MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140527/FH/2024
Date registered valid:	15 July 2024
Proposal:	Erection of single storey rear extension, together with ramped access and associated handrails to rear entrance (following removal of hedge) and installation of fencing
Address:	4 Mersey Bank Avenue, Manchester, M21 7NQ
Ward(s):	Chorlton Park Ward
Applicant:	Miss Ayesha Abid
Agent (if any):	Mr Neil Brickles, Manchester City Council
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: **21 August 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 July 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 30 July 2024 Expired: 20 August 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 white uPVC windows, a tarmacadam driveway and front garden bordered by high-level hedging, a front porch canopy and access ramp, a single storey rear extension and a modest rear garden.















Description of area

Merseybank Avenue is a residential street situated within the Chorlton Park ward of Manchester, close to Chorlton Water Park, Princess Road (A5103), and Mersey Valley Campus. 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 single storey rear extension, together with a ramped access and associated handrails (following the removal of the existing hedge) and new partition fencing to the side separating the front and rear external amenity spaces.

Planning history

120850/FO/2018 - Install car hardstand including dropped kerb & crossing – **APPLICATION RETURNED.**

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
- Policy EN19 - Waste

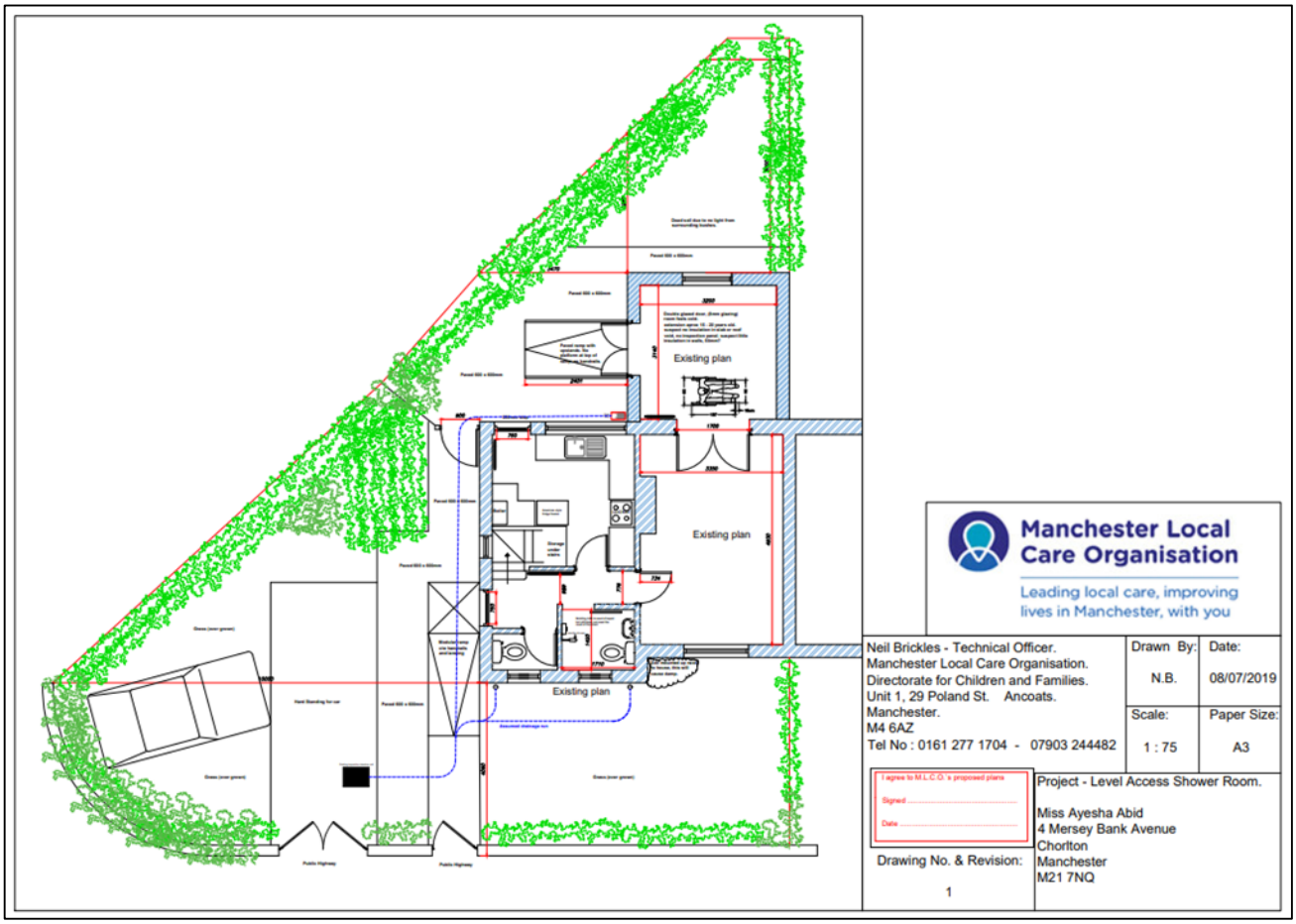
The National Planning Policy Framework (NPPF, 2021)
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 12 – Achieving Well-Designed Places

Guide to Development in Manchester (Supplementary Planning Document and Planning Guidance) (April 2007)
- Chapter 3 – Accessibility: Design for Access 2

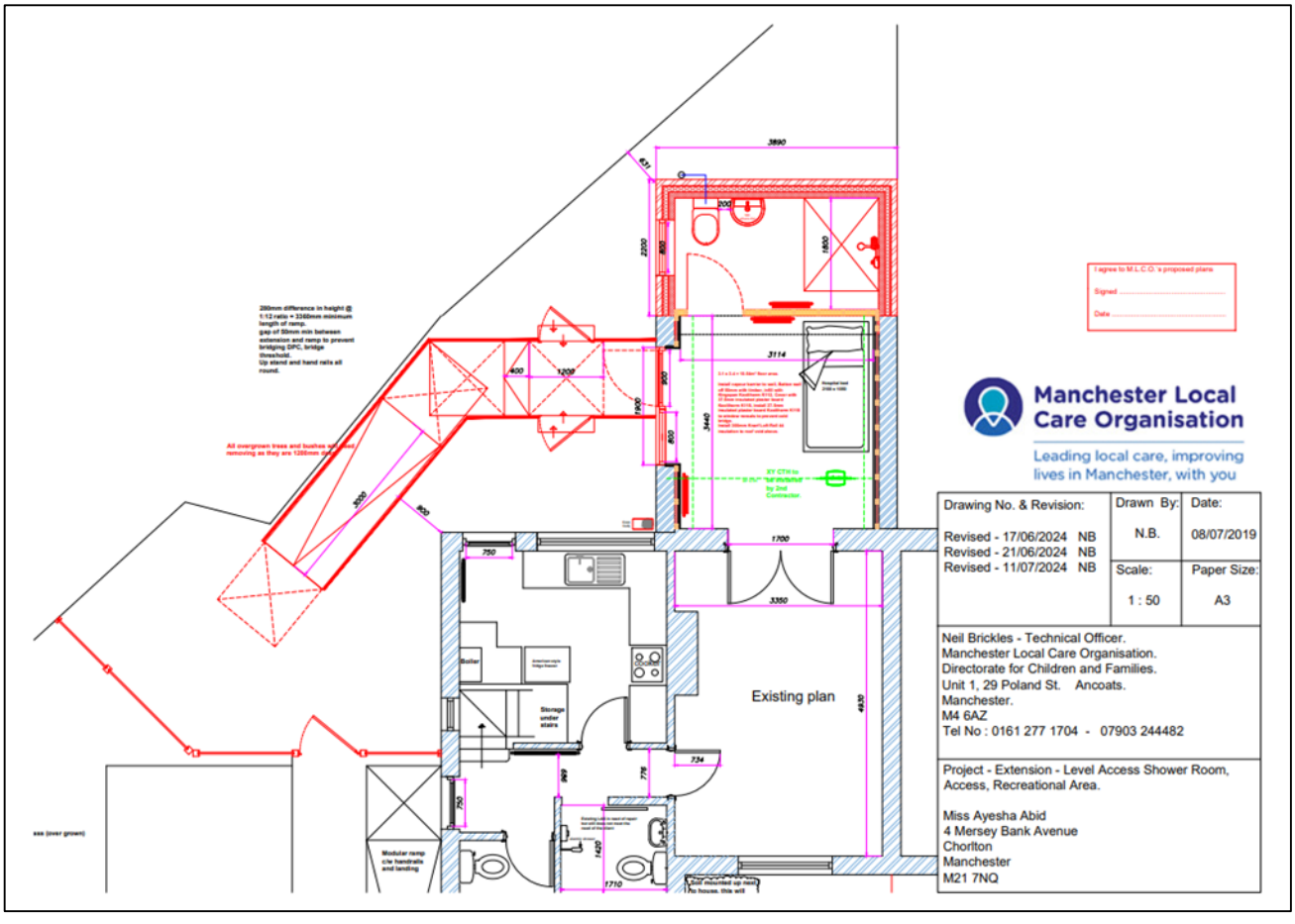
Design for Access 2 (December 2003)
- Chapter 6 – Ramps
- Chapter 9 – Handrails (Ramps, Stairs, and Steps)

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.

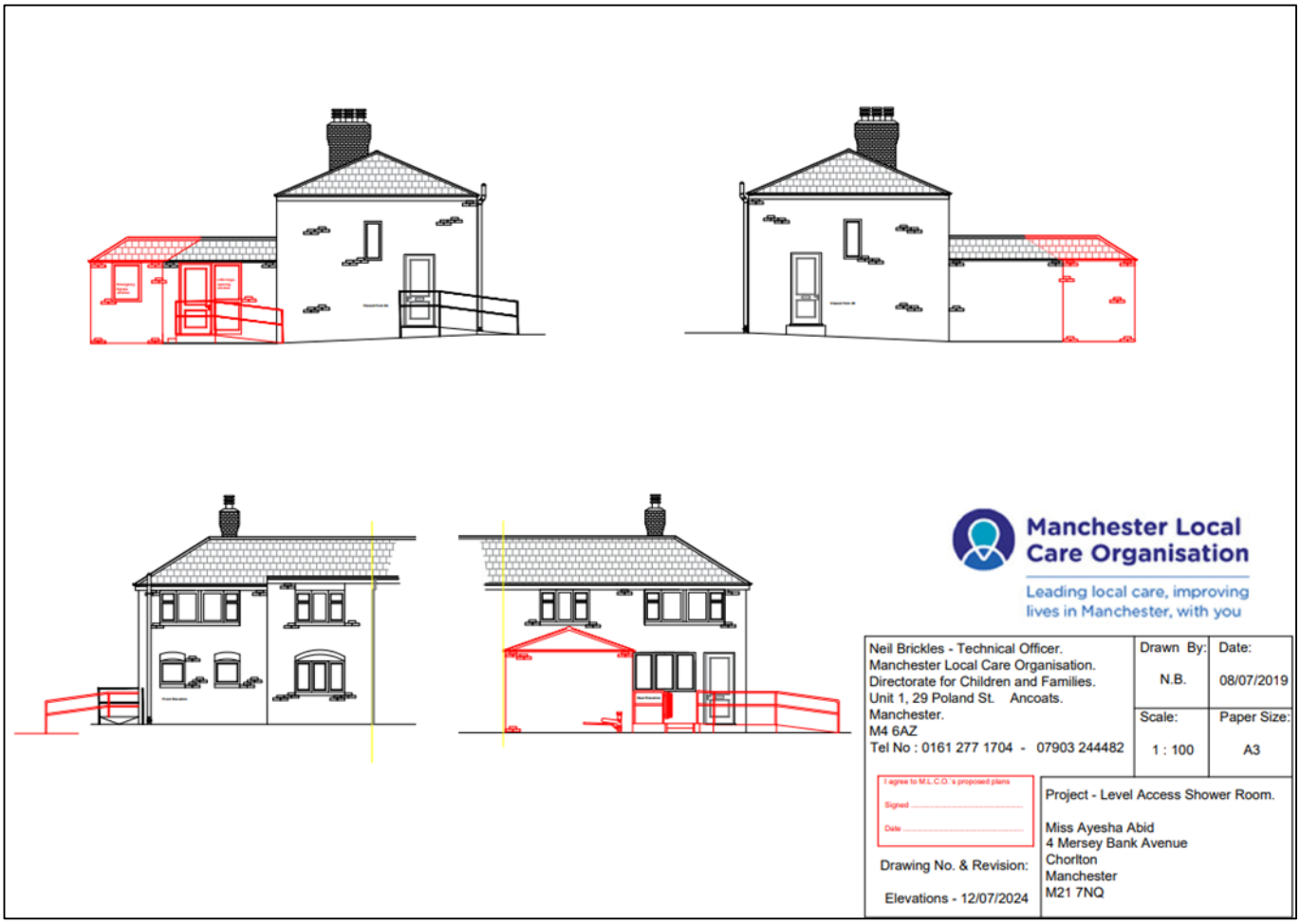
- Policy JP-P1 – Sustainable Places



Submitted existing layout plan



Submitted proposed plan



Submitted proposed 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. Policy DC1 of the Unitary Development Plan for the City of Manchester relates specifically to residential extensions and sets 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 single storey rear extension together with a ramped access and associated handrails to the rear entrance (following the removal of the existing hedge) and the installation of partition fencing to the side, 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 rear extension would be sited at the rear of the property, facing southwest, adjoining the existing extension. It would project an additional 2.2m rearwards, with a width of 3.89m, a hipped roof height of 3.261m and an eaves height of 2.499m, in line with the existing extension. It would be sited along the boundary shared with No.2 Merseybank Avenue and would maintain a minimum gap of 0.631m to the boundary shared with No.2 Astbury Avenue.

The overall siting, scale, and massing of the proposal is considered to be acceptable as the proposal is understood as being subservient to the host dwellinghouse in terms of its dimensions, would avoid resulting in an ‘excessively large or bulky’ addition 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.

The proposal would however significantly reduce the availability and usability of the existing outdoor amenity space located to the rear of the dwellinghouse, to a degree that would not normally be supported by the Council. However, the provisions of policy DC1 of the UDP stipulate that the Council will consider on their merits exemptions to its policies in the case of applications from disabled people who may require particular adaptations to their homes. Given that the proposal includes the provision of a ground-floor bathroom and an access ramp to the property, which would significantly improve the life and wellbeing of a disabled resident, the proposal can therefore be supported due to the considerable benefits that it would incur.

Moreover, the submitted plans indicate that the site features a grassed area to the front which is bordered by mature hedging and bushes. It is considered that this area could be used as an alternative external amenity space to the property’s rear garden, which is already limited by the existing extension and access ramp.

The proposal therefore accords with policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the extension would be built of brickwork and roof tiles to match the existing with uPVC windows and doors. Its northwest side elevation, facing No.2 Merseybank Avenue, would be blank and featureless, as would its rear elevation and roof slopes. Its southeastern side elevation, facing No.2 Astbury Avenue, would feature 1no. window. This has been conditioned to be obscurely glazed to protect the privacy of neighbouring occupiers.

The proposal is considered to be relatively standard in terms of its scale and design and would be in-keeping with the overall precedent of residential extensions in this area. Sited at the rear of the property, the proposal would not be visible within the street scene/public realm. Moreover, its use of matching materials should provide a blended appearance with the host dwellinghouse, thereby ensuring that the proposal does not form a prominent visual feature within this locale. The overall character of the dwellinghouse and its surrounding area should therefore not be significantly harmed by these works.

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

Residential amenity – given that the extension would be single storey, relatively minor in terms of its scale, and would feature a maximum height of 3.261m (in line with the existing extension), it is considered that the proposal should not cause issues associated with overshadowing, loss of light, and loss of outlook, nor should it introduce an overbearing feature into the area. Moreover, its only side-facing window has been conditioned to be obscurely glazed, therefore the privacy of neighbouring occupiers should not be compromised as a result of the works.

Additionally, any perceived harm caused to the residential amenity of neighbouring occupiers would be outweighed by the considerable benefits incurred by the scheme, including improving the life and wellbeing of a disabled resident, pursuant to policy DC1 of the UDP.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the proposal would restrict access to the property's rear amenity space, however sufficient space would be retained to the side of the dwellinghouse to allow for the property's bins to be stored away from the highway/public footpath. The bins should therefore avoid forming an overly dominant visual feature within the street scene, pursuant to policies DM1 and EN19 of the Core Strategy.

Parking – the current parking arrangements would be unaffected by the proposal.

Access ramp – the access ramp would be sited at the side and rear of the property, adjoining the existing extension, leading out towards the driveway and front garden. It would consist of a concrete platform and ramp bordered by black-coloured handrails.

The level platform would run northwest-southeast, measuring to approximately 3.668m in length, 1.255m in width, and 0.28m in height with its handrail measuring to 1m-high. It would feature a step down into the rear garden space on both its southwestern and northeastern sides. The access ramp would adjoin this platform, running roughly east-west and would measure to approximately 4.228m in length, 1.26m in width with a gradient of 1:12, in line with the guidance issued under the Design for Access 2 (chapters 6 and 9), and chapter 4 of the Guide to Development in Manchester.

This alteration to the site is not considered to have a significant impact upon the visual or residential amenity of the area and would considerably improve the life and wellbeing of a disabled resident, and is therefore considered acceptable, in line with policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Fencing – the submitted plans indicate that the new fencing would be installed as a partition between the front amenity & driveway space and the rear amenity space.

In their email correspondence, dated to the 5th August 2024, the agent of the application confirmed that this fencing would not exceed 2m in height. This aspect of the proposal could therefore be undertaken under permitted development rights, without the need for an application for planning permission. It is therefore considered acceptable.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 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 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:

Drawing - Proposed	15 Jul 2024	ELEVATION
Drawing - Proposed	15 Jul 2024	FLOOR PLAN
Drawing - Proposed	15 Jul 2024	FLOOR PLAN

Agent email correspondence, stamped as received by the City Council as Local Planning Authority on the 5th August 2024.

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 development hereby permitted shall match those specified on the submitted application form and approved plans and documents, including brickwork and roof tiles to match the existing dwellinghouse in type, size, colour, and texture on the single storey rear extension.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to policies DM1 and SP1 of the Core Strategy.

4) Before first occupation, the proposed ground floor windows in the southeast side elevation facing No.2 Astbury 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 Core Strategy.

5) 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 extension 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 Core Strategy.

Appendix 1 – List of consultees & neighbours notified

3 Mersey Bank Avenue, Manchester, M21 7WR
2 Astbury Avenue, Manchester, M21 7NJ
73 Maitland Avenue, Manchester, M21 7NH
71 Maitland Avenue, Manchester, M21 7NH
2 Mersey Bank Avenue, Manchester, M21 7NQ
4 Astbury Avenue, Manchester, M21 7NJ
1 Mersey Bank Avenue, Manchester, M21 7WR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA