MANCHESTER CITY COUNCIL

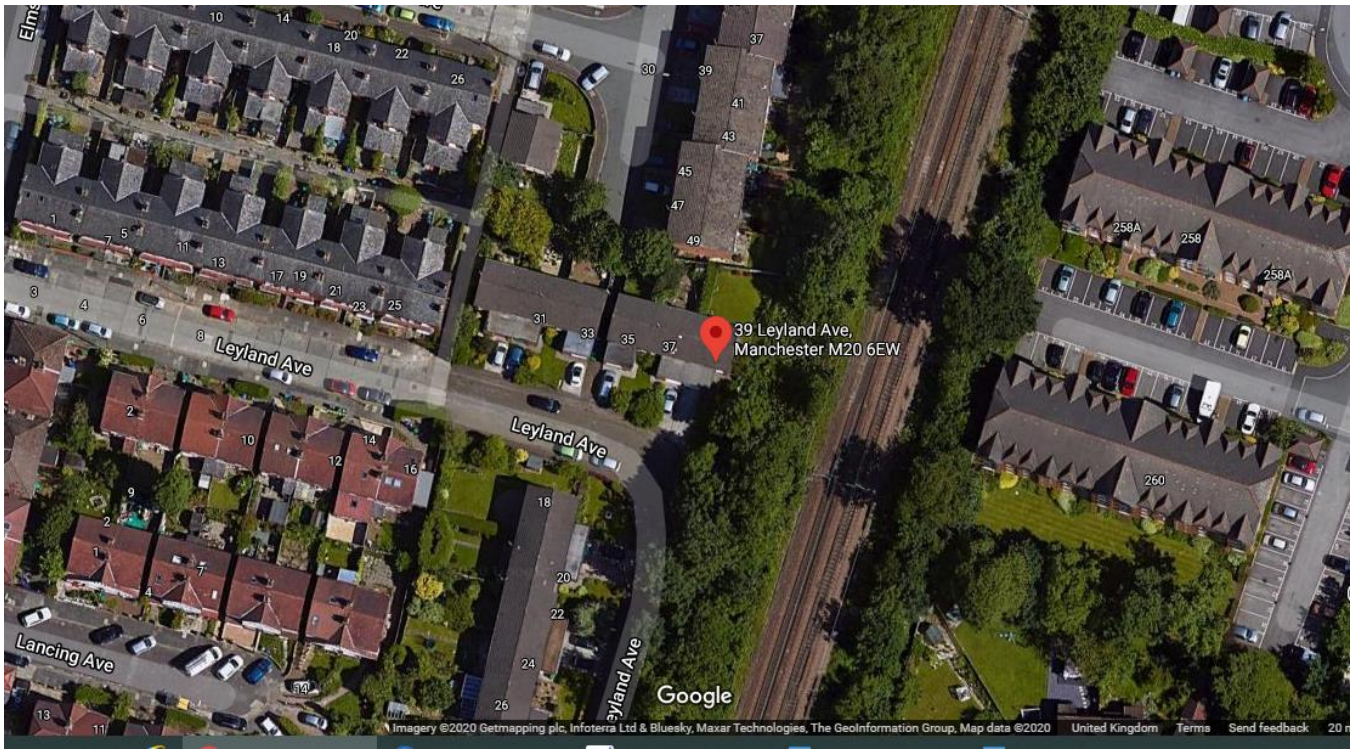
Planning

Growth & Development

Delegated officer report for planning application

Application no.	128107/FH/2020
Date registered valid:	29 October 2020
Proposal:	Erection of a single storey rear extension to provide additional living accommodation
Address:	39 Leyland Avenue, Manchester, M20 6EW
Ward(s):	Didsbury East Ward
Applicant:	Mr Jon Garside 39 Leyland Avenue, Manchester, M20 6EW
Agent (if any):	Mr Joe Ball PJH Architectural Services Office Number 3, 88A Chapel Street, Leigh, WN7 2DB
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 16th December 2020



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	
Standard consultations:	Printed: 29 October 2020 Expired: 19 November 2020
Neighbour notifications	Printed: 29 October 2020 Expired: 19 November 2020
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

The application site is an end terrace of three properties, with a gabled roof and garden and driveway to the front and rear garden. There is a pedestrian alleyway between the site property and the boundary fence owned by Network Rail.





Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

The house is within walking distance to a number of local schools, Didsbury District Centre which containing a variety of retail services and amenities.

Description of development

Erection of a single storey rear extension to provide additional living accommodation

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received

Network Rail – Informative attached

Policy and Issues

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

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
o Policy DM 1 - Development Management
o Policy SP1 - Spatial Principles
o Policy EN1 - Design Principles
o Policy EN 19 - Waste Management
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that 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 extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There is one previous application relating to this site as follows:

124209/FH/2019 - for the erection of two storey side extension and single storey rear extension to form additional living accommodation. This application was approved on 9th September 2019

Residential Amenity

The extension would then reduce to a single storey extension across the rear of the property,

The application proposes the erection of a single-storey rear extension which would project off the rear wall by 3.60 metres extending across the rear and up to the side wall of the property not beyond. The proposal would be set in off the adjoining neighbouring boundary with number 37 Leyland Avenue. The roof would be a mono pitch sloping roof and the installation of 2 x roof lights and sliding doors on the rear.

The extension would not be visible from the public highway and therefore would not feature within the street scene, however, the character of the area has already changed over time as the houses in the immediate vicinity are themselves altered and extended. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is not anticipated that the proposed development will impact upon the existing levels of residential amenity currently being enjoyed by occupants of adjoining properties including loss of privacy, light or overshadowing. On balance, the extension 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 acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area. The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extension is satisfactory and is therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are set to be matching brick and tile as specified in the application form/drawings. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Disabled access

Not applicable

Refuse

The storage of refuse bins are not affected by the proposal, as there would be continued access to the rear, which accords with policy EN19 of the Core Strategy.

Parking

Not affected by this proposal.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

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 polices 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

Positive and proactive working - 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. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Received on 25th September 2020 numbered 2019-1392A-P-102 Rev A Existing and Proposed Plans

Received on 25th September 2020 numbered 2019-1392A-P-103 Rev A Proposed Elevations

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form/drawings 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.

Informatives

1) The proposal extension is less than 2m from the railway boundary - however, it follows the line of the existing dwelling.

The proposal therefore has an interface with the railway and will require Network Rail acceptance of works - which must not oversail or encroach the railway boundary.

The applicant is to submit the attached form and submit directly to:
AssetProtectionLNWNorth@networkrail.co.uk

The applicant must not undertake works until agreed with Network Rail and this includes:

Excavation/earthworks
Scaffolding (3m failsafe to the railway boundary)
RAMS
All works and future maintenance to be undertaken wholly within the applicant's land ownership footprint

A site visit may be required.

Once the attached Asset Protection Questionnaire has been completed and forwarded to the team the enquiry will then be processed and an email sent to the applicant giving a project reference number and name of person with the asset protection team that will deal with the enquiry.

For further information on interfacing with Network Rail please see Working by the railway - Network Rail

During the current situation all planning applications and planning policy consultation must be issued to:

TownPlanningLNW@networkrail.co.uk only. Please do not send hard copies to the Manchester office as the Town Planning team are working from home.

Appendix 1 – List of consultees & neighbours notified

Network Rail

18 Leyland Avenue, Manchester, M20 6EW
49 Norwood Avenue, Manchester, M20 6EX
37 Leyland Avenue, Manchester, M20 6EW

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
Area Team Boundary - Name: SOUTH