MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140757/FH/2024
Date registered valid:	20 August 2024
Proposal:	Erection of two storey side extension to form additional living accommodation
Address:	39 Overlea Drive, Manchester, M19 1QY
Ward(s):	Burnage Ward
Applicant:	Mr Dave Madden
Agent (if any):	Mr Ashley Hunt, Ashley Hunt Architects
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**08 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 September 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 29 August 2024 Expired: 19 September 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a grey concrete tile hipped roof. The property features brown uPVC windows, a front porch canopy, a large gravel driveway, a spacious front and side garden with a timber pergola bordered by high-level hedging, and a small outbuilding situated within the rear garden.

MH24 PHO

Description of area

Overlea Drive is a residential street situated within the Burnage ward of Manchester, close to Kingsway (A34), Burnage Academy for Boys, and Heaton Moor Golf Club. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached dwellinghouses, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a two-storey side extension to form additional living accommodation.

Planning history

No previous planning history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Policies

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

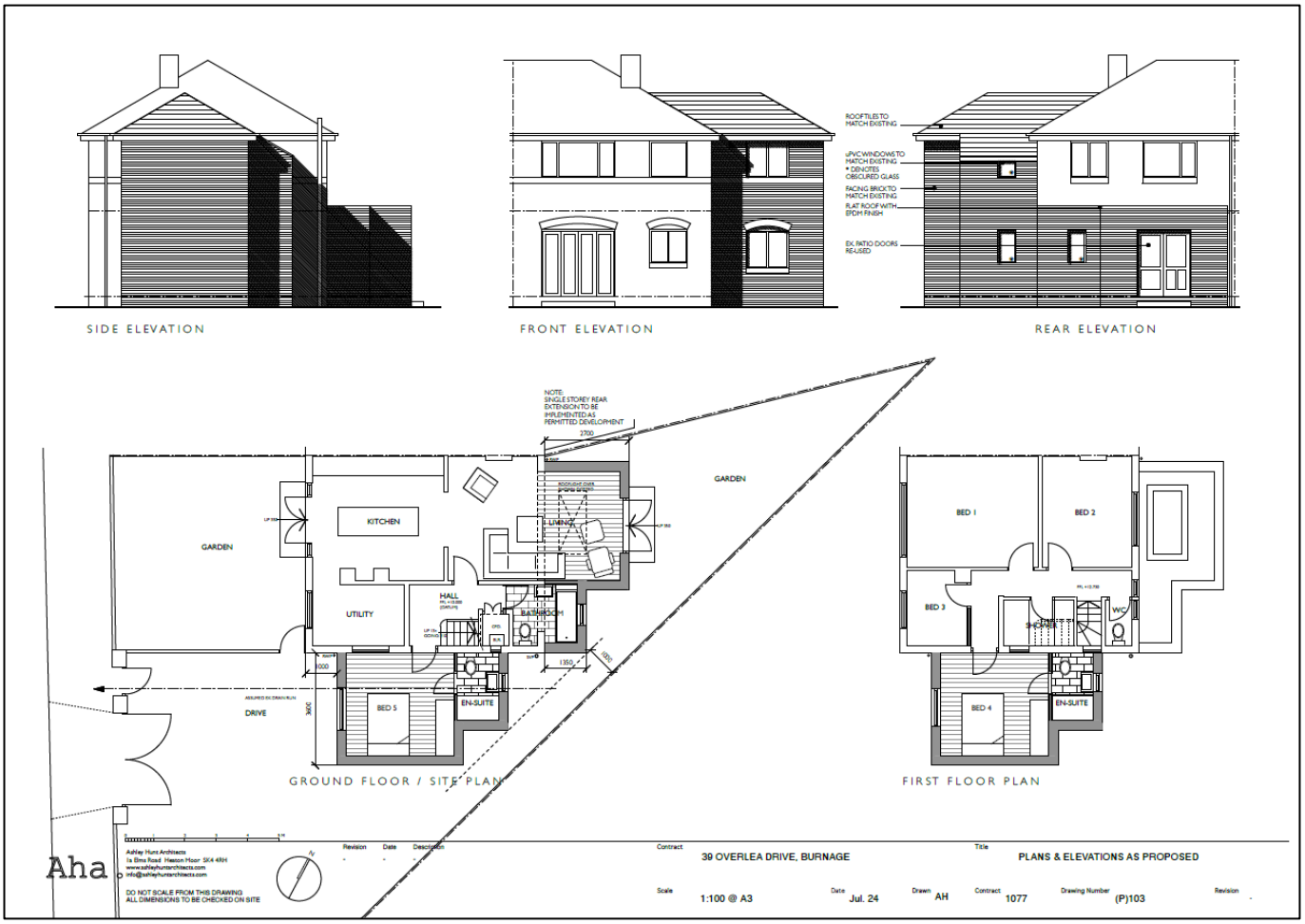
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places

Places for Everyone - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-P1: Sustainable Places



Submitted amended proposed plans and elevations

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a two storey side extension together with a single storey rear extension to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the single storey extension would be sited at the rear of the property, facing northwest. It would project 2.7m rearwards from the host dwellinghouse along its southwestern edge and 1.35m rearwards along its northeastern edge, with a width of 6.102m, and a flat roof height of 3.225m. A gap of 0.211m would be maintained to the boundary shared with No.37 Overlea Drive and a gap of 1m would be maintained to the boundary shared with No.1 Holmdale Avenue.

The two-storey extension would be sited at the side of the property, facing northeast. At ground floor level, it would project 3.6m sidewards at the front, 2.463m sidewards at the rear, with a length/depth of 5.469m and a setback of 1m from the front of the property. A gap of 1m would be maintained to the boundary shared with No.1 Holmdale Avenue. At first-floor level, it would project 3.6m sidewards at the front, 2.463m sidewards at the rear, with a length/depth of 5.469m, a setback of 1m from the front of the property, a hipped roof height of 6.828m (set 2m below the existing ridge), and an eaves height of 5.308m to match the existing.

The overall siting, scale, and massing of the proposal is considered to be acceptable as the extensions are understood as being subservient to the host dwellinghouse in terms of their dimensions, would avoid resulting in 'excessively large or bulky' additions to the property, and would not cause undue harm to the residential amenity of neighbouring occupiers in terms of introducing an overbearing feature into the area. Sufficient private outdoor amenity space would also be retained to the front, side and rear of the dwellinghouse.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the extensions would be built of brickwork, roof tiles, and windows to match the existing.

The single storey rear extension would feature blank side elevations and a set of outward-opening doors and a window to the rear.

At ground floor level, the side extension would feature a blank northeastern side extension, one window to the front, and one window to the rear. At first-floor level, it would feature a blank

northeastern side elevation, one window to the front, and one window to the rear (conditioned to be obscurely glazed).

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Sited at the side and rear of the property, the extensions would be visible within the street scene and public realm, however their use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that they do not form prominent visual features. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the extensions therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Residential amenity – given that the rear extension would be single storey, sited to the northwest of the host dwellinghouse (predominantly within its existing shadow) and with a maximum roof height of 3.225m, it is considered that it should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its blank side elevations should ensure that the privacy of neighbouring occupiers is not infringed upon.

Similarly, given that the side extension would be located to the northeast of the host dwellinghouse, away from neighbouring residential properties, and with subservient dimensions to the existing property, it is considered that it should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its blank side elevations should ensure that the privacy of neighbouring occupiers is not infringed upon. Its first-floor rear window, facing No.1 Holmdale Avenue, has been conditioned to be obscurely glazed to further protect the privacy of neighbouring occupiers.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected by this proposal as external access to the rear of the property would be retained. Bins could therefore continue to be stored within the rear garden, away from the street scene.

Parking – the extensions would reduce the dimensions of the property's existing driveway, however sufficient space for at least one vehicle (2.4m by 4.8m) would be retained. These arrangements are therefore considered acceptable.

Use - in their email correspondence dated to the 4th September, the agent of the application confirmed that the extension(s), and property overall, would remain in use as a Class C3 family dwellinghouse. This has been conditioned accordingly.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance, impact upon visual and residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, and SP1, of the Core Strategy and chapter 12 of the NPPF.

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 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

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

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

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

'Plans and Elevations as Proposed', numbered '(P)103', stamped as received by the City Council as Local Planning Authority on the 9th September 2024.

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

3) The materials to be used on the external surfaces of the single storey rear extension and two storey side extension hereby permitted shall match those of the existing dwellinghouse 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 extensions, pursuant to saved policy DC1 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) Order 2015 (or any revoking and re-enacting that Order with or without modification), no windows or doors shall be inserted into the elevations of the extensions hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

5) Before first occupation, the proposed first floor window in the rear elevation of the side extension, facing No.1 Holmdale Avenue, shall be obscure 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

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 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

58 Overlea Drive, Manchester, M19 1LS
37 Overlea Drive, Manchester, M19 1QY
2 Lansdale Gardens, Manchester, M19 1QX
3 Holmdale Avenue, Manchester, M19 1LW
56 Overlea Drive, Manchester, M19 1LS
2 Holmdale Avenue, Manchester, M19 1LW
1 Holmdale Avenue, Manchester, M19 1LW
41 Overlea Drive, Manchester, M19 1QY
1 Lansdale Gardens, Manchester, M19 1QX

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