

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139043/FH/2024
Date registered valid: 23 February 2024
Proposal: Erection of single storey rear extension and elevational alterations and hip to gable conversion with insertion of rear dormer.
Address: 81 Ashley Lane, Manchester, M9 4NU
Ward(s): Moston Ward

Applicant: 136 Holdings LLP
Agent (if any): Mr Harry Johnson, Mialex
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15th April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 March 2024

Standard consultations: Printed: 29 February 2024 Expired: 21 March 2024

Neighbour notifications: Printed: 29 February 2024 Expired: 21 March 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey slate dual pitch roof to the front (with a red hanging tile face), and a hipped roof form to the side and rear. The property features white uPVC windows, including a ground floor and projecting box window to the front, a ground floor bay to the side, and a rear dormer window. The property also features a spacious front driveway, bordered by a mid-level redbrick wall, a porch canopy, a single storey rear outrigger, in addition to a number of single storey rear additions, and a detached outbuilding situated within a spacious rear garden.



Figure 1. Excerpt from Google Maps, with application site edged in red.



Figure 2. Principal elevation.



Figure 3. Rear elevation.



Figure 4. Rear amenity space.

Description of area

Ashley Lane is a residential street situated within the Moston ward of Manchester, close to North City Shopping Centre, Moston Vale, and St Joseph's Roman Catholic Churchyard. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a single storey rear extension and elevational alterations and hip to gable conversion with insertion of rear dormer.

Planning history

139036/LP/2024 - Use of property as a dwellinghouse (Use Class C3b), including enlarging the roof space with a hip to gable roof alteration and installation of a rear dormer – **APPROVED**.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Environmental Health made no objection, requesting a pre-commencement gas membrane condition 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

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 EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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://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 5. Submitted existing and proposed location and site plan.

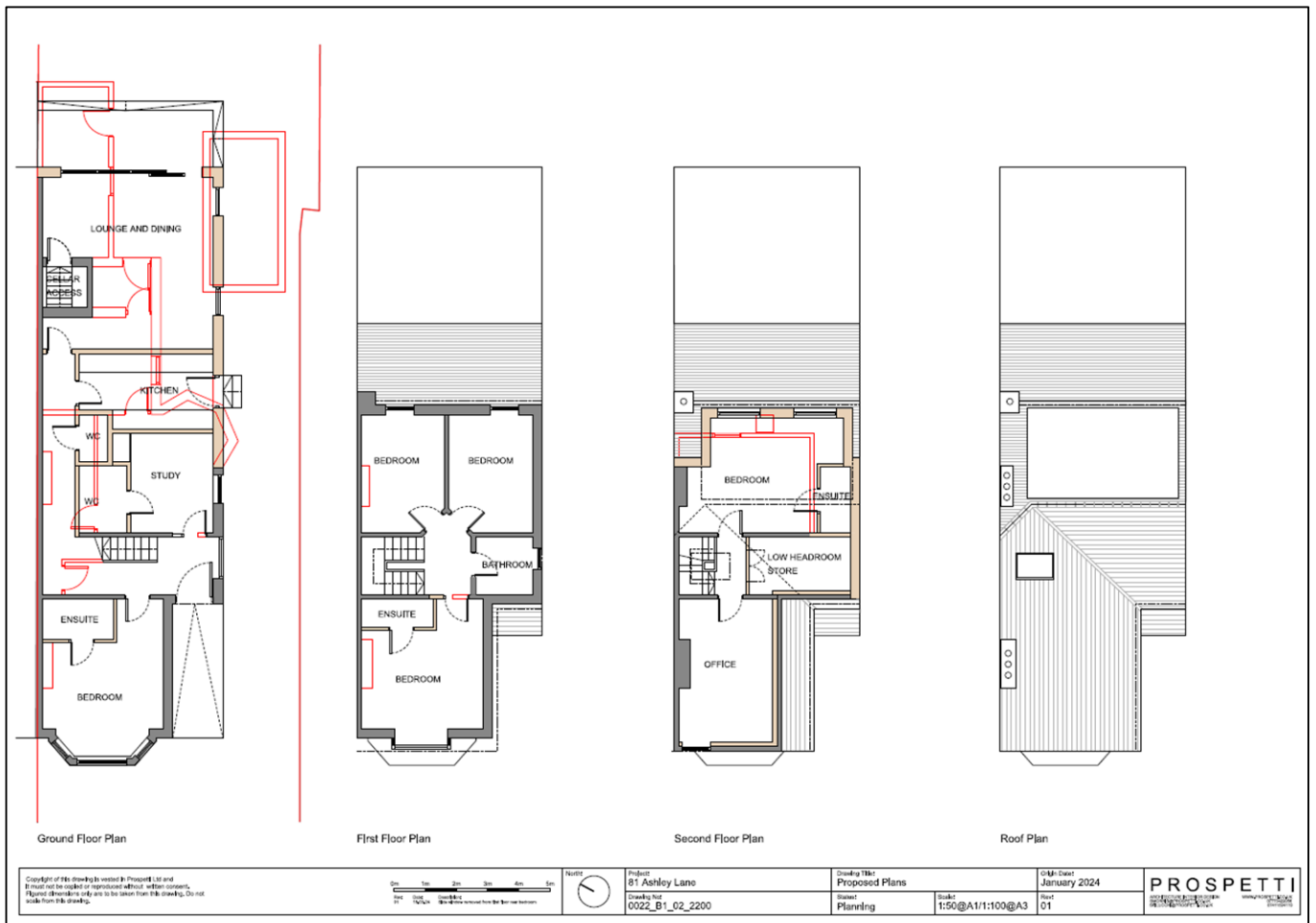


Figure 6. Submitted proposed plans.



Figure 7. Submitted proposed 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 extension together with a hip-to-gable roof conversion, rear dormer, and elevational alterations is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move, as indicated within policy DC1 of the UDP. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking.

Siting, scale, and massing – the single storey extension would be sited at the rear of the property, facing northeast, replacing the existing single storey rear additions and amending the form of the existing single storey rear outrigger present on site.

It would project 5.021m rearwards from the existing outrigger, with a width of 5.94m, and flat roof height of 3.24m. It would be sited along the boundary shared with No.79 Ashley Lane, maintaining a gap of over 2m to the boundary shared with No.83 Ashley Lane.

The 5.021m rearward projection exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m), however is considered acceptable in these circumstances given that this would represent a reduction overall in terms of the rearward projection of the existing single storey additions' (by approximately 2.7m). Moreover, it is considered that the spacious nature of the application plot would be able to adequately accommodate the extension without limiting the private amenity space of the property to an unacceptable degree. The proposal is therefore considered to be subservient to the host dwellinghouse in terms of its dimensions and would not represent an 'excessively large or bulky' addition to the property.

The proposal is therefore considered to accord with policies SP1 and DM1 of the Core Strategy.

Appearance and visual amenity – the submitted plans indicate that the proposed rear extension would be built of brickwork to match the existing, in addition to a GRP flat roof (with black bargeboard to match the existing), and grey uPVC-framed windows and doors.

Its rear elevation would feature a set of sliding doors, whilst its side elevation facing No.83 Ashley Lane would feature two windows and an inward-opening door (with a set of steps). Its flat roof form would be blank and featureless.

The proposal is relatively standard in terms of its scale and design and would be in-keeping with the existing precedent of residential extensions in this area. Sited at the back of the property, away from the public highway and footpath, the rear extension 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 ensure that it does not form a prominent visual feature. The overall character of the property and its surrounding area would therefore not be significantly harmed by these works.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and EN1 as well as chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be single storey, with a maximum roof height of 3.24m, and sited south of a property which possesses single storey additions with similar rearward projections to the proposed, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its side-facing windows in the elevation facing No.83 Ashley Lane have been conditioned to be obscurely glazed so as to protect the privacy of neighbouring occupiers.

The proposal therefore accords with policy DC1 of the UDP, and 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 details of a hip-to-gable roof conversion and rear dormer extension. These have previously been approved under 139036/LP/2024, which confirms their accordance with permitted development regulations. As such, they have not been considered within this report.

The proposal also includes a number of elevational alterations to the host dwellinghouse. These are listed below:

- Removal of the ground floor bay window in the side elevation facing No.83 Ashley Lane.

This alteration is considered acceptable given its minimal impact upon the visual and residential amenity of the area.

Conclusion – given the above issues, it is considered that the proposed extension is acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, and EN19 of the Core Strategy and chapter 12 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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 labelled:

- '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 February 2024.
- 'Proposed Plans', numbered '0022_B1_02_2200 REV 01', stamped as received by the City Council as Local Planning Authority on the 3rd April 2024.

-‘Proposed Elevations’, numbered ‘0022_B1_05_2200’, stamped as received by the City Council as Local Planning Authority on the 18th January 2024.

-‘Existing and Proposed Site Plans’, numbered ‘0022_B1_01_1201’, stamped as received by the City Council as Local Planning Authority on the 18th 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 extension hereby permitted shall match those specified on the approved plans, including brickwork to match the existing.

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) Before first occupation the proposed ground windows in the side elevation facing No.83 Ashley Lane shall be obscure 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any 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 approved plans.

Reason- In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework. The Manchester Core Strategy policy SP1 and DM1.

6) Prior to the commencement of development, appropriate and comprehensive construction designs 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 in writing 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

Environmental Health

85 Ashley Lane, Manchester, M9 4NU

2 Leywell Road, Manchester, M9 4QR

83 Ashley Lane, Manchester, M9 4NU

79 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) -

Area Team Boundary - Name: NORTH AREA