

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 136598/FH/2023  
**Date registered valid:** 27 March 2023  
**Proposal:** Erection of single storey rear extension, repositioning of rear access gate and associated elevational alterations  
**Address:** 53 Northmoor Road, Manchester, M12 5QE  
**Ward(s):** Longsight Ward  
  
**Applicant:** Mr Mohammed Khan  
**Agent (if any):** Mr Neil Brickles, Manchester City Council  
**Case officer:** Harriet Aidoo  
Tel: 0161 234 4532  
Email: [harriet.aidoo@manchester.gov.uk](mailto:harriet.aidoo@manchester.gov.uk)  
  
**Recommendation:** Approve  
**Date of recommendation:** 21 May 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 3 May 2023

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 12 April 2023      Expired: 3 May 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:** Not applicable

**Tree Preservation Order:** Not applicable

## **Description of site / building / area**

The application relates to a mid-terraced dwellinghouse with a two storey rear outrigger and small single storey outhouse projecting along the rear of the outrigger. The existing 2-storey rear outrigger retains a separation distance of approximately 1.4 metres from the common shared boundary with no. 51 Northmoor Road. The site has a small rear yard with gated access into a gated alleyway which runs along the rear boundary. Sited within the alleyway are large Euro bins. The application site lies within a mixed-use area.

## **Description of development**

The submitted proposal relates to a single storey rear extension, repositioning of rear access gate and associated elevational alterations.

The extension benefits the needs of a disabled occupier residing at the property.

In this instance, details of the proposed gate were requested, which as subsequently submitted, (dated, 02/05/23).

The proposed single storey rear extension retains a separation distance of approximately 1.4 metres from the common shared boundary with no. 51 Northmoor Road, whilst being flush with

the side elevation of the 2 storey outrigger along this elevation. It would retain a gap of approximately 100mm from the common shared boundary with no. 55 Northmoor Road, and a gap of approximately 63mm from the existing rear boundary and measure approximately (3285mm deep x 2890mm wide x 3681mm maximum height), and would comprise of a lean-to pitched roof with 1no. window along the side elevation to serve the bathroom. It is intended to use external facing materials to match the existing house.

The submitted plan would also involve elevational alterations comprising of repositioning the existing rear access gate with a gate consistent with the existing height and materials, (correspondence and attached plan, dated 02/05/23); including 1no. enlarged window along the first floor rear elevation.

## **Consultations & Notification Responses**

### **1. Local residents**

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representation were received.

## **POLICY**

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City 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 policies are relevant to the proposed development:

- o Policy DM 1 (Development Management)

- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan. The following saved policies are still considered of relevance.

- o Policy DC1 - Residential Extensions
- o Policy DC1.5 relating to applications from disabled people who may require particular adaptations to their homes.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

## ISSUES

In this instance, details of the proposed gate were requested, which as subsequently submitted, (dated, 02/05/23).

### Principle of development

This application benefits the needs of a disabled occupier residing at the property and therefore, the principle of the proposal is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

### Residential and visual amenity

**Impact of works (single storey rear extension to form additional living accommodation) -** In light of the pre-existing contextual relationship along rear elevation and side boundaries, and due to the fact that the extension has been stepped away from the boundaries, and the overall rearward projection at 3285mm is in line with the City Council's saved policy DC1.3 (a) regarding rearward extensions and on balance, it is considered that the proposed development can be accommodated in this location without any undue adverse impact to residential amenity, subject to conditions. It is recommended further conditions are attached limiting any further windows and door openings to safeguard residential amenity. For these reasons and on balance, the

proposed extension is considered to be acceptable in terms of its impact on residential and visual amenity as there are no overbearing, overshadowing or loss of privacy impacts.

In terms of the proposed elevational alterations comprising of repositioning the existing rear access gate with a gate consistent with the existing height and materials, (correspondence and attached plan, dated 02/05/23); including 1no. enlarged window along the first floor rear elevation; these works are considered acceptable as they are unlikely to present any significant adverse impact to residential amenity and would generally constitute householder general permitted development for the nature of the property and therefore an application would not usually be required.

**Impact of works (Design and appearance)** - The proposed development is considered to be acceptable in design terms and it is intended to match materials with those of the existing building. However, a materials condition has been attached to ensure that materials are adhered to.

**Impact of works (Car Parking)** - The existing arrangement would be unaffected.

**Impact of works (Waste Management)** - The existing arrangement would be unaffected.

**Conclusion** - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policies DC1, DC15 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

## **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**

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, details of the proposed gate were requested, which as subsequently submitted, (dated, 02/05/23). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

### **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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Design & Access Statement, received by the City Council as the Local Planning Authority on 27 March 2023.

- o Existing Floor Plan, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Existing Elevations, REV PP, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Proposed Floor Plan, REV 2, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Proposed Elevations, REV PP, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Design Specifications, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Correspondence, dated 02/05/23.
- o Rear Gated Elevations, received by the City Council as the Local Planning Authority on 02 May 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 used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved 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:

- o Proposed Floor Plan, REV 2, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Proposed Elevations, REV PP, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Design Specifications, received by the City Council as the Local Planning Authority on 27 March 2023.
- o Rear Gated Elevations, received by the City Council as the Local Planning Authority on 02 May 2023.

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

5) Before first occupation of the development thereby approved, the proposed window along the side elevation of approved single storey rear extension to serve the bathroom and as shown on: Proposed Floor Plan, REV 2; and Proposed Elevations, REV PP, both received by the City Council as the Local Planning Authority on 27 March 2023, shall be opaquely 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 - In the interests of privacy, pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

2 Giles Street, Manchester, M12 5GE  
55 Northmoor Road, Manchester, M12 5QE  
4 Giles Street, Manchester, M12 5GE  
51A Northmoor Road, Manchester, M12 5QE  
48 Northmoor Road, Manchester, M12 5GD  
51 Northmoor Road, Manchester, M12 5QE  
57 Northmoor Road, Manchester, M12 5QE

## **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