MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139375/FH/2024
Date registered valid:	26 February 2024
Proposal:	Erection of single storey conservatory
Address:	9 Nathans Road, Manchester, M22 9GH
Ward(s):	Woodhouse Park Ward
Applicant:	Mrs Deborah Clough
Agent (if any):	Mr Mike Taylor
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 17th April 2024



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 2 April 2024
Standard consultations:
No consultations have been printed and sent.
Neighbour notifications
Printed: 7 March 2024 Expired: 28 March 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 Woodhouse Park ward area of Manchester. Amenity space is to the front and rear of the property. The site features a part single part two storey side extension, single storey rear projection, small shed and decking to the rear.



Listed building: Not applicable
Conservation area: Not applicable

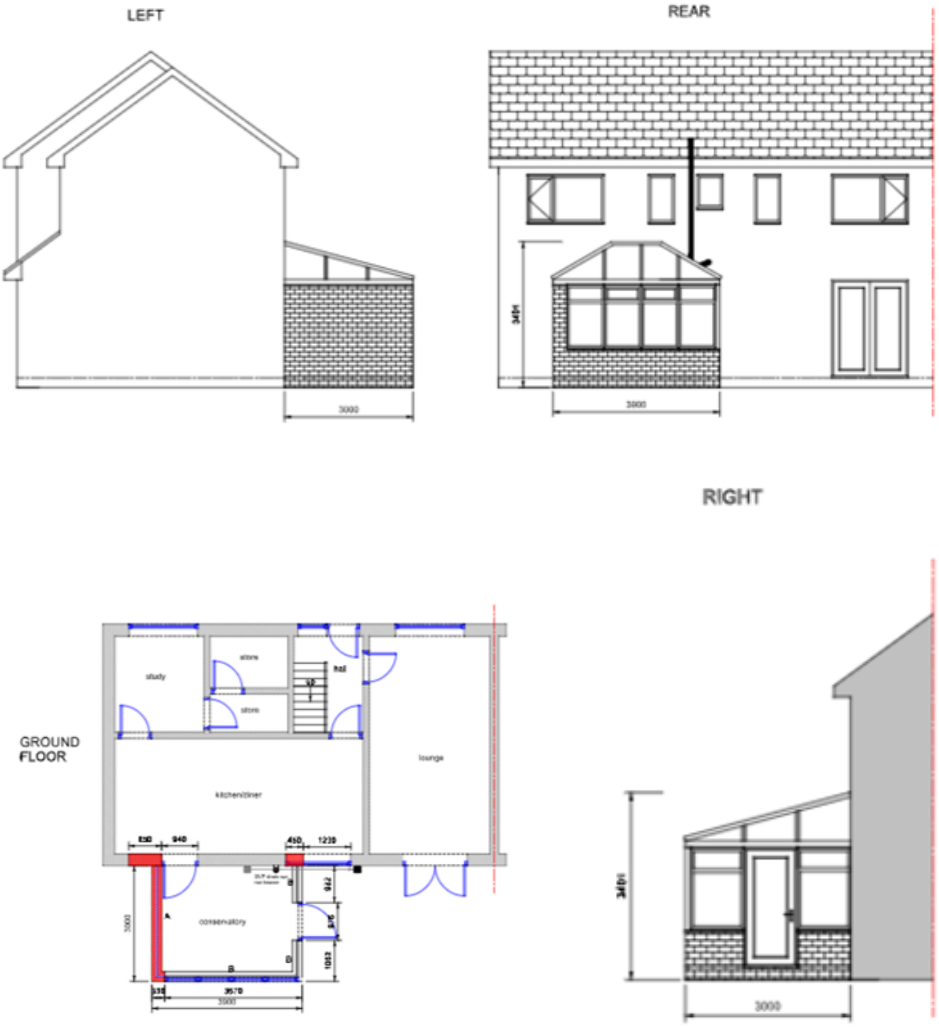
Tree Preservation Order: Not applicable

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 conservatory



Consultations & Notification Responses

Local residents, as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments have been received in respect of this application.

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o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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.

- 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
- Policy EN1 - Design Principles
- Policy EN 19 - Waste Management
- 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.

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. 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:

074477/FH/2005/S2 - for the erection of a two storey side extension to form additional living accommodation. This application was approved 23.05.2005

Residential Amenity

The applicant is seeking planning permission for the erection of a single storey conservatory to the rear of the property. Ordinarily, the proposal would not require planning permission due to the size, however, the proposal would be situated to the rear of an existing extension to the side of the property. Presently, there is a single storey rear projection to the rear of the extension.

Following demolition of the single storey projection, the conservatory would be sited across the rear wall of the property located away from the side wall of the property to a with measuring 3.9m and a projection off the rear wall measuring 3.0m The total height of the conservatory would be 3.4m with a hipped glazed roof. The side elevation facing no. 11 Nathans Road would be brick. The side facing no. 7 Nathans Road would have a brick base and glazed side and rear. Given the gap retained to the shared boundary with no. 7 together with the existing boundary treatment, it is not considered that the position of the glazing would provide any significant overlooking or loss of privacy. It is considered that the presence of a structure has already been established within this location although the proposed conservatory would be sited further away from the boundary, and therefore the introduction of a conservatory in this position is thought to be acceptable.

There has been no objection from the adjoining properties in relation to this proposal. On balance, the conservatory is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Due to the location of the proposed conservatory, it will not be visible from the street and therefore would not feature within the street scene. However, the character of the area is retained therefore the appearance is acceptable and its impact upon visual amenity is considered negligible.

Overall, It is considered that the proposed development would not provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered accords with Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house, is not excessively large or bulky and are therefore considered to accord with the principles

set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Design and appearance

The proposal is considered acceptable and detailed as what is normally expected of such a structure. 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 brick and glazing as specified in the application form.

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.

Parking

Current car parking arrangements are unaffected by this proposal.

Bins

Bin storage is unaffected by this proposal.

Conclusion

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.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy

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

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. No significant problems have arisen during the consideration of this application

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 26th February 2024 annotated as Proposed Ground Floor Plan and Elevations

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

11 Nathans Road, Manchester, M22 9GH
19 Mottershead Road, Manchester, M22 9QG
17 Mottershead Road, Manchester, M22 9QG
7 Nathans Road, Manchester, M22 9GH

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 45M
Area Team Boundary - Name: SOUTH AREA