MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137596/FH/2023
Date registered valid:	6 December 2023
Proposal:	Erection of a part single/part two storey rear extension to form additional living accommodation
Address:	1 Oakway, Manchester, M20 5PS
Ward(s):	Didsbury East Ward
Applicant:	Jasim
Agent (if any):	Mr Sean Higginson, SLH Home Design Ltd
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 February 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26th January 204

Standard consultations:
Printed: 11 December 2023 Expired: 1 January 2024

Neighbour notifications
Printed: 11 December 2023 Expired: 1 January 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 property that is the subject of this householder application is identified as 1 Oakway in the Didsbury East ward of the City. It is a brick built 2 storey semi- detached dwellinghouse. It has an original single storey outrigger on the rear. There are gardens to the front and rear and in curtilage parking. There is a free- standing garage in the rear garden which is accessed from down the side of the property. It sits at 45 degrees to the properties whose gardens back onto the side of 1 Oakway and those properties face out onto Kingsway.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The Cul-de-sac that is Oakway is typical of many of the Avenues that lead off Kingsway, which is a main arterial route into and out of the City. The immediate and wider area is predominantly residential in nature with properties of a similar size and design to the proposal site. To the far north- east of the site lies the Parrs Wood entertainment complex. The proposal site is on sustainable transport networks and other areas of the City can easily be reached by alternative modes of transport to the car.

Description of development
The proposal is for the erection of a part single part two storey rear extension to form additional living accommodation in the form of open plan kitchen diner with lounge and a ground floor bedroom and WC. To the first floor would be 3 bedrooms, a walk- in wardrobe and a family bathroom.

Consultations & Notification Responses
Local residents were informed- no representations have been received.

Flood Risk Management- No objections subject to the attachment of a condition to any consent granted requiring the submission of a flood risk assessment.

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 EN 19 - Waste Management
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 extending an existing residential property in a residential area to create additional living accommodation is considered acceptable, subject to further assessment on impacts upon 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 to indicate otherwise.

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 property is a brick built semi-detached dwellinghouse located on Oakway. This particular property has a single storey outrigger with a flat roof, that occupies part of the ground floor projecting off the rear, however, it is not known if this is an original feature of the property as other properties have the same thing, and some have replaced them with mono-pitched roofs, or conservatories. There is also a single storey garage to the bottom of the garden.
Originally the proposal was for a two-storey rear extension that occupied the full width of the property to the rear taking it up to the common boundary with number 3 Oakway, however as this was considered to have a detrimental impact upon the residential amenity of the occupants of number 3 Oakway, this has been pulled back off the boundary to now present as a part single part two storey rear extension.

The extension to the existing dwellinghouse would provide additional living accommodation in the form of open plan kitchen/ diner, lounge, bedroom and WC to the ground floor and 3 bedrooms a walk- in wardrobe and family bathroom to the first floor.

There are windows proposed to the side elevation at the first- floor side (eastern) elevation, these will serve the bathroom, the walk -in wardrobe and the bathroom. To secure privacy for both the host property and those facing onto Kingsway, a condition would be attached to any consent granted to require these to be obscurely glazed. The other windows look out over the applicants' own garden.

Given the revised proposal pulling the 2 storey off the common boundary, there would be no impact on the neighbouring properties with regards to overlooking, loss of light, or loss of privacy. It is therefore considered that the proposed works would not have a detrimental impact upon the level of residential amenity currently enjoyed by the neighbouring properties post development.

The proposal would post development retain sufficient usable external amenity space for the occupants of number 1 Oakway.

Visual Amenity
The proposal projects off the existing house from the rear building line and would not be readily viewed within the street scene. There are many properties within the area that have had the benefit of similar extensions. The proposed extensions retain subservience to the existing property, and it is not considered that the proposal would have a detrimental impact upon the character of the property itself, the area within which it is located nor upon the visual amenity of the neighbouring properties.

Materials
The materials to be used would match those of the existing property and an appropriate condition to that effect would be attached to any consent granted.

Design and Siting- The design is similar to other properties within the immediate and wider area and consideration has been given to the proposed siting reducing the bulk and massing on the common boundaries. The proposed design and siting are considered acceptable.

Bin Storage- The bins are currently stored alongside the property behind the gates, this would remain the same post development.

Parking- The proposal does not impact upon the availability of in curtilage parking.

Overall, the proposed extension is considered not to create any significant impact in terms of visual and residential amenity within the character of the general area. There are other properties within the immediate area that have also had the benefit of similar extensions to those proposed for number 1 Oakway. No representations have been received and the proposed development is considered acceptable.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance negotiations have taken place to reduce the two- storey on the common boundary and a scheme that can now be supported and complies with policy has been secured with the attachment of appropriate conditions.

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:
A201 Proposed Floor Plans-received 5th February 2024.
A202 Proposed Elevations- received 8th February 2024
A003 Site Plan- received 18th July 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 extension hereby permitted shall match those of the existing building in type, size, colour and texture, and as stated on the Householder Application Form.

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) Before first occupation the windows in the first- floor side (eastern) elevation 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 plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

914 Kingsway, Manchester, M20 5WR
906 Kingsway, Manchester, M20 5WR
3 Oakway, Manchester, M20 5PS
904 Kingsway, Manchester, M20 5WR
910 Kingsway, Manchester, M20 5WR
908 Kingsway, Manchester, M20 5WR
2 Oakway, Manchester, M20 5PS
4 Oakway, Manchester, M20 5PS

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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA