

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141170/FH/2024

Date registered valid: 7 October 2024

Proposal: Erection of single storey rear extension following demolition of existing conservatory, elevational alterations and application of render to existing dormer cheeks

Address: 50 Spath Road, Manchester, M20 2GT

Ward(s): Didsbury West Ward

Applicant: Mr David Flanagan

Agent (if any):

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27th November 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 November 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 October 2024 Expired: 5 November 2024

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 site/building relates to a large detached residential property located within the Didsbury West ward area of Manchester. The site features previous enlargements by the way of rear conservatory, two small rear dormers, front and rear extensions. Decorative paving providing off street car parking lies to the front of the property, access along the sides and large garden to the rear. Boundary treatment is made up of low brick wall and hedging with pedestrian/vehicular iron gates. Boundary treatment to the rear is predominantly timber fencing.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is primarily residential in character and is located south of the City Centre. The properties along this stretch of road are large detached properties varying in size, design and layout.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension following demolition of existing conservatory, elevational alterations and application of render to existing dormer cheeks



Consultations & Notification Responses

Local residents, as per Appendix 1 – there has been an objection to the proposal. Summary of comments as follows:

- The proposed extension will overlook and will impact on privacy.
- The proposed extension will block daylight and sunlight into passageway.

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)

Places for Everyone Plan (2022 - 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

JP-S1: Sustainable Development
JP-P1 Sustainable Places

This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to accord with the principles of this policy.

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 relating to 50 Spath Road

070323/FH/2003/S2 - Recv: 12.12.2003 - Application Approved - 06.02.2004 Erection of conservatory at rear and erection of 1.8 metre high railings on top of existing front boundary wall and erection of 1.8 metre high gates

067227/FH/SOUTH2/03 - Recv: 07.02.2003 - Application Approved - 27.03.2003 ERECTION OF TWO STOREY FRONT EXTENSION; ERECTION OF FIRST FLOOR AND SINGLE STOREY SIDE AND REAR EXTENSIONS TO FORM ADDITIONAL LIVING ACCOMODATION.

049331/FH/SOUTH1/96 - Recv: 07.02.1996 - Application Approved - 10.04.1996 Extension to house to form utility room, kitchen and bedroom with new pitched roofs over entrance and earlier extension after demolition of existing temporary structure

050021/FH/SOUTH1/96 - Recv: 04.06.1996 - Application Refused - 15.07.1996 Two storey rear extension to form utility room and kitchen with bedroom and study over after demolition of existing structure

062831/FH/SOUTH2/01 - Recv: 07.08.2001 - Application Approved - 26.09.2001 Construction of (i) Single storey side extension to form kitchen, breakfast room and playroom. (ii) Single storey extension to the front of house to form garage and porch; (iii) First floor extension to form 2 No. additional bedrooms following demolition of existing garage

070017/TPO/2003/S2 - Recv: 12.11.2003 - Application Approved - 08.12.2003 CONSENT TO CARRY OUT WORKS TO TREES WITHIN SPATH ROAD DIDSBURY TREE PRESERVATION ORDER - Fell 5 trees in front garden

Residential amenity

The applicant proposes the erection of a single storey rear extension following demolition of existing conservatory, elevational alterations and application of render to existing dormer cheeks. There have been raised concerns regarding the proposal from a local resident with regards to overlooking and loss of light.

The application site is a large detached property situated along Spath Road and has undergone enlargements to the original property over time. There is an existing conservatory sited close to the shared boundary with no. 52 Spath Road with a gap of approximately 400mm retained to the

boundary. The conservatory is partially brick base with clear glazing on all sides. The existing conservatory measures approximately 4.0m (W) x 4.3m (H) x 5.0m (D).

Following demolition of existing conservatory, the applicant proposes to erect a single storey rear extension with a projection of approximately 5.0m, a height of 4.4m and a width of 4.0m retaining the same gap to the shared boundary with no. 52 measuring 400mm and positioned within the same footprint as the existing conservatory. The difference between the two, being the chamfered corners of the existing conservatory which would now be flush across the extension. The roof would be hipped with large windows on the rear elevation and large sliding doors on the side elevation facing the rear garden of the host dwelling. No glazing is proposed on the side elevation facing no. 52 Spath Road.

Given that the presence of a structure is already established within this location sited close to the shared boundary with no. 52 Spath Road, it is not considered that the introduction of a single storey rear extension in this location would provide any visual harm to the adjacent or surrounding properties including loss of privacy, light or overshadowing. Furthermore, the extension is single storey only retaining a gap to the shared boundary with the adjacent property. In addition, any existing overlooking given by the presence of windows on the current conservatory along the side elevation located close to the shared boundary with the adjacent property, would be removed by the new extension as no windows are proposed along this side elevation.

As part of the changes, the applicant proposes to render two small rear dormer cheeks. This is considered to be acceptable especially as the neighbouring property no. 48 Spath Road is rendered. Furthermore rendering is not uncharacteristic within the immediate area as many properties are either all or partially rendered.

Overall, the footprint of the proposal is not considered to create a bulky or disproportionate scale addition to the property. The proposal would not be visible from the public highway and therefore would not feature within the street scene. However, the character of the area is retained although over time the houses in the immediate vicinity are themselves altered and extended. Therefore, the appearance is acceptable and its impact upon visual amenity is considered negligible

On balance, the proposal is considered 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 Unitary Development Plan.

Siting, scale and massing

In context to the application site, the extension is acceptable. The scale and massing of the extension is considered would not cause undue harm to the current levels of amenity being enjoyed by the occupiers of surrounding properties. The extension would not present an unusual feature in the immediate area and due to the existence of other similar extensions in the area, the size of the extension is considered acceptable within the surrounding environmental context and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties.

It is therefore considered that the design, scale and appearance of the proposed extension is satisfactory and is 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 would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use bricks and roof tiles to match existing as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the rear and is considered acceptable and detailed as what is normally expected of such a structure.

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.

Refuse Bins

Refuse bins are unaffected by this proposal as space along the side is retained for the movement of refuse for collection. This would comply with policy EN19 of the Core Strategy.

Parking

Car parking would be unaffected by the proposal as off road car parking would be retained at the front of the property.

Conclusion

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and the proposal is considered 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, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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

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. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

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 7th October 2024 numbered 1/3 Proposed Floor Plan and Elevation

Received on 7th October 2024 numbered 3/3 Proposed Floor Plan and Elevation

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 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.

Appendix 1 – List of consultees & neighbours notified

4 Sandiway Drive, Manchester, M20 2FE
21A Spath Road, Manchester, M20 2QT
92 Dene Road, Manchester, M20 2GU
100 Dene Road, Manchester, M20 2GU
66 Spath Road, Manchester, M20 2GT
60 Spath Road, Manchester, M20 2GT
29 Spath Road, Manchester, M20 2QT
3 Sandiway Drive, Manchester, M20 2FE
42 Spath Road, Manchester, M20 2GT
Flat 3, 27 Spath Road, Manchester, M20 2QT
Flat 2, 27 Spath Road, Manchester, M20 2QT
5 Sandiway Drive, Manchester, M20 2FE
98 Dene Road, Manchester, M20 2GU
Flat 1, 27 Spath Road, Manchester, M20 2QT

Garden Flat, 27 Spath Road, Manchester, M20 2QT
7 Sandiway Drive, Manchester, M20 2FE
39 Spath Road, Manchester, M20 2QT
37 Spath Road, Manchester, M20 2QT
33 Spath Road, Manchester, M20 2QT
31 Spath Road, Manchester, M20 2QT
25 Spath Road, Manchester, M20 2QT
23 Spath Road, Manchester, M20 2QT
21 Spath Road, Manchester, M20 2QT
46 Spath Road, Manchester, M20 2GT
44 Spath Road, Manchester, M20 2GT
96 Dene Road, Manchester, M20 2GU
94 Dene Road, Manchester, M20 2GU
90 Dene Road, Manchester, M20 2GU
88 Dene Road, Manchester, M20 2GU
104 Dene Road, Manchester, M20 2GU
102 Dene Road, Manchester, M20 2GU
70 Spath Road, Manchester, M20 2GT
68 Spath Road, Manchester, M20 2GT
62 Spath Road, Manchester, M20 2GT
56 Spath Road, Manchester, M20 2GT
54 Spath Road, Manchester, M20 2GT
52 Spath Road, Manchester, M20 2GT
48 Spath Road, Manchester, M20 2GT
106 Dene Road, Manchester, M20 2GU
64 Spath Road, Manchester, M20 2GT
35 Spath Road, Manchester, M20 2QT

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA