

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138150/FO/2023

Date registered valid: 7 November 2023

Proposal: Erection of single storey rear extension for ancillary storage following demolition of existing garage, together with the creation of a new front entrance to existing apartments

Address: 360 Lightbowne Road, Manchester, M40 0HJ

Ward(s): Charlestown Ward

Applicant: Mr Sunil

Agent (if any): Mr Daniel Llado, TDM Architectural Ltd

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 22 January 2024

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 29 November 2023

Standard consultations:

Printed: 8 November 2023 Expired: 29 November 2023

Neighbour notifications

Printed: 8 November 2023 Expired: 29 November 2023

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

The application relates to a brick-built property comprising a retail corner shop which is located within a row of shops within an otherwise residential area. The property is located adjacent to a dual carriageway in Moston.

The proposal is for the erection of single storey rear extension for ancillary storage following demolition of existing garage, together with the creation of a new front entrance to existing apartments.

Consultations & Notification Responses

Neighbours Properties adjoining and adjacent to the site were consulted (see back of report for full list). There have been no objections received in respect of the application.

Environmental Health-requested a waste condition be attached as the waste proforma submitted with the application was insufficient.

The Highways Team-Raised no objection to the proposal subject to information be submitted showing the layout of the residential and commercial waste arrangements. An approximately worded condition has been attached to the consent.

Greater Manchester Police-Recommended security measures be incorporated into the scheme and an informative has been added to the consent.

Issues

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment. The proposal will contribute to maintaining the area as a neighbourhood of choice by allowing the school to accommodate a spike in the number of children presenting for admission at primary level.

Policy DM1 is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states all development should have regard to the following specific issues, amongst others:

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.

Community safety and crime prevention.

Design for health.

Refuse storage and collection.

Vehicular access and car parking.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Unitary Development Plan for Manchester

DC14 Shop Fronts and Related Signs.

This policy applies to all retail premises and to other commercial premises which have similar physical characteristics e.g. betting shops, banks, building society offices, optician's premises etc. DC14.1 In determining applications relating to these premises for shop fronts, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining

buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

The proposed shop front and the enlarged windows consist with policy DC14 in terms of their design and appearance as they are considered to be in keeping with the host building and the neighbouring property next door.

Issues

Visual amenity and character of the area

The proposed works relate to an extension which is to be located on rear property. The contextual setting would comprise of such features as single and 2 storey extensions. Given that the works infill at the rear of the host property, which is at the end of the parade, it will not be visible, and therefore, would not have any greater impact within the street scene than currently exists. The rear garden / yard area is already having extensive built form such as the garage, which in affect this extension replaces. The extension is similar in height, scale and massing and the extension is similar to the rear space to the majority of the other properties within the parade, and as such would not be out of character with development in the vicinity of the site. Furthermore, the introduction of a new door aperture to the front elevation of the host property does not detract to the architecture of the host property and is therefore considered to be acceptable.

Residential Amenity

Given that the proposed extensions are to serve the existing ground and the proposal includes a new entrance to the first floor flat, there is no introduction of any new uses within the property and the extension share the common boundary with the neighbouring residential properties that flank the site boundary. Despite the marginal increase in height and amount of built form visible from the rear garden areas of the dwelling houses that back on to the site. It is not considered that the proposed extensions would result in a detrimental impact upon the neighbouring properties.

Waste

The information submitted includes a proforma identifying waste provision for the apartment which are not part of this application. Environmental health will need details of the additional containers proposed as a result of the extra storage being created as a part of this application. It is likely that only additional containers will be required for packaging waste but if there isn't any additional waste expected to be created then a confirmatory memo should be provided. Furthermore, highways accept the layout in terms of bin storage to the rear and request that the bins storage at the front of the premises does not impinge the public footpath. A condition has been attached to the consent to address the issues raised by bot environmental health and highways.

Conclusion

There would be limited public viewpoints of the extensions, and they would not form an incongruous feature within the street scene, and it is not considered that the proposal would create significant issues in relation to parking and residential amenity. Therefore, the proposed development would comply with policies DM1, EN1 and SP1 of the Core Strategy and DC 14 of the UDP for Manchester.

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 issues arising from the consideration of this application.

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:

PL01 Rev D, received electronically on the 5 December 2023, PL02 Rev B and the Location Plan, stamped as received on the 20 September 2023, PL01 Rev D, stamped as received on the 11 December 2023 and the Waste Management Strategy, stamped as received on the 30 October 2023.

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, or be similar to, 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 details submitted, no above ground development shall commence until a scheme for the storage (including segregated waste recycling), including the layout of bin storage area and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of public health and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Informatives

1) Design for Security have the following comments and recommendations:

Ensure any new external doors and windows are installed with PAS24 rating or LPS1174. The internal door entrance to the apartment is rated to PAS24 or LPS1174 rating.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

362 Lightbowne Road, Manchester, M40 0HJ
369 Lightbowne Road, Manchester, M40 0HN
363 Lightbowne Road, Manchester, M40 0HN
2 Pleasington Drive, Manchester, M40 0BT
Top Flat, 360 Lightbowne Road, Manchester, M40 0HJ
5 Athos Walk, Manchester, M40 0HT
364 Lightbowne Road, Manchester, M40 0HJ
365 Lightbowne Road, Manchester, M40 0HN
359 Lightbowne Road, Manchester, M40 0HN
367 Lightbowne Road, Manchester, M40 0HN
361 Lightbowne Road, Manchester, M40 0HN
358 Lightbowne Road, Manchester, M40 0HJ
3 Athos Walk, Manchester, M40 0HT
1 Athos Walk, Manchester, M40 0HT

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
Area Team Boundary - Name: NORTH AREA