

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136594/FH/2023

Date registered valid: 15 June 2023

Proposal: Erection single storey side extension to provide additional living accommodation.

Address: 41 High Lane, Manchester, M21 9DL

Ward(s): Chorlton Ward

Applicant: Lorien Helm

Agent (if any): Mr Paul Lillie Insight (NW) Ltd

Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21/07/2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 05/07/2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 June 2023 Expired: 19 July 2023

Site notice

Posted: 29 June 2023 Expired: 20 July 2023

Press advert

Published: 4 July 2023 Expired: 18 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The proposal relates to a terraced property on High Lane. The property is a part 2 storey part 3 storey, mid terrace dwellinghouse. The property featured hardstanding to the front for vehicle parking and landscaping to the rear. The property features a two storey outrigger and small single storey extension to the rear elevation of the outrigger.

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Tree Preservation Order: Not applicable



Figure 1. View from High Lane



Figure 2. Photo of rear elevation

Description of area

The property is located in a predominately residential part of the Chorlton Ward of Manchester. The property is mid terrace with dwellinghouses directly adjacent. Near the property is the St Johns Parish Centre and Our Lady of St John Centre. Properties in the area feature both side and/or rear extensions.



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Description of development

The applicant is seeking the erection single storey side extension to provide additional living accommodation.

The proposed side extension projects 2450mm from the outrigger to straddle the boundary line with 39 High Lane (certificate B has been submitted).

The proposed extension would leave a 720mm gap from the existing rear wall of the main dwelling to provide a 1.57sqm light well for the property (keeping the existing rear window and side toilet window) and 39 High Lane (retaining the existing 2000mm garden boundary wall).

The proposed extension spans 7520mm from the lightwell to the rear extending 1700mm beyond the existing rear elevation of the outrigger.

The proposal spans the full width of the boundary (5780mm) with the proposed external cavity wall 160mm into the rear of the adjacent property (39 High Lane).

The proposal stands 3000mm to the eaves and 4370mm to roof line (sloping to the existing outrigger)

The 1700m extension beyond the rear elevation of the outrigger would consist of a flat wall with a parapet wall to support the proposed sloping roof from the extension.

The proposal adds 4no 1178mm x 780mm rooflights.

The proposal adds bi fold door to the rear elevation of the proposed extension replacing existing bi folding doors.

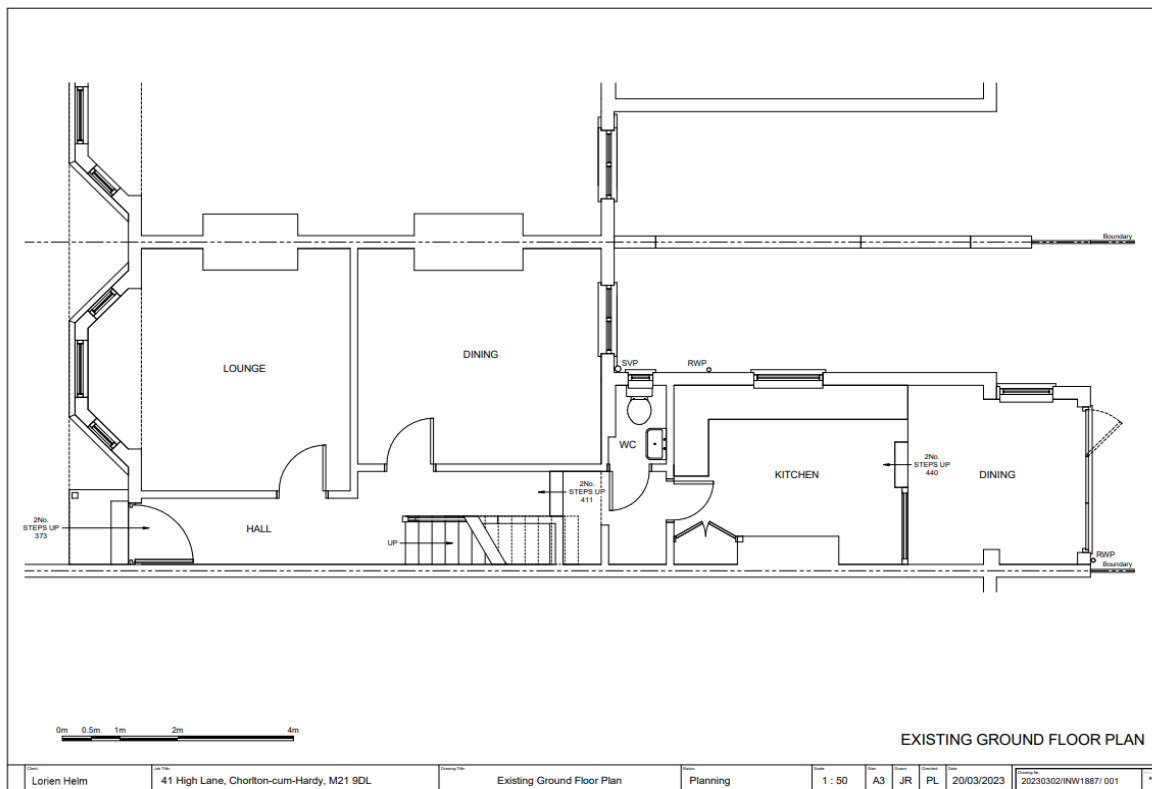


Figure 3. Existing Floorplan



Figure 4. Existing Rear Elevation

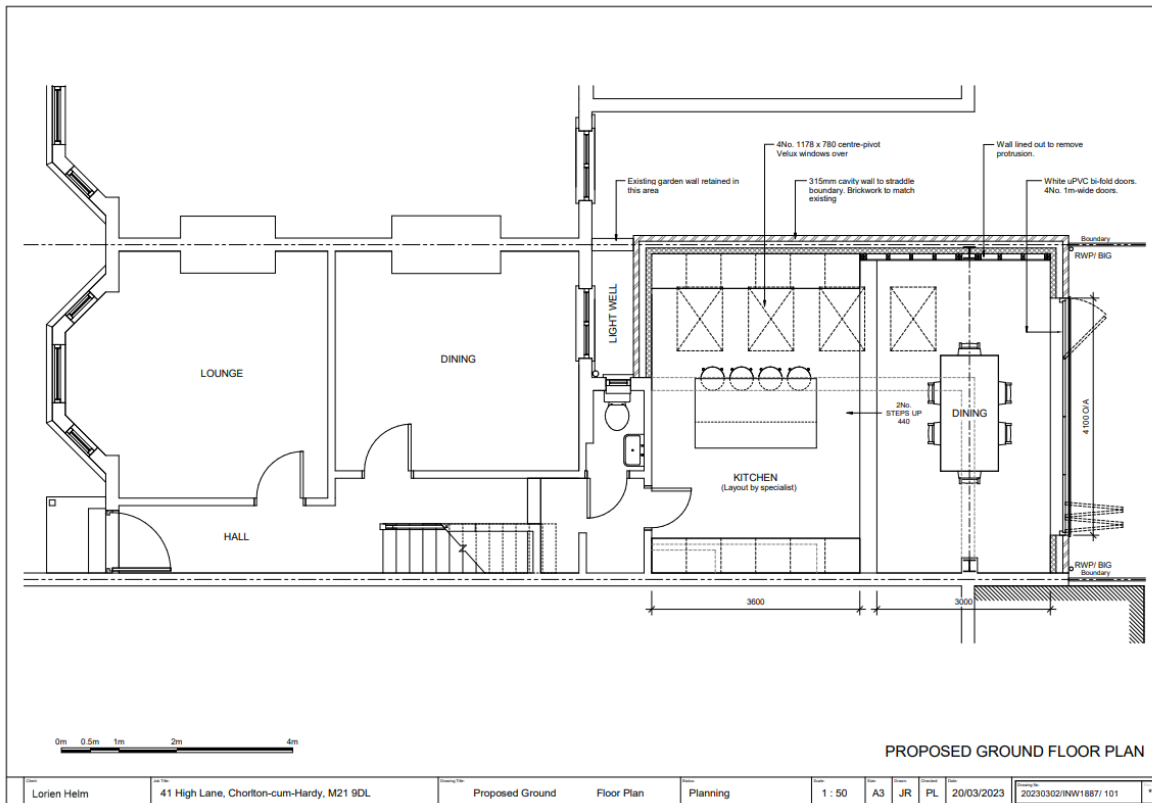


Figure 5. Proposed Floor plan

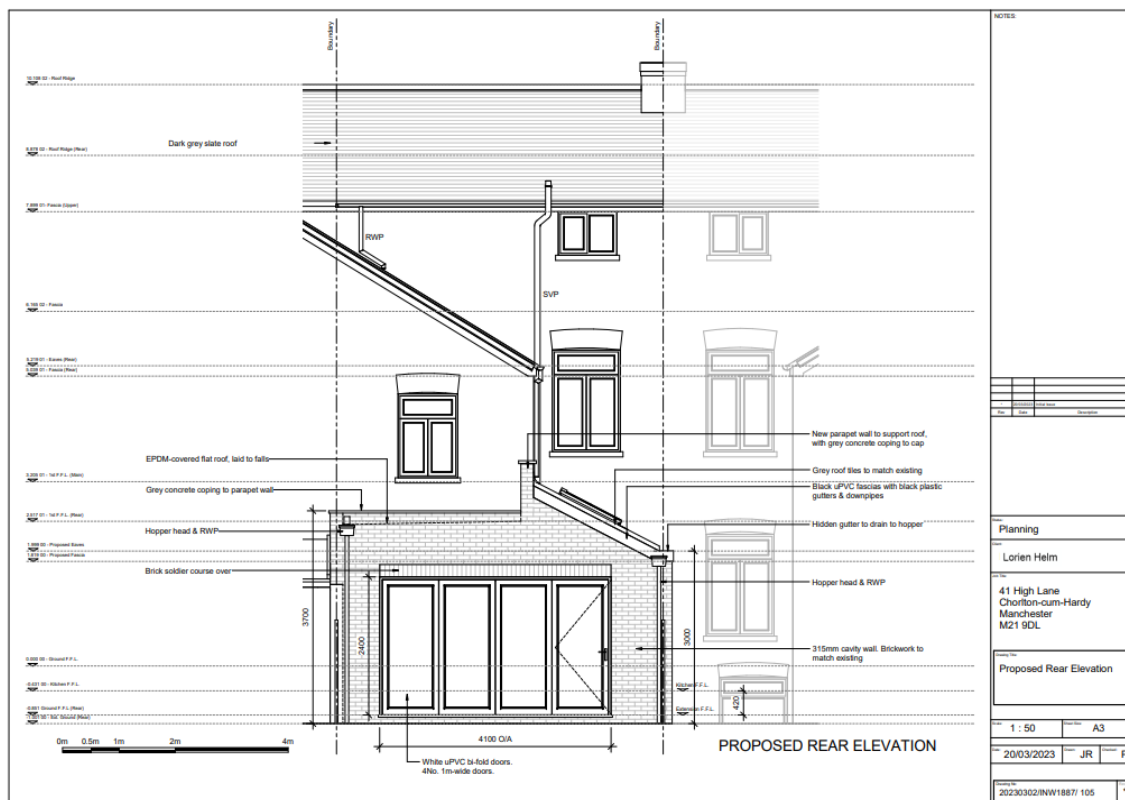


Figure 6. Proposed Rear Elevation

Planning History

There is no relevant planning history at the property.

Consultations & Notification Responses

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

1no neighbour raise a concern regarding the height of the party wall and effect on the light to 39 High Lane.

This comment has been taken into account and balanced against the development management policy.

Site Notice and Press Advertisements

As per Appendix 1, due to the site sitting in a designated Conservation Area, a public site notice and advertisement in the Manchester Evening News was posted.

No comments, objections, or representations in respect of this application was received.

Policies & Principle

Relevant Policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies are considered relevant in the consideration of this application.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#) ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in

the Manchester Local Plan. It sets the out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:

- Policy DM 1 - Development Management
- Policy SP 1 - Spatial Principles
- Policy EN 1 - Design Principles and Strategic Character Areas
- Policy EN 3 – Heritage
- Policy EN 8 – Adaption to Climate Change
- Policy EN 16 - Air Quality
- Policy EN 18 - Contaminated Land and Ground Stability
- Policy EN 19 - Waste
- [Extant Unitary Development Plan Policies \(UDP\)](#) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.
 - Policy DC1 for Residential Extensions
 - Policy DC 18 for Conservation Areas
 - Policy DC26 for Development and Noise
- [The National Planning Policy Framework \(The NPPF\)](#) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
 - Section 4 – Decision-making
 - Section 12 – Achieving well-designed places
 - Section 16 - Conserving and enhancing the historic environment

For reasons to be outlined below, it is considered the proposal accords with the principles of these policies.

Principle

In general, the principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable if there is no overriding, undue impact upon

either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to accord with all relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF.

Manchester Core Strategy Policy DM 1 – Development Management

All new developments should follow the ‘Development Principles’ and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

Appropriate siting, layout, scale, form, massing, materials, and detail

The applicant is seeking the erection single storey side extension to provide additional living accommodation.

The proposed extension matches the architectural style and features of the existing building including window design.

The proposal uses brick and tile to match the materials of the existing property (as stated in the application form).

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house.

It is of note that the proposed extension sits on the party wall to 39 High Lane with the applicant providing a Certificate B certifying they have notified the owner of 39 High Lane. Any party wall issues are a civil matter.

Overall, it is considered that the proposed development has appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in accordance with the development management principle.

Overall, it is considered that the proposed development has appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in accordance with the development management principle.

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.

The proposal is not visible from the street scene and therefore has no effect on the character of the street.

Visual impacts in connection with the proposed development are not considered to have any significant impacts to the character of the area, and therefore the appearance is acceptable.

On balance, the proposal is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

The proposal is considered acceptable and detailed as what is normally expected of such a structure. The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching brick as specified in the application form.

Overall, it is considered that the proposed development has minimal impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in accordance with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

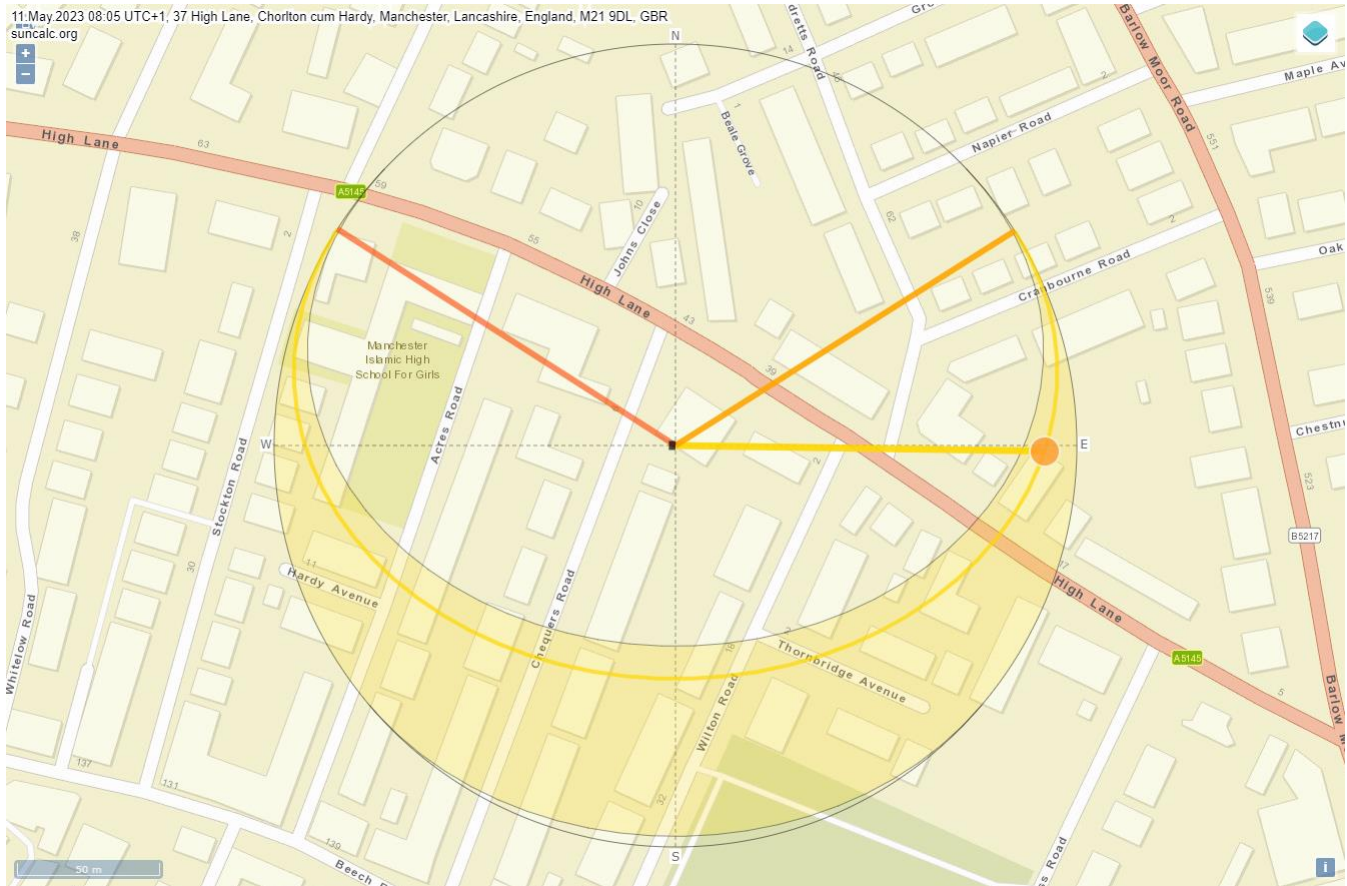
The proposal adds large bi-folding glass doors on the rear elevation facing into the side of 1A Chequers Road however, given the existing boundary treatment together with the gap to the shared boundary, the effect on privacy is minimal. It is of note that the property already features an existing French door on the rear elevation.

Given the boundary treatment the effect on privacy to 39 High Lane would be minimal.

The rear elevation of the property is South Facing with the sunlight for the rear of the properties obstructed by the outriggers for most of the morning with direct sunlight for most of the day.

39 High Lane would be the most impacted by the proposed extension however the effect on loss of light would be minimal as the existing outriggers already created shadowing in the morning and evening.

The applicant has added a light well to help maintain natural daylight to both 41 and 39 High Lane which helps remediate light issues.



On balance the loss of light would not outweigh the amenity of the proposal.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. It is recognised that demolition and/or construction works are often noisy and obtrusive to the local residential amenity. Contractors are expected to follow best practice to minimise the temporary effect on residents referring to construction guidance on controlling emissions.

The proposal has no effect on road safety and traffic generation and is therefore in accordance with this development management principle.

On balance the proposal has minimal effect on privacy, local light, noise, vibration, air quality, odours, litter, vermin, and birds and is therefore in accordance this development management principle.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal does not alter the existing access to the premises or create an unnecessary barrier to access and egress.

The proposal is therefore in accordance with this development management principle.

Adequacy of internal accommodation and external amenity space.

The proposal adds internal accommodation to the property whilst having a minimal impact on the amenity of external space and is therefore in accordance with this development management principle.

Refuse storage and collection.

The proposal in of itself has a negligible effect on waste from the site, using existing refuse storage and collection on site. It is recognised that demolition and/or construction works often generate commercial waste. Contractors are expected to follow best practice of waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal has no effect on the existing vehicle access and car parking at the property and is therefore in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

The proposal is within the Whalley Range Conservation Area.

Whalley Range conservation area is situated approximately two miles south of Manchester city centre.

The junction of Wilbraham Road, a major arterial route within the City of Manchester, and Edge Lane in Chorlton has long been recognised as possessing buildings and spaces of character and quality dating back to the late 19th century. The buildings continue to be complimented by a substantial and mature tree coverage.

The applicant has provided a heritage statement which summarises

“The proposal will not have any impact on the significance of the Conservation Area, which lies in its history, architecture, spaces, or gardens.

The proposal complies with national and local heritage policies.”

The proposal is in keeping with the architectural style of the existing property and doesn't feature within the street scene. It is of note that many properties in the area feature similar extensions previously approved that have been accepted into the character of the area.

The harm to the conservation area and local heritage assets would be less than substantial (as set out in the NPPF Section 16)

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden beyond the siting of the proposed development. As such proposal would have a negligible impact on green infrastructure, with an acceptable balance between the proposed development and retention of the existing green space achieved.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site does not sit in a flood risk area and therefore no flood statement or assessment was required.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

Manchester Core Strategy Policy SP 1 - Spatial Principles

The policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy.

Manchester Core Strategy Policy EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban Design.

This proposal sits within the 'Southern Character Area'.

This proposal is considered to accord with the principles of this policy.

Manchester Core Strategy Policy EN 3 – Heritage

This policy outlines the key principles concerning Heritage and development management.

The development is considered to accord with the aspirations of this policy.

Manchester Core Strategy Policy EN 8 – Adaption to Climate Change

This policy outlines the key principles of how all new development will be expected to be adaptable to climate change.

The development is considered to accord with the aspirations of this policy.

Manchester Core Strategy Policy EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

This policy has been considered within Policy DM 1 of the Core Strategy and the proposal is considered within accordance with this policy

Manchester Core Strategy Policy EN 18 - Contaminated Land and Ground Stability

Policy EN 18 of the Core Strategy set out the principle of development on contaminated land or unstable land.

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

This proposal is considered to accord with the principles of this policy.

Manchester Core Strategy Policy EN 19 - Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and

population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

Existing waste management arrangements would be retained.

This proposal is considered to accord with the principles of this policy.

Extant Unitary Development Policies (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

Policy DC1. Residential Extensions

The policy outlines the key issues when considering proposed residential extensions.

This proposal is considered to accord with the principles of this policy.

Policy DC18. Conservation Areas

This policy outlines the key issues when considering the development proposals within Conservation Area.

This proposal is considered to accord with the principles of this policy.

Policy DC26. Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City

This proposal is considered to accord with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied.

The NPPF has been adhered to and considered at all stages of the application.

Section 4. Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12. Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

Section 16. Conserving and enhancing the historic environment

Section 16 of the NPPF outlines the development management regarding heritage assets.

Section 16 Para 199 onwards – ‘Considering potential impacts’ – outlines when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

This proposal is considered to accord with the principles of these policies.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- [Guide to Development in Manchester Supplementary Planning Document and Planning Guidance \(April 2007\)](#)
- [Manchester Residential Quality Guide \(July 2016\) \(MRQG\)](#)
- [Manchester, Salford, and Trafford Strategic Flood Risk Assessment](#)
- [Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems](#)

- [Manchester City Council Planning and Noise Technical Guidance \(2022\)](#)
- [Air Quality & Planning Technical Guidance \(2022\)](#)
- [Planning and Contaminated Land Technical Guidance \(2021\)](#)
- [Greater Manchester Joint Waste Development Plan Document \(GMJWDPD\)](#)
- [Waste Storage and Collection Guidance for New Developments \(2017\)](#)
- [Hot Food Takeaway Supplementary Planning Document \(2017\)](#)
- [Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards \(2020\)](#)
- [Manual for Streets \(2007\)](#)
- [National design guide](#) & [National Model Design Code](#) (2021)

Relevant policy and guidance have been considered within Policy DM 1 of the Core Strategy.

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.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise. For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval

1. 3 year time limit

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. Specified plans

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a. Drawing – Existing and Proposed, as received 27 March 2023, DRAWING PACK PLANS AND ELEVATIONS*
- b. Drawing – Location Plan, as received 27 March 2023*
- c. Drawing – Site Plan, as received 27 March 2023*
- d. Heritage Statement, as received 15 June 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. Specified materials

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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 structure, pursuant to policy DM1 of the Manchester Core Strategy

4. Additional glazing restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

5. Flat roof restriction

The flat roof of the extension(s) shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason - To safeguard the amenities of the adjoining premises for overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

43 High Lane, Manchester, M21 9DL

39 High Lane, Manchester, M21 9DL

1A Chequers Road, Manchester, M21 9DX

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

Conservation Area - Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA