

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132641/FH/2022

Date registered valid: 11 January 2022

Proposal: Erection of single storey front, side and rear extension to form additional living accommodation

Address: 48 Milford Drive, Manchester, M19 2RZ

Ward(s): Levenshulme Ward

Applicant: Mr Ilyas Ali Khan 48 Milford Drive, Manchester, M19 2RZ

Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Manchester, M21 0YW

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2 February 2022

Standard consultations:

Printed: 13 January 2022 Expired: 3 February 2022

Neighbour notifications

Printed: 28 March 2022 Expired: 7 April 2022

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:

Tree Preservation Order:

Description of site / building / area

This application relates to a ground floor, bay fronted, semi-detached dwellinghouse in a predominantly residential area of Levenshulme ward. The application property benefits from amenity space along the front, side and rear elevations. There is a gated side access to the rear garden adjacent to the common shared boundary with no. 50 Milford Drive. Along the rear elevation is an existing single storey flat roof extension - which appears to be a character feature of these type properties along the neighbourhood. Within the rear garden, along the common shared boundary with no. 50 Milford Drive is a detached garage, approximately (depth 5.4 metres x width 2.8 metres) whilst retaining a separation distance of approximately 1.4 metres from the rear common shared boundary fence with no. 20 Merlewood Avenue. The existing maximum depth of rear garden is approximately 11 metres (when measured from the rear building line of the main house to the common boundary with no. 20 Merlewood Avenue). No. 50 Milford Drive has an existing single storey side extension which is significantly set-back from the frontage and sited along the common shared boundary with the application property. The front building line of no. 50 Milford Drive also projects 32cm forward of the application building.

Description of development

The submitted application relates to a proposed single storey front, side and rear extension to form additional living accommodation.

Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, (dated 28/03/2022). The revised plan would comprise of:

- The proposed side extension would be set-back 1150mm from the front building of the original house (not the bay window).
- Clarification has been provided in terms of on-site car parking arrangements.
- Details have been provided regarding refuse management arrangements and storage location of wheeled bins. Wheeled bins would be stored in front of the house, sited along the common boundary fence with no.46 Milford Drive. A timber frame screen (approximately width 1159mm x height 1057mm) would be provided.
- The existing garage/outbuilding in the rear garden is now shown on the submitted information.
- The existing garage/outbuilding would not be retained and would be demolished.

The proposed side and rear extension would be set-back approximately 1150mm from the front building of the main house (not the bay window). It would have a proposed width of approximately 2450mm along the front elevation, whilst retaining a small gap of approximately 103mm from the common shared boundary with no. 50 Milford Drive. It would then project along the side boundary approximately 11628mm. The extension would wrap around the rear elevation of the existing house, whilst retaining a small gap of approximately 103mm from the boundary with no.46 .

The proposed rearward projection along the common shared boundary with no.46 Milford Drive would be approximately 3500mm. The proposed side and rear extension would have a combined lean-to pitch and shallow hipped roof configuration, and the maximum height of the roof would not exceed 3673mm - (along the front elevation) and 3769mm - (along the rear elevation). The extension would have a window along the front elevation, 2 windows along the side roof elevation, 2 windows along the rear roof elevation, including French doors, a window and a smaller door along the rear elevation.

In terms of the proposed single storey front extension and combined porch, the structure would be stepped-away from the common boundary with no.46 Milford Drive, leaving a small gap of approximately 106mm, and it would only project approximately 777mm along this boundary. The proposed maximum depth would not exceed 1565mm, and the proposed structure would not project beyond the width of the original dwellinghouse. The maximum proposed height would not exceed 3588mm, whilst retaining a combined lean-to pitch roof configuration. The proposed front extension would have windows and a door facing Milford Drive and a further window along the side elevation of the porch element.

In terms of external facing materials, it is intended to match with the existing house.

Consultations & Notification Responses

1. Local residents

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

Neighbours were re-notified following revised plans. No comments, objections or representations were received on this occasion.

2. Environmental Health

No comments (including ground contamination issues) on this occasion.

3. Highways

The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway.

Pedestrian access will remain as existing, which is acceptable to Highways.

Clarification is sought to confirm if one driveway parking space will remain.

Verification will then be needed to confirm that the length of the driveway is sufficient so that the vehicle does not overhang on the footway, a driveway space should provide a minimum of 3.0m x 6.0m in line with MCCs standard minimum dimensions.

Clarification is sought to confirm if refuse servicing will continue as present, and that bins will be stored within the sites curtilage and presented to the highway on waste collection days.

There are no boundary treatments noted within the submitted documents.

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

POLICIES

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.

- o Saved Policy DC1 (Residential Extensions) is considered relevant.

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. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Principle

The principle of the proposal to create additional living accommodation 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 side and rear extension) - the proposed development would be single storey, and it would be contained within the curtilage of the application site, it is considered that the proposal would be acceptable in this location in this instance. In addition, whilst the proposed maximum projection of the stepped rearward extension element of the proposed scheme at 3500mm and 5000mm, would in part exceed the depth of 3.65m set out in the guidance set out in saved policy DC1 regarding rearward extensions, it is in line with distances for larger homes extensions. It is therefore recommended that a condition is attached limiting further window and door openings. This is considered necessary to safeguard privacy and in the interest of residential amenity. In addition, a condition is also proposed to require the existing garage outbuilding to be demolished with a further requirement that no further outbuildings, structures or extensions shall be erected without the express consent of the City Council as the Local Planning Authority. This is considered necessary to safeguard residential amenity given the pre-existing contextual relationship with the immediate properties along the side and rear boundaries, and the proposed depth of rear garden that would be retained. For these reasons and on balance, the proposed extension is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or privacy impacts.

Impact of works (single storey front extension) - In terms of the proposed front extension and combined front porch, given that the structure would be stepped-away from the common boundary with no.46 Milford Drive, leaving a small gap of approximately 106mm, and it would only project approximately 777mm along this boundary, and the proposed maximum depth would not exceed 1565mm, and the proposed structure would not project beyond the width of the original dwellinghouse, and the maximum proposed height would not exceed 3588mm, it is considered that there would not be any significant adverse impacts to residential amenity. Moreover, if permission was solely being sought for the front porch alone, as it is in line with the requirements and limitations of general permitted development, an application for planning permission would not be required.

Impact of works (design and appearance) - It is not considered that the proposal would unduly harm the character of the building or the general area, nor would it be adversely prominent along the streetscene in terms of appearance. It is also intended to match materials with that of the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (waste management) - The existing arrangement would be affected as the side access would be lost to accommodate the proposed extension. However, details have been provided regarding refuse management arrangements and storage location of wheeled bins. Wheeled bins would be stored in front of the house, sited along the common boundary fence with no.46 Milford Drive. A timber frame screen (approximately width 1159mm x height 1057mm) would be installed to reduce the visual impact of the stored bins.

Impact of works (car parking) - The existing arrangement would in-part be affected as the existing gated side access would be lost to accommodate the proposed side extension which would project slightly forward of this existing arrangement. However, a proposed depth of 5500mm for off-street car parking would still be retained. Though the proposed depth would be slightly short of Manchester City Council's minimum standard, but can still accommodate a standard family hatchback without any overhang onto the public footway. In addition, as there are no parking restrictions along Milford Drive, a slight increase in on-street parking could be accommodated without significant adverse impact to residential amenity.

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, EN1, T2, and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 agent in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been revised in the interest of residential amenity, (dated 28/03/2022). The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, the Core Strategy, the National Planning Policy

Framework and all other material considerations. 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 06 January 2022.
- o Location plan with application site edge in red, received by the City Council as the Local Planning Authority on 06 January 2022.
- o Existing Plans and Elevations, DRAWING No NA-P01, received by the City Council as the Local Planning Authority on 06 January 2022.
- o Revised Proposed Plans and Elevations, DRAWING No NA-P02, received by the City Council as the Local Planning Authority on 28 March 2022.

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 (July 2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form 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) Before above ground works of the extension hereby approved, the existing outbuilding sited in the rear garden along the common shared boundary with no. 50 Milford Drive, and as shown on: Revised Proposed Plans and Elevations, DRAWING No NA-P02, received by the City Council as the Local Planning Authority on 28 March 2022, shall be removed in its entirety.

Reason - In the interests of residential amenity 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.

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 outbuildings, sheds or extensions shall be erected without the express consent of the City Council as the Local Planning Authority.

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

6) 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 development hereby approved other than those shown on: Revised Proposed Plans and Elevations, DRAWING No NA-P02, received by the City Council as the Local Planning Authority on 28 March 2022.

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

7) 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.

Informative

1) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

18 Merlewood Avenue, Manchester, M19 2RS
46 Milford Drive, Manchester, M19 2RZ
52 Milford Drive, Manchester, M19 2RZ
20 Merlewood Avenue, Manchester, M19 2RS
50 Milford Drive, Manchester, M19 2RZ
44 Milford Drive, Manchester, M19 2RZ
83 Milford Drive, Manchester, M19 2RY
81 Milford Drive, Manchester, M19 2RY
79 Milford Drive, Manchester, M19 2RY

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2