MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139296/FH/2024
Date registered valid:	19 February 2024
Proposal:	Erection of a single storey rear extension and ramped access.
Address:	5 Lydden Avenue, Manchester, M11 4QF
Ward(s):	Clayton & Openshaw Ward
Applicant:	Mr Gerge Cameron
Agent (if any):	Mr Alan Wood MEAP
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 March 2024

Standard consultations:
Printed: 28 February 2024 Expired: 20 March 2024

Neighbour notifications
Printed: 28 February 2024 Expired: 20 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The site relates to a two-storey semi-detached property located on Lydden Avenue in the Clayton ward of Manchester. The property is located on a triangular plot.

The application seeks planning permission for the erection of a single storey rear extension and ramped access.

There have been no previous planning applications at the address.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health commented they had no comments regarding the proposal.

Issues

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o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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 EN19 Waste
o The National Planning Policy Framework (NPPF)

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

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

Residential Amenity

The proposed alterations of a single storey side extension to provide a ground floor bathroom facility. The ground floor extension would be accessed via a ramp.

The rear extension projects 3.4metres from the rear wall of the dwelling house and is pulled away from the common boundary. The width of the single storey rear extension is 3 metres. The ramp would be visible positioned at the side elevation of the host building. However, due to the size, position and relationship with the non-adjoining property and the distance from the common boundary, is considered to pose negatable impact on visible and residential amenity. Furthermore, both windows on the extension would be obscurely glazed and the door opening towards the non-adjoining property on the return elevation, poses no overlooking due to its relationship with number 3 Lydden Avenue leaving a considerable gap between the extension and the common boundary and is therefore, considered to be acceptable.

The extension would not be readily visible from the public highway due to its relationship with the host dwelling and the orientation of the building. Therefore, the appearance is acceptable and its impact upon visual amenity is considered negligible. The footprint is not considered to create a bulky or disproportionate scale addition to the property especially as the proposal is single storey. Given the gap together with the height of the proposal, this would not lead to overshadowing or loss of light to surrounding properties and therefore complies with City Council policies.

Overall, the proposal 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.

The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extension is satisfactory and is therefore 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 extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and is considered acceptable and detailed as what is normally expected of such a structure. Despite the visible appearance of the ramp being municipal in design. The design of the proposal would be an acceptable addition to the property and in terms of the proposed materials it is intended to use matching materials 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.

The proposal is considered to be 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, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, 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

The application has been determined in a positive and proactive manner. In this instance no issues have arisen during consideration of the proposals and appropriately worded conditions are proposed

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:

Location Plan, The Design and Access Statement and the Supporting Documentation, REF 004, REF-005, REF-006, REF-007 and REF-008, stamped as received on the 19 February 2024,

Site Plan REF-010, stamped as received on the 6 March 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 development hereby approved shall be constructed using materials that match those used in the original property in terms of size, colour and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) Before first occupation the ground floor bathroom windows, shown on drawing numbers REF 004, REF-005, REF-006, REF-007, stamped as received on the 19 March 2024, 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 2015 (or any order 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 drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

6 Lydden Avenue, Manchester, M11 4QF
3 Lydden Avenue, Manchester, M11 4QF
18 North Crescent, Manchester, M11 4LR
16 North Crescent, Manchester, M11 4LR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Hazard - Major Accident Hazard Pipeline - East Manchester
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA