

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139563/FH/2024
Date registered valid: 19 March 2024
Proposal: Erection of single storey side/rear extension
Address: 108 Mornington Crescent, Manchester, M14 6DD
Ward(s): Old Moat Ward

Applicant: Mr Arron Shirley
Agent (if any): Mr Tarique Cousins Extend Your Home
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 7th May 2024



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27.02.2024

Standard consultations:

Printed: 27 March 2024 Expired: 19 April 2024

Neighbour notifications

Printed: 27 March 2024 Expired: 19 April 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 two storey semi detached property in the Old Moat ward area of Manchester. The property lies at the head of a Cul de sac surrounded by similar style properties, some of which have been altered or enlarged previously. The property features a two storey rear extension with hardstanding to the front which provides off road car parking, access along the side with small rear shed along the shared boundary with no. 49 Mornington Crescent and large garden to the rear. The application site is unique as the land to the rear measures approximately 65m in length from the rear extension.



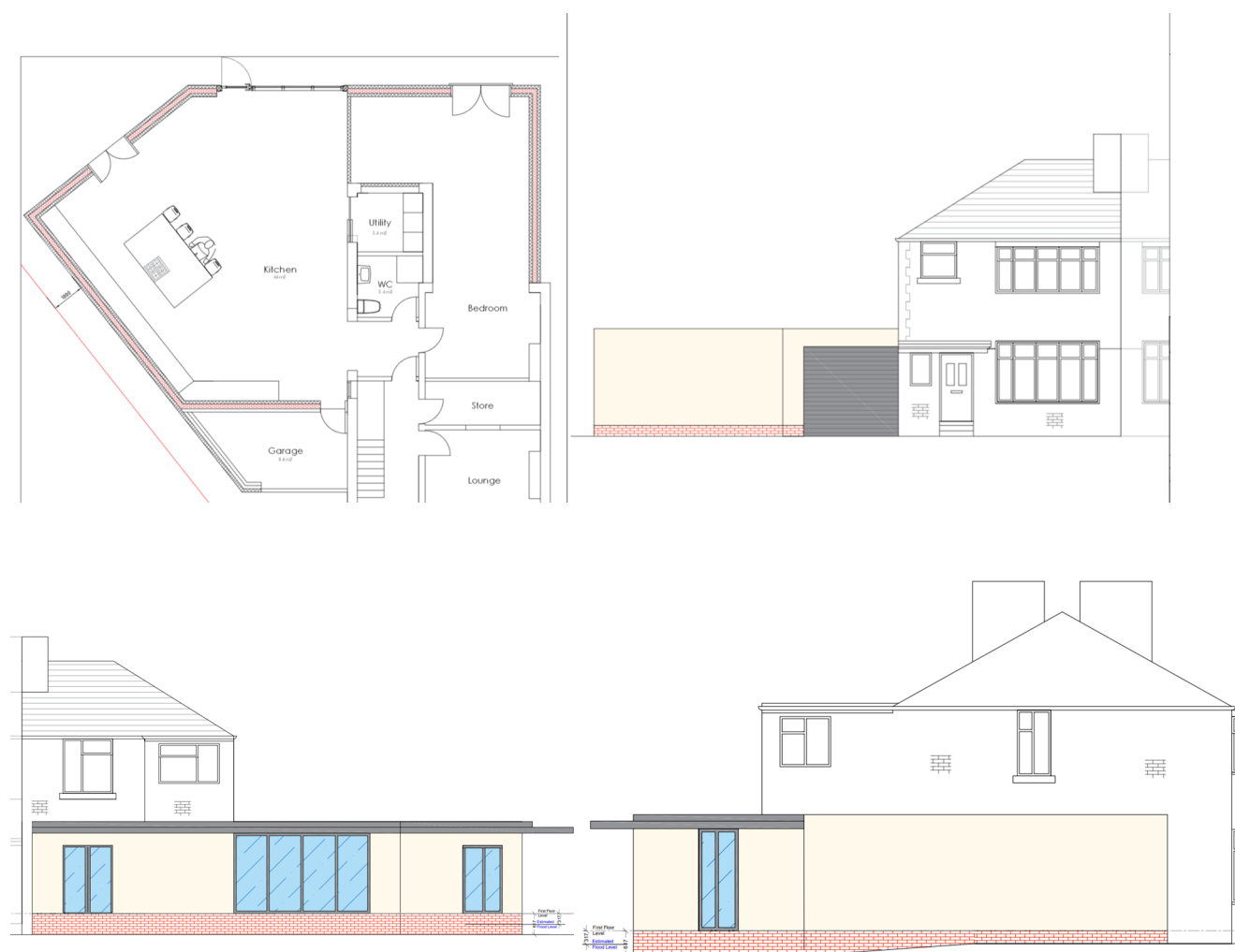
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature.

Description of development

The applicant is seeking planning permission for the erection of a single storey side and rear extension



Consultations & Notification Responses

Local residents, as per Appendix 1 – no comments or objections have been received in relation to this proposal.

MCC Flood Risk Management – No comments received.

Environment Agency - Attach condition and informative

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

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February). There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

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

The City 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.

History

Previous applications relating to this site as follows:

Planning reference 138981/FH/2024 - for erection of a single storey side and rear extension This application was withdrawn on 12.03.2024.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. 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. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

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

Previous applications relating to this site as follows:

Planning reference number: 138981 – for the erection of a single storey side and rear extension. This application was Withdrawn on 12th March 2024.

Residential amenity

The application would see the erection of a single storey side and rear extension which would provide additional living space for the occupants. This is a resubmission of a previously withdrawn application. The applicant had previously failed to provide sufficient details with regards to managing flood risk and further failed to show how the risk of construction close to the watercourse would not result in asset damage. The EA are satisfied that the proposal can be carried out in accordance with the submitted Flood Risk Assessment which accompanied this application.

The extension would be set back from the front wall of the dwellinghouse extending rearwards along the side retaining a gap of 1.0m to the boundary with the adjacent property no. 49 Mornington Crescent. The projection to the side would increase in width significantly as it extends rearwards due to the angled site boundary and development following the boundary line. The proposal would project beyond the rear wall wrapping around the host dwelling extending towards the shared boundary with the adjoining semi-detached property no 106 Mornington Crescent. The projection beyond the rear wall would measure 6.0m with an angled design towards the neighbouring property no. 49 Mornington Crescent.

The roof would be flat with a garage door on the front elevation, no windows along the sides and two sets of French doors and a single door along the rear elevation. Given the distance together

with the angle of the extension and its siting, it is not anticipated that there would be any overlooking or loss of privacy given by the French doors and single door in this location.

The proposal presents itself as a unique design occupying a large space to the side and rear, however, it is considered that the proportions of the extension are acceptable and given the relationship to properties either side, the footprint is not considered to create a bulky or disproportionate scale addition to the property and therefore can be comfortably accommodated within the site.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

Although the proposed extension is considered to have an unusual layout which is unique to the site, the size and footprint of the proposed extension not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are 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 and in terms of the proposed materials it is intended to use matching materials by way of brick and tile and render with GRP flat roof finish as specified in the application form. 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.

Bins

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

Parking

Off street car parking space would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is in keeping with the existing property and 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 19th March 2024 Numbered 01 Proposed Location and Site Plan

Received 19th March 2024 Numbered 03 Proposed Ground Floor Plan

Received 19th March 2024 Numbered 04 Proposed Front Elevation

Received 19th March 2024 Numbered 05 Proposed Side Elevation

Received 19th March 2024 Numbered 06 Proposed Rear Elevation

Received 19th March 2024 Numbered 07 Proposed Side 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 of the extension hereby permitted shall match those as outlined in 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 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) The development shall be carried out in accordance with the submitted flood risk assessment (received on 19th March 2024 and Product 4 Data) and the following mitigation measures it details:

- o Finished floor levels shall be set no lower than those of the existing building.

Reason - To reduce the risk of flooding to the proposed development

Informatives

1) Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance.

Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-newbuildings> CIRIA
Code of Practice for property flood resilience

https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx

British Standard 85500 - Flood resistant and resilient construction

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management
Environment Agency

45 Mornington Crescent, Manchester, M14 6DB
106 Mornington Crescent, Manchester, M14 6DD
49 Mornington Crescent, Manchester, M14 6DB
47 Mornington Crescent, Manchester, M14 6DB

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA