MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126456/FH/2020
Date registered valid:	11 March 2020
Proposal:	Erection of single storey rear extension to provide additional living accommodation
Address:	52 Thornsgreen Road, Manchester, M22 1GD
Ward(s):	Woodhouse Park Ward
Applicant:	Mrs Joy Edwards, 52 Thornsgreen Road, Manchester, M22 1GD
Agent (if any):	Mr Barry Cullen, Flat 27 Brookside Court, 101 Slade Lane, Manchester, M19 2AH
Case officer:	Jennifer Connor Tel: 0161 234 4545 Email: j.connor3@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**24/06/2020**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: No site visit undertaken due to Covid-19 pandemic. Site photos provided by applicants agent

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 21 May 2020 Expired: 11 June 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/area

The area is a predominately residential area in close proximity to Manchester Airport in Woodhouse Park.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Erection of single storey rear extension to provide additional living accommodation

Policy - Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy. Policy DC1 for Residential Extensions is a saved policy.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

Policy DM 1 - Development Management

Policy SP1 - Spatial Principles

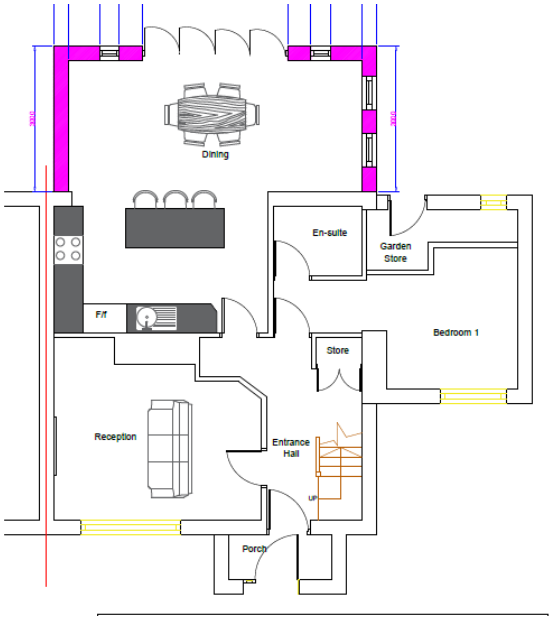
The National Planning Policy Framework (NPPF)

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

Issues, consultations & notification responses

When the application was submitted it provided for two bedrooms with ensuites separated by a corridor. Objections were received from neighbours on the basis that this seemed to be trying to intensify an existing unauthorised use of the premises as a guesthouse, which was the subject of enforcement action. The ward Member supported the letters of objections from residents. The use has ceased following enforcement action, however the operation of the premises as a guest house had a harmful impact upon the residential amenities of surrounding property.

The agent was informed that the application was not supported as submitted and would be refused. The agent took the opportunity to amend the scheme, stating that the extension as amended was to provide additional living accommodation was to provide an extension to a C3 property.



Following receipt of revised plans a further notification was sent to residents, who still objected on the basis of the unauthorised use.

The scheme as now proposed provides a dining kitchen extension projecting 3m from the rear of the property for a width of 6.65m with a flat roof. The extension which sits to the north of the attached neighbour would not cause any loss of light, overbearing impact nor would it lead to any overlooking or loss of privacy to the neighbouring properties. The proposal has no implications for parking or bin storage on the site.

It has been explained to all 4 residents who wrote in and the Member that the scheme as amended does not breach any planning policies and that a condition will be put in place to maintain the C3 use of the premises.

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:

Article 35 Declaration

The application was determined in a positive and proactive manner. Plans were revised and restrictive conditions will be put in place.

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:

Site Plan
Floor Plans and Elevations

Received 18th May 2020

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 of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the submitted Householder Application Form.

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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the 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 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework

Appendix 1 – List of consultees & neighbours notified

List of those notified on Uniform

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 - Within Outer Area
Airport Noise Index Zone - Noise and Nuisance Index - 50-59
Area Team Boundary - Name: SOUTH