

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137278/FH/2023
Date registered valid: 13 June 2023
Proposal: Erection of two storey side extension and single storey rear extension
Address: 7 Lapford Road, Manchester, M18 8DL
Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Shwana Haje
Agent (if any): Mr Umar Faruque Lumitekton Ltd
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 29 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 August 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 June 2023 Expired: 12 July 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

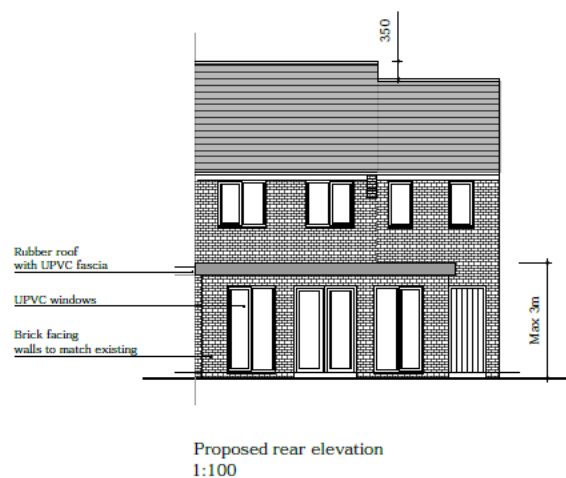
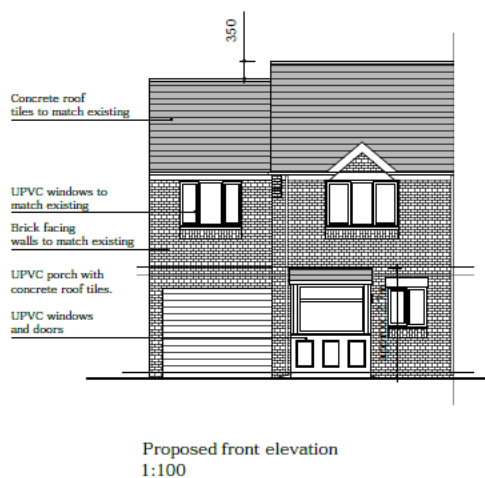
Description of area

The application property is located at the head of a residential cul-de-sac, which comprises of 6 pairs of semi-detached houses. The application property comprises of two storeys comprising red-brick elevation and a grey tiled pitched roof. The principal elevation incorporates a front porch with the eaves line broken by a hipped pitched pike feature. The roof spans both of the semi-detached property and is set within gable elevations. A driveway and space at the side of the house maintained provided access between the front and rear gardens. The driveways to Nos 5 and 7 are positioned adjacent to each other with kerb demarcation, i.e., without a boundary fence.



Fig. 1 – Front and rear of 7 Lapford Road

Description of development



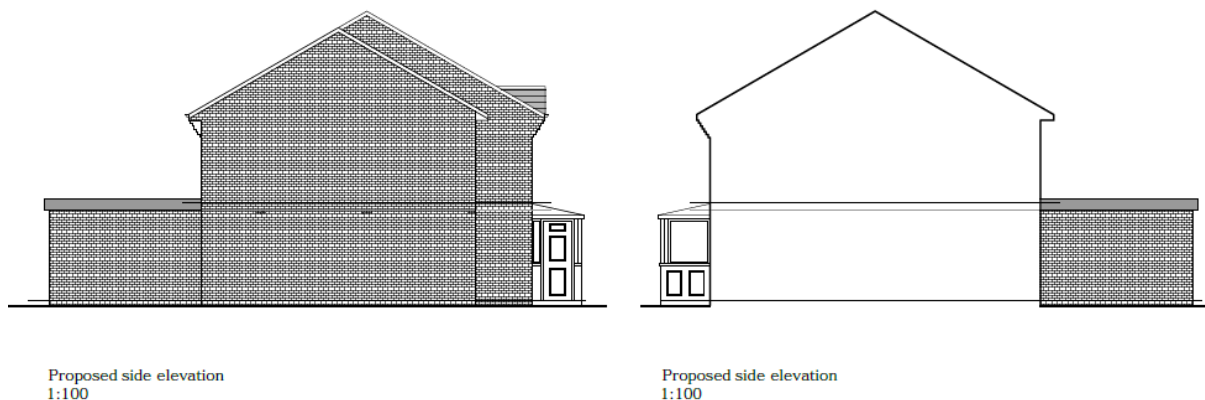


Fig.2 – Proposed elevations

The proposed development involves:

- i. A two storey side extension with a 1.5 metre set back from the principal elevation and 0.35 metres below the main ridge line. The side elevation would form a gable elevation sited adjacent to the site boundary, i.e., a width of 3 metres. The extension would align with the main rear elevation.
- ii. To the rear a flat roof extension would be formed with a width of 6.2 metres, i.e., partially beyond the line of the existing house (and adjoining the rear elevation of the proposed two storey extension). It would have a rearward projection of 4 metres and height of 2.8 metres. The extension would be adjoined by a decked area with a width of 5.9 metres and depth of 2 metres.
- iii. The internal layout would comprise:

Ground floor – Garage and lounge following reconfiguration of internal space.

First Floor – Formation of an additional bedroom (3 bedrooms in total) and ensuite bathroom (to two bedrooms).

Site history

- i. CDN/17/0795 Land West Of Crossley Street
Discharge of condition 1 (ground conditions) attached to planning permission referenced 111403/MO/2016/N2 Refused 07.07.2020
- ii. 115405/JO/2017 Land Off Crossley Street Variation of condition number 1 of planning permission 111403/MO/2016/N2 to reference updated arboricultural impact assessment report Approved 23.02.2017
- iii. 111403/MO/2016/N2 Land West Of Crossley Street
Reserved matters application for the consideration of appearance, landscaping, layout and scale in connection with outline planning permission 105635/OO/2014/N2 for the erection of 48 x 2 storey dwellinghouses (Class C3) and associated works Approved 22.06.2016
- iv. 105635/OO/2014/N2 Former All Saints School

OUTLINE PLANNING APPLICATION for the erection of a maximum of 48 two storey residential dwellings with all matters reserved except access.

Approved 07.08.2014

v. 102553/DEM/2013/N2 Former All Saints Primary School

Prior notification of proposed demolition of Single storey modular school building

Approved 28.06.2013

vi. 069044/VO/2003/N2 All Saints C E Primary School CITY COUNCIL

DEVELOPMENT Retrospective application for erection of a single storey building to form two classroom units for a temporary period of two years Temporary approval

09.10.2003

vii. 060588/VO/NORTH2/00 All Saints Primary School, CITY COUNCIL DEVELOPMENT

Installation of 2 x 6m high steel lighting columns to light car parks Approved

18.12.2000

viii. 035549 All Saints Primary School CITY COUNCIL DEVELOPMENT Renewal of existing fencing and gates Approved 22.02.1990

Consultations & Notification Responses

Local residents - Two emails of objection have been received.

The first email states that the development states:

- i. The proposed development would be sited adjacent to northern (side) boundary of the site and is considered to be contrary to Council policy that requires that the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned. It is also considered that the development would lead to the formation of a terracing effect that Council policy seeks to avoid due to undue harm to the streetscene.
- ii. There is concern that the siting of the proposed side extension may undermine the future potential of the adjacent house due to the potential formation of a terracing effect
- iii. The implementation of the development would necessitate encroachment onto a neighbouring drive thereby causing undue disturbance and preventing the use of the neighbouring parking space.
- iv. The height and siting of the extension would cause undue loss of sunlight and affect drainage in the neighbouring garden.
- v. Two two-storey extensions forming part of the original development incorporate more space the external walls and the neighbouring driveway. The absence of such space as part of the development would undermine to the character of the surrounding residential area and the operation of the driveway. The siting of the extension would leave fully open car doors in the neighbouring driveway, which is considered to be harmful to the residents' enjoyment of their property
- vi. The surround residential estate has a narrow road layouts and there are concerns regarding congestion caused by larger vehicles accessing the site during the construction period. There are also concerns that pavement may be damaged by larger vehicles during the construction period.
- vii. There are concerns that the positioning of rainwater goods may encroach onto the neighbouring property.
- viii. The implementation of works may require access land outside the applicant's ownership.
- ix. The development result in the formation of an overly large existing with a design that would undermine the character of the of development in the locality.
- x. The siting of the extension would affect the transit of bins the collection point.

The second email expresses concern regarding the noise and disruption attributed to the implementation of the development should planning permission be granted. The aspect of the development would be harmful to residential amenity.

Environmental Health – Two conditions have been recommended:

- i. The installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building.
- ii. A contaminated land watching brief to ensure that any encountered land contamination is addressed as part of the development.

These conditions are required to address potential historic land contamination conditions.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in July 2021. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework.

- i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. The application property is in a context of densely development housing. However, the positioning of neighbouring gable elevations and position of windows would ensure that the siting of the proposed extension would not unduly harm residential amenity. Appropriate amenity space would be maintained and there would be no apparent impact on on-site security. Chapter 8 would thereby be accorded with.
- ii. Chapter 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (paragraph 126). Paragraph 130 further states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment.

The design of the proposed extensions has been appropriately related to the style and character of the existing house and its relationship to the surrounding context. The development would and thereby accord with chapter 12.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. The development positively responds to the following aspects of the PPG:

- i. Consultation and pre-decision matters;
- ii. Health and well-being.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following aspects of the Core Strategy are considered to be relevant:

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice
- ii. The development should make a positive contribution to neighbourhoods of choice including:
 - a. Creating well designed places that enhance or create character.
 - b. Making a positive contribution to the health, safety and wellbeing of residents
 - c. Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. Protect and enhance the built and natural environment.
 - e. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is considered that the development would relate appropriately to housing in the area with regard to its siting, design and composition. The development would help to sustain the future occupation of the house without undue harm to existing levels of residential amenity. Policy SP1 would thereby be accorded with.

Policy EN1 (Design Principles and Strategic Character Areas) - States that, amongst other things, opportunities for good design to enhance the overall image of the City. Policy EN1 has been related to the assessment of the quality of the elevational design and its contribution to the built environment. The development would thereby accord with policy EN1.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

Bins are currently stored at the side of the property. A condition has been included to ensure that an appropriate bin enclosure is provided within the front garden to ensure compliance with policy EN19.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy;
- iii. Adequacy of internal accommodation and external amenity space;
- iv. Refuse storage and collection;
- v. Vehicular access and car parking.

It is considered that the development would be appropriately related to its context in terms of design, height, scale, massing and potential impact on residential amenity. The development would also be appropriately related to in the character of the original house through its proportions and composition in matching materials. The development would thereby accord with policy DM1.

Unitary Development Plan - The following saved policies are considered to be relevant:

Policy DC1 - Residential Extensions

Policy DC1.1 - 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 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.

Policy DC1.2 - States 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;
- b. They do not create an undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding streetscene by virtue of design, use of materials or constructional details;
- d. They would not result in the loss of off-street car parking resulting, in additional pressures in neighbouring streets.

Policy DC1.3 - Sets out the circumstances whereby, notwithstanding the generality of the above policies, the Council will not normally approve planning permission for residential extensions. This includes rearward extensions greater than 3.65m (12 ft) in length.

It is considered that the height, scale and proportions of the extension would be acceptable and would allow the adaptation of the property to meet changing household needs. The rearward projection of the extension would be acceptable given the extent of the retained rear garden area. The proposed height of the single storey extension would also be acceptable. The design of the two storey side extension would avoid the formation of a terracing effect and allow the characteristics of the existing house to be discerned. The development would be appropriately related to policy DC1.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. In this case, the applicant provided amended drawings to include a constructed porch, thereby allowing the relationship of the proposed side extension to the existing circumstances to be more clearly represented. Discussions were also undertaken relating to the need to include conditions to address potential land contamination issues. On the basis, the submitted details and outcome of these discussions, it is considered that the development has been appropriately assessed.

Principle – The development would facilitate the adaptation of the existing house to meet changing household needs. It is considered that the extensions would lead to the formation of proportionate additions to the property that would be appropriately related to the character and appearance of the application property and surrounding housing. The principle of the development is therefore considered to be acceptable.

Height, scale and massing – The 2-storey extensions has been appropriately related to the height parameters of the existing house. Appropriate subservience would be secured through the lowering of the ridge line. The side extension would be articulated through the arrangement of built form, including the setting back of the principal elevation of the two storey extension. The scale and massing of the side extension would be proportionate and satisfactorily related to the streetscene. The single storey extension would be appropriately related to the proportions of the existing rear elevation, including its height.

Siting – Notwithstanding the local representation relating to the proximity of the extension, to the neighbouring driveway, it is noted that a permitted single storey side extension could be sited adjacent to the shed boundary with a comparable relationship to the neighbouring property and its driveway. In this circumstance, it would be unreasonable to deny the applicant the opportunity to extend at the side of No 7. It is also considered that the space at the side and within the driveway of No 5 should be sufficient to allow the operation of the driveway without encroachment onto the adjoining property. The configuration of the existing ground floor of the house (including its porch) combined with the inclusion of a two storey set back and lowering ridge line to the proposed side extension would prevent the formation of a terracing effect. The proposed rearward protection of the rear extension would be 4 metres but this would be acceptable in the context of a retained garden depth of 9.27 metres. On balance, the siting of the development is considered to be acceptable.

Residential amenity – The comments of neighbouring residents have been assessed. The incorporation of setbacks to the principal elevation of the two storey side extensions is a design response that has been consistently adopted across the city in relation to comparable development. This approach is therefore considered to be acceptable in this case as the scale and proportions of the existing house would be discernible and the formation of a terracing

effect would be avoided. The two storey side extension would not project beyond the existing rear building line and would represent a proportionate addition to the house. The rearward projection of the rearward projection is considered to be acceptable given the extent of the retained garden area. The development would maintain proportionate car parking within the site and the operation of the adjoining car parking spaces should be capable of being undertaken within curtilage of the property. Some disruption would occur during the construction. However, the disruption would be limited to the implementation of works and proportionate to the scale of development. On balance, it is not considered that the development would unduly harm residential amenity.

Design – The design of the development has been appropriately related to the character of the existing extended building and its context. The design and configuration of new windows would be appropriately relation to the existing house. A condition has been included to ensure the use of matching materials, which relate satisfactorily to the host property and its context.

Land conditions – Planning records cannot confirm that the contaminated land condition relating to planning permission ref: 111403/MO/2016/N2. To address any potential issues the conditions requested by Environmental Health have been related to the development.

Car parking - The development would allow the retention of a 3 metre (wide) x 5.2 metre deep driveway, which exceeds the dimensions of a standard car parking space (the internal layout of the would also exceed these dimensions). The formation of a garage with a width of 2.6 metres and depth of 6.6 metres would secure additional car parking. Notwithstanding the comments of the local objector, it is considered that sufficient space would be retained in the respective driveways to allow their operation without encroachment beyond the site boundaries.

Flood risk – The site is in Flood Zone 1 and the development would not present potential additional flooding or drainage risks.

Waste management – The development would retain access to the rear garden area via a door in the eastern elevation. Whilst this arrangement would facilitate bin storage in the rear garden, it likely that bins will be stored in the front garden. To ensure appropriate bin storage, a condition has been included requiring approval of the siting and appearance of a bin storage enclosure.

Conclusion - The proposed development would be meet the requirements of Council policy and be appropriately related to the existing housing in the surrounding context.

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. In this case, the applicant provided amended drawings to include a constructed porch, thereby allowing the relationship of the proposed side extension to the existing circumstances to be more clearly represented. Discussions were also undertaken relating to the need to include conditions to address potential land contamination issues. On the basis, the submitted details and outcome of these discussions, it is considered that the development has been appropriately assessed.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council as local planning authority received on: 13 June 2023 and 28 September 2023:

Householder planning application forms
Location plan with a red edge Ref: U178-P01
Proposed plans Ref: U178-P03B
Proposed elevations Ref: U178- P04B.

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 for the City of Manchester.

3) The materials to be used in the construction of the extension hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

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 shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings referenced: Proposed plans Ref: U178-P03A and Proposed elevations Ref: U178- P04A.

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

5) Before occupation of the authorised development, the windows in the southern elevation relating to all first floor bathrooms in the authorised extension 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 for the City of Manchester.

6) Before the occupation of the development, a scheme shall be submitted to and approved in writing by the City Council as local planning authority detailing the siting, appearance and capacity of an enclosure for the storage segregated waste and recycling bins. The approved details shall be implemented upon occupation of the development and maintained in situ at all times thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) 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 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 Core Strategy for the City of Manchester.

8) Upon implementation of the development, a 'watching brief' shall be maintained and respond to any ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied. If such contamination is encountered, then development shall cease and/or not occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy) shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed Remediation Strategy. Before the occupation of the development, a post completion to shall be submitted and approve in writing by the City Council as local planning authority confirming that land contamination has not been encountered or the development has been undertaken I accordance with the agreed remediation strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies SP1, EN19 and DM1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

30 Crossley Street, Manchester, M18 8BA
32 Crossley Street, Manchester, M18 8BA
28 Crossley Street, Manchester, M18 8BA
5 Lapford Road, Manchester, M18 8DL
9 Lapford Road, Manchester, M18 8DL
6 Lapford Road, Manchester, M18 8DL
8 Lapford Road, Manchester, M18 8DL
10 Lapford Road, Manchester, M18 8DL

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA