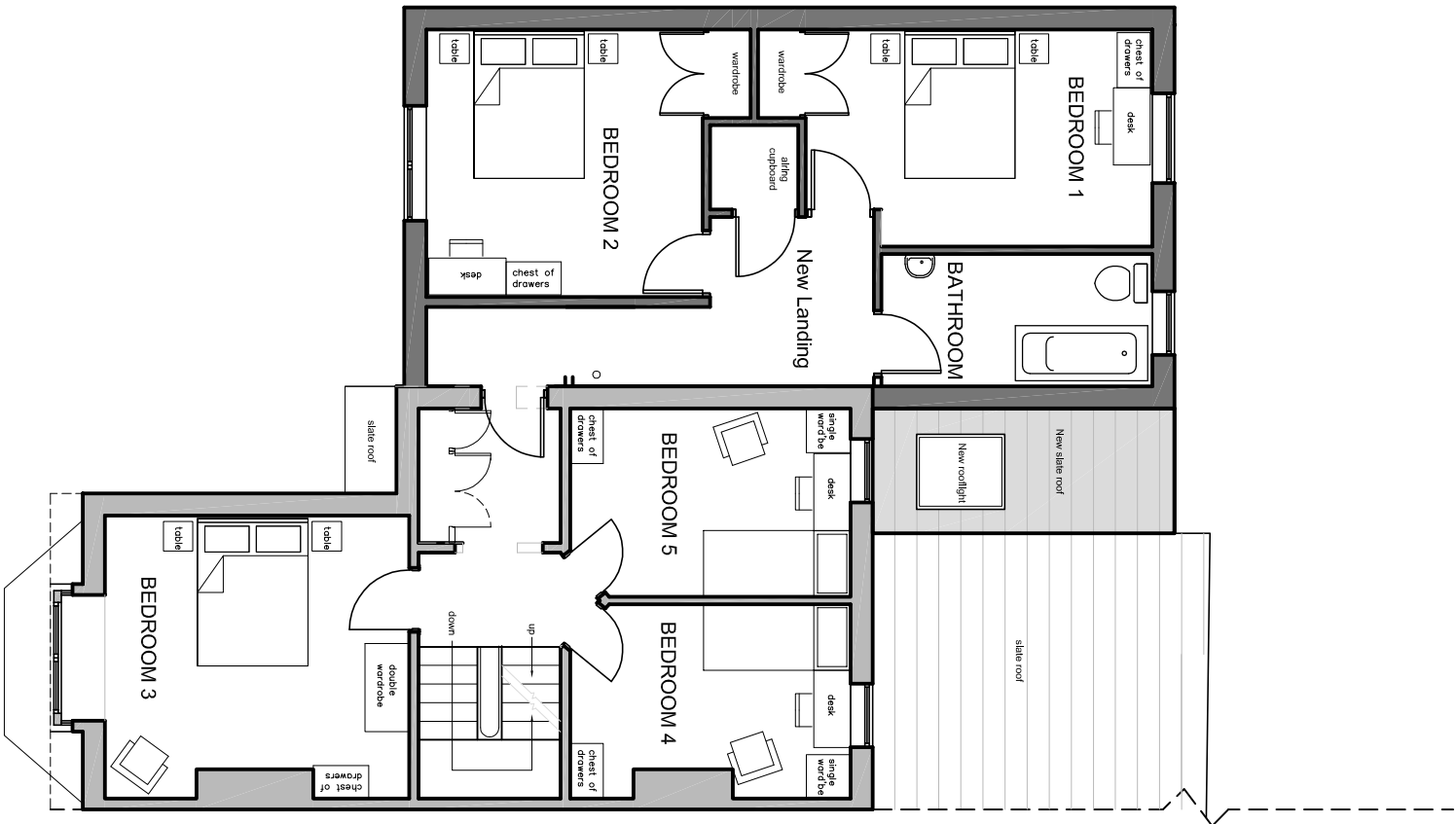
Appendix 2 – Planning constraints

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 -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1

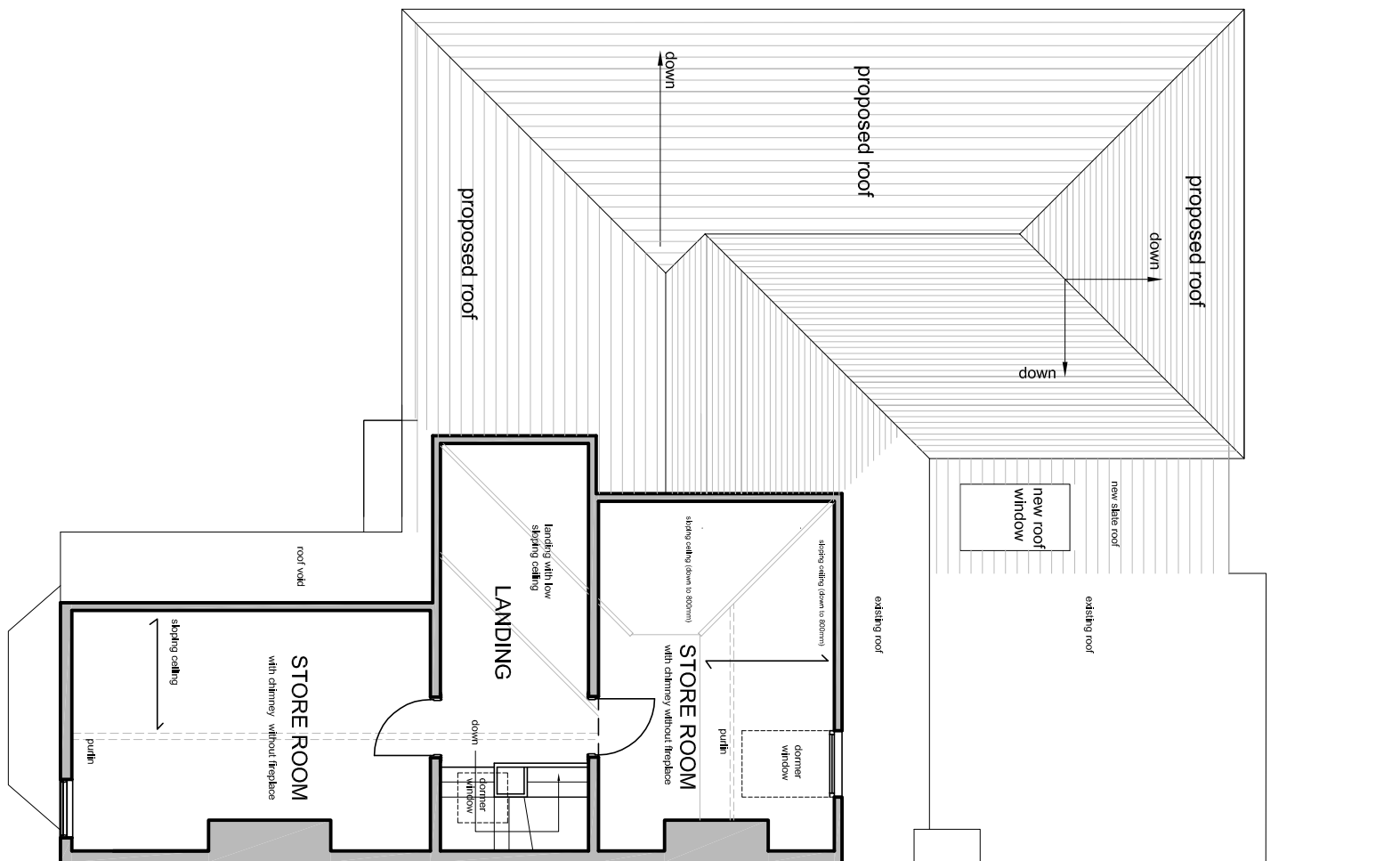
Appendix 3



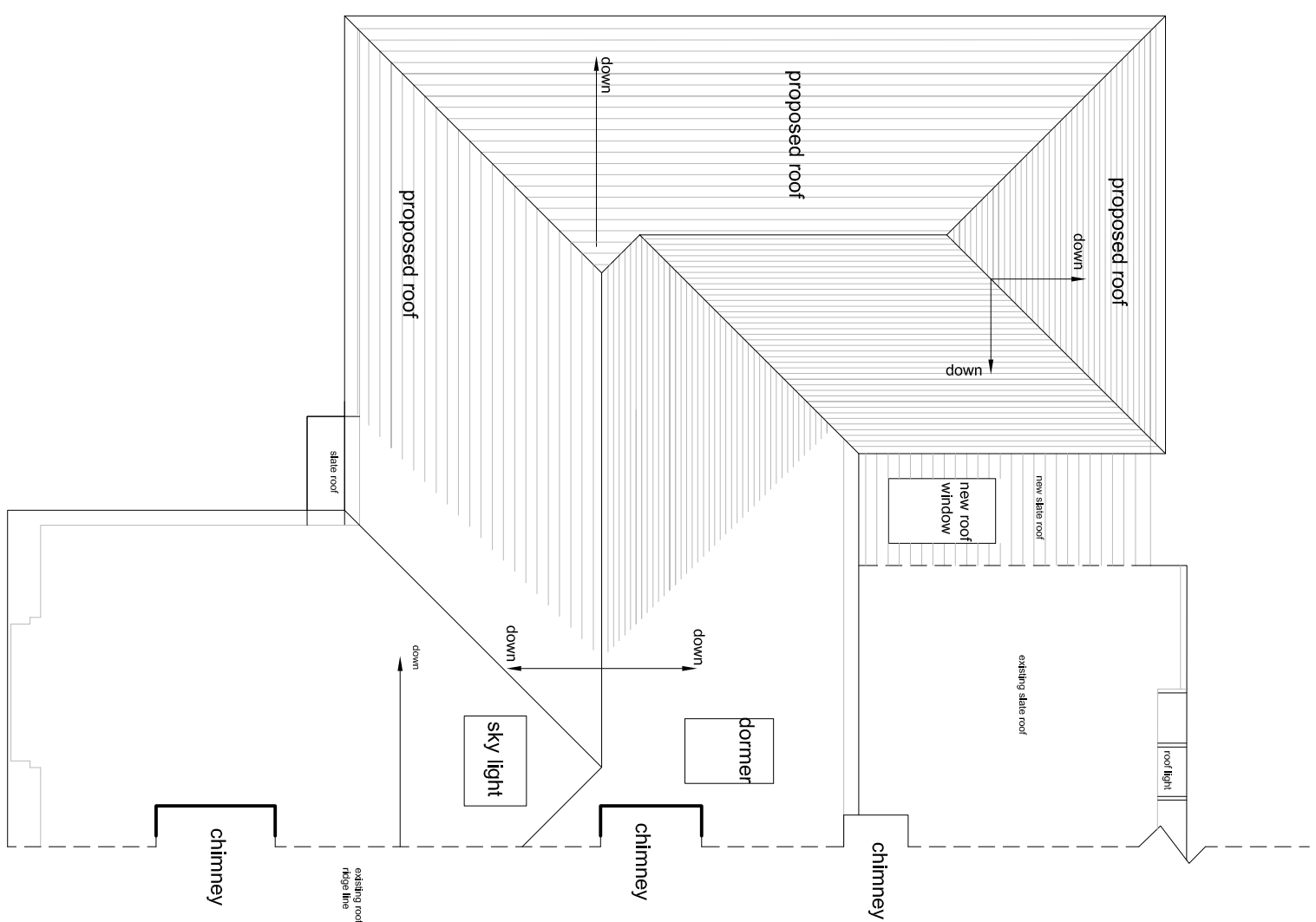
GROUND FLOOR PLAN
as proposed



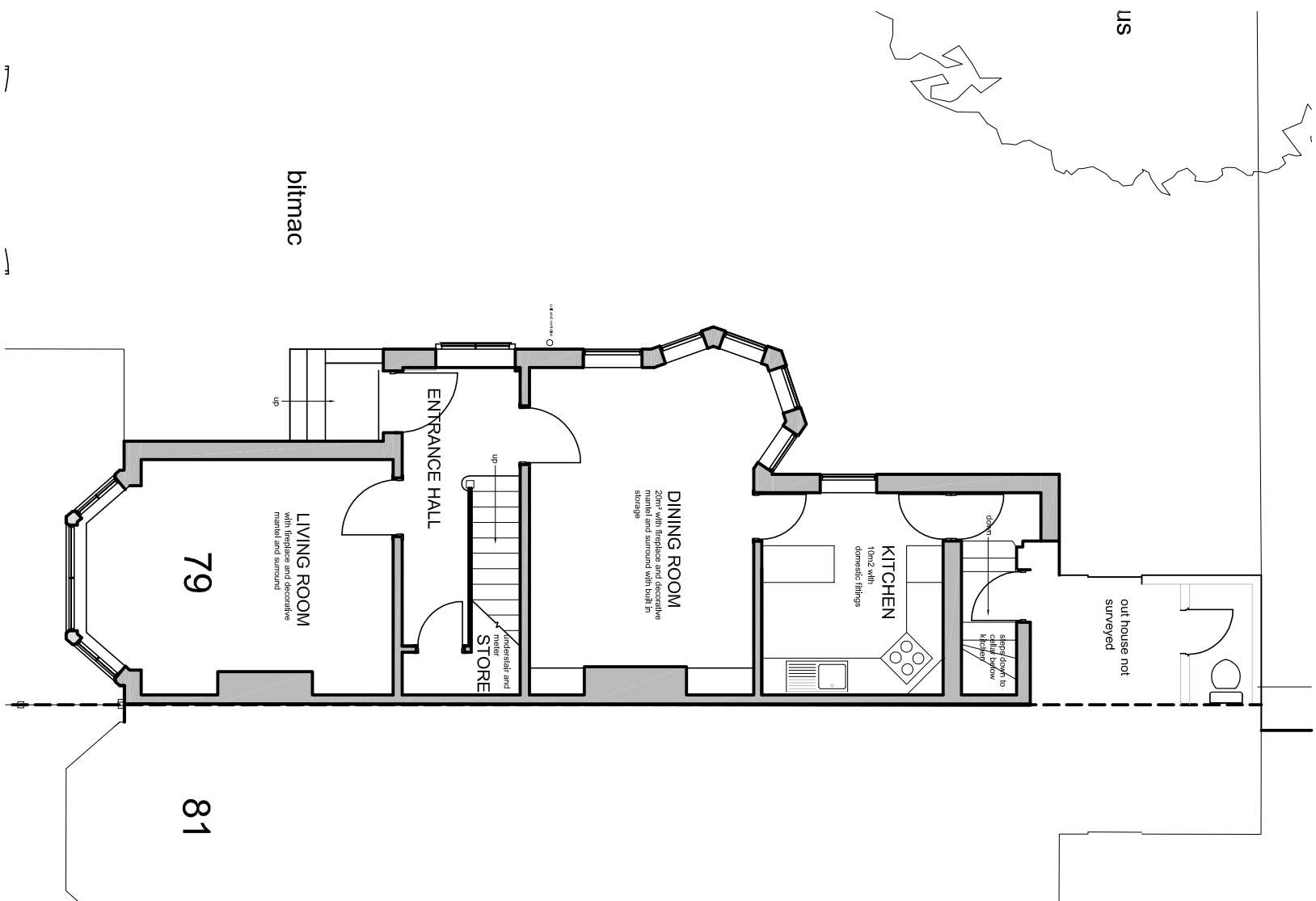
FIRST FLOOR PLAN
as proposed



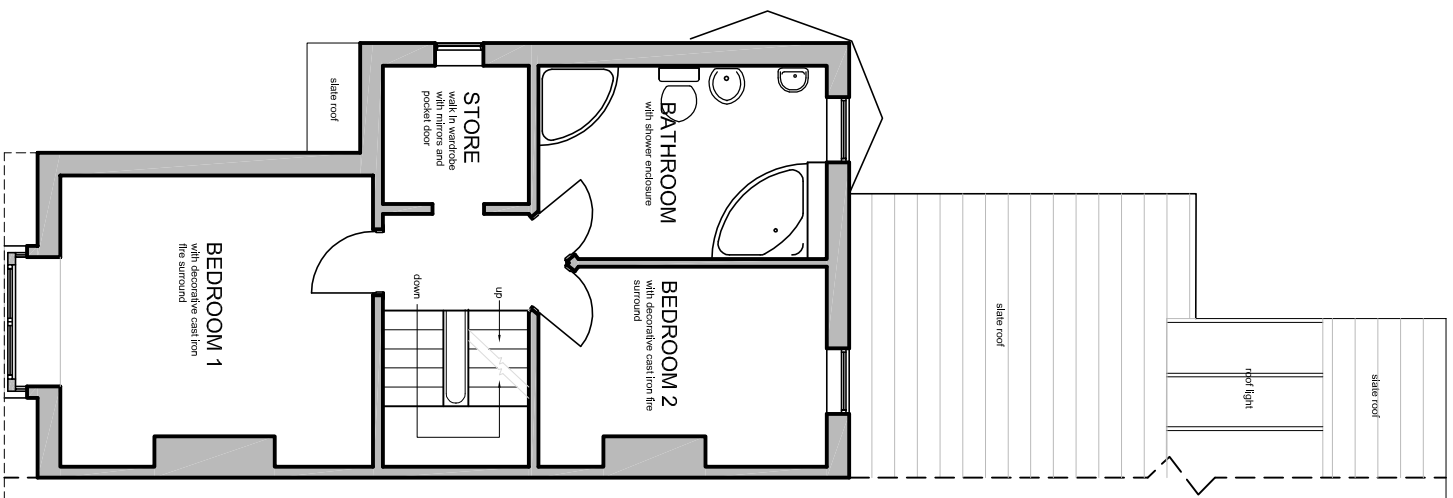
SECOND FLOOR PLAN
as proposed



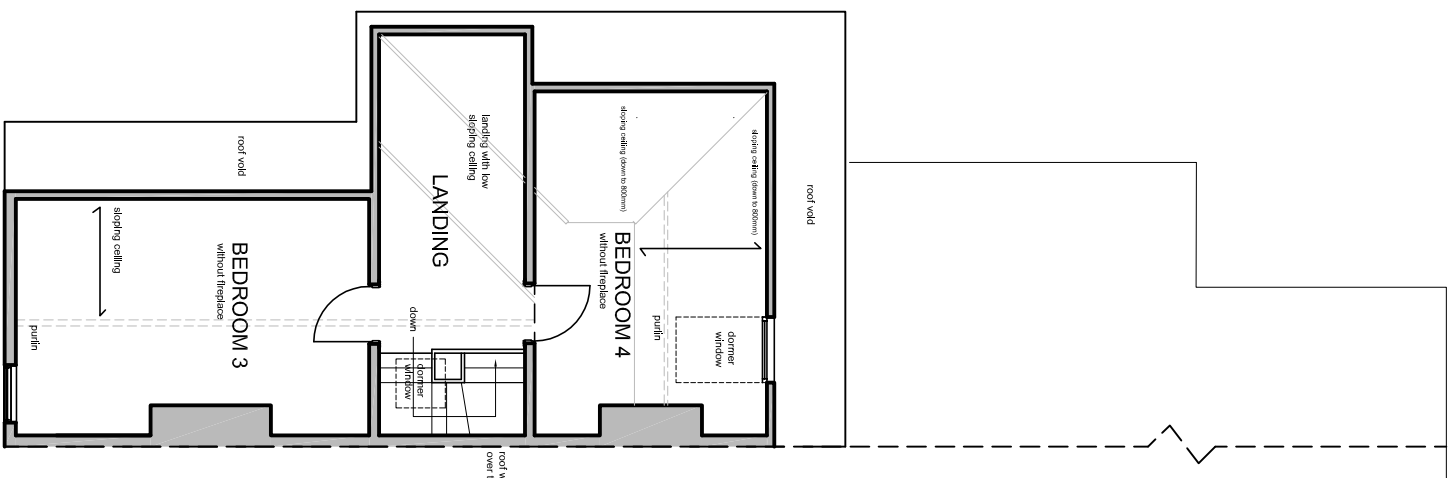
ROOF PLAN
as proposed



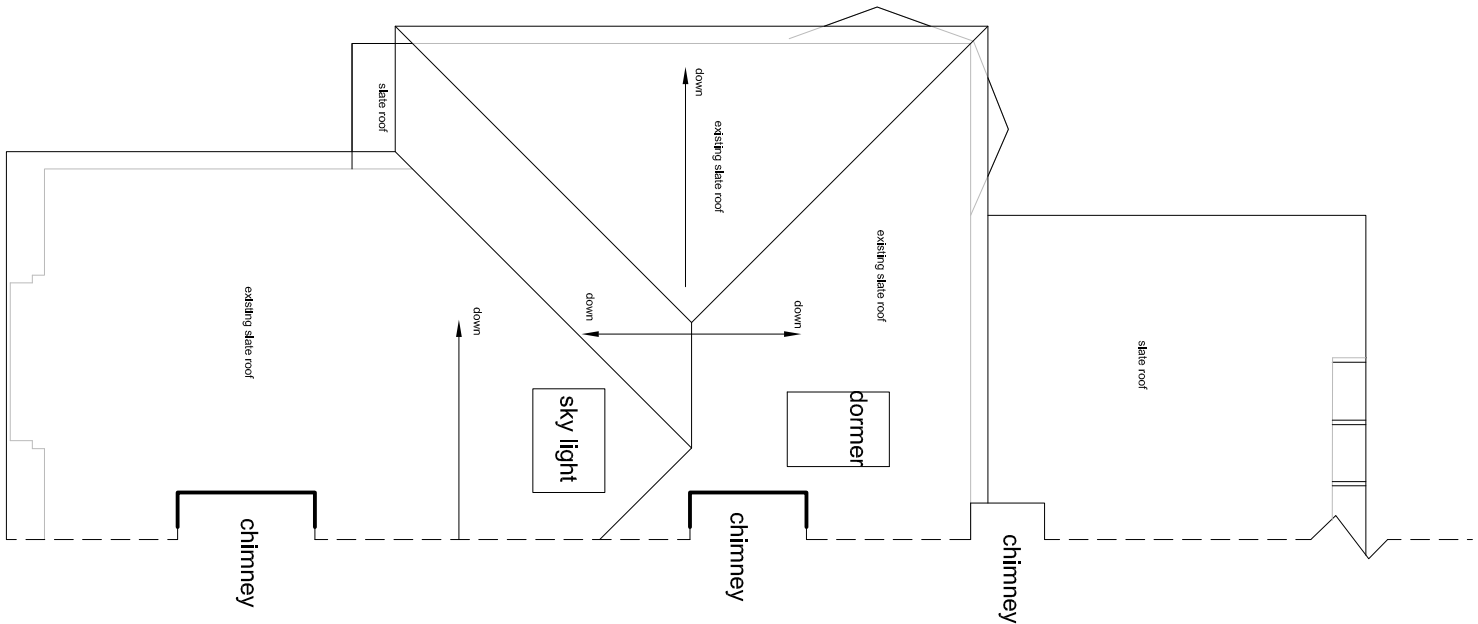
GROUND FLOOR PLAN
as existing



FIRST FLOOR PLAN
as existing



SECOND FLOOR PLAN
as existing



ROOF PLAN
as existing

rev	date	by	description	
contract				
HOUSE EXTENSION 79 ASHLEY LANE MANCHESTER				
client				
Mr S BOND		rev.	date	
5/169 35			22.1.2021	
scales		drawn	checked	
1:100				
subject				
EXISTING & PROPOSED FLOOR PLANS ROOF PLANS				

Warburton

architects

Chartered Architects

The Old Police Station, 62 Chapel Street, MANCHESTER M3 7JA.
Tel: 0161 833 9345 Fax: 0161 831 7584 mail@warburtonassociates.com