MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139368/FH/2024
Date registered valid:	26 February 2024
Proposal:	Erection of single storey side extension to provide additional living accommodation
Address:	11 Penryn Avenue, Manchester, M33 3PG
Ward(s):	Brooklands Ward
Applicant:	Mrs Anca Banacu
Agent (if any):	
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 single storey detached property located within the Brooklands ward area of Manchester. Decorative paving is to the front, side and rear of the property with off road car parking provided at the front. Access is taken along both sides of the property with some soft landscaping along the boundary of the site to the front and rear.



Listed building: Not applicable

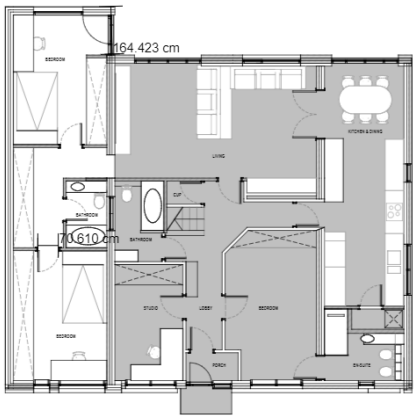
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature and is located south of the City Centre

Description of development

The applicant is seeking planning permission for the erection of a single storey side extension which would provide additional living space.





Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. One letter of objection was received, summary of comments as follows:

- The drawings and details submitted do not provide any dimensions to identify how far away the proposed extension is from the property boundary line, other than the CGI Image which appears to show that this is close.
- The building will extend to 50mm from the boundary line.
- The proposal appears to cause overshadowing and loss of light, should it be built as proposed.
- Do not believe that the extension can be built to building regulations
- The proposed elevations show a render finish, which cannot be physically undertaken without encroachment
- Would support the application should the extension be located 1.2m away from the boundary line

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.

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 changes are deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Previous planning applications relating to this site as follows:

Planning reference number: 070294/FH/2003/S2 – for the erection of single storey front and side extensions with elevational alterations and insertion of front and side dormer windows. This application was approved on 11.05.2004

Residential Amenity

The applicant is seeking planning for the erection of a single storey side extension which would provide additional living space for the occupants. Comments were made by a local resident in relation to the proximity of the proposal to the boundary, overshadowing and loss of light and construction of the development.

The proposal would be in line with the front wall of the property extending rearwards along the shared boundary with the adjacent property no. 9 Penryn Avenue projecting approximately 1.6m beyond the rear wall of the property. Windows are proposed on the front and rear with a door situated on the east side of the rear of the extension. Given the location of the window arrangements, it is not considered that there would be any overlooking or loss of privacy given by the position of these windows.

The roof of the extension would be flat with the inclusion of three roof lights. It is considered that given the height, orientation of the property together with the fact that the proposal is single storey, there would be no overshadowing or loss of light given by the position of the extension.

The extension would be visible from the public highway and therefore would be a feature within the street scene. However, the character of the area has been 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 extension 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.

Overall, the addition to the property is considered to be acceptable in this location and it is not considered that the proposal would create any undue loss of privacy, loss of light or have an overbearing impact upon neighbouring occupiers and therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Scale and Mass

The size and footprint of the extension, 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 changes 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 white render and single ply roof material as specified in the application form.

The design is detailed as what is normally expected of such a structure and would not unduly 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

Conclusion

On balance, it is believed that the proposal would not interfere with the character of the area and 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.

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. 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 26th February 2024 numbered 2128.02.301 Existing and Proposed Ground Floor Plan
Received on 26th February 2024 numbered 2128.02.302 C1 Existing and Proposed First Floor Plan
Received on 26th February 2024 numbered 2128.02.400 C1 Existing and Proposed Elevation Sheet 1 of 2
Received on 26th February 2024 numbered 2128.02.401 Existing and Proposed Elevation Sheet 2 of 2
Received on 26th February 2024 numbered 2128.02.411 Existing and Proposed 3D views
Received on 26th February 2024 Design and Access Statement

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 hereby permitted development shall match those as specified in the application form in size, type,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

9 Penryn Avenue, Manchester, M33 3PG
18 Penryn Avenue, Manchester, M33 3PG
14 Penryn Avenue, Manchester, M33 3PG
16 Penryn Avenue, Manchester, M33 3PG
13 Penryn Avenue, Manchester, M33 3PG
11 Emsworth Drive, Manchester, M33 3PR

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
Area Team Boundary - Name: SOUTH AREA