MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138792/FH/2023
Date registered valid:	21 December 2023
Proposal:	Erection of a single storey rear extension following demolition of existing single storey conservatory, outrigger, and detached garage
Address:	18 Mellington Avenue, Manchester, M20 5NJ
Ward(s):	Didsbury East Ward
Applicant:	Mr & Mrs Gleeson
Agent (if any):	Mr Simon Miles S R Miles Ltd
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**13th February 2024**

Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 7 February 2024
Standard consultations:
No consultations have been printed and sent.
Neighbour notifications
Printed: 21 December 2023 Expired: 14 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 site/building relates to a two storey semi detached property in the Didsbury East ward area of Manchester. The property is located at the corner of Mellington Avenue and Broughville Drive. With gardens situated to the front, side and rear of the property. The site features a single storey rear projection with bay windows to the front of the property.

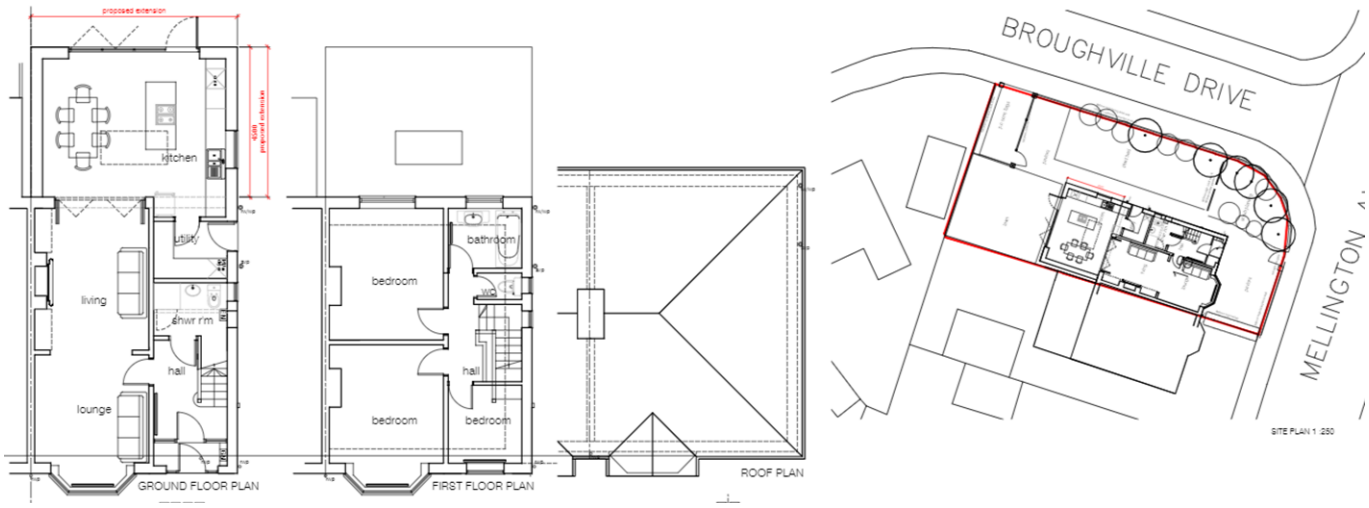
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

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 rear extension following demolition of existing single storey conservatory, outrigger, and detached garage.



Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal: No comments were received as a result of this proposal.

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 Plan

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.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion

of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are 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. 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

No previous planning applications relating to this site.
Residential amenity

Residential amenity

The applicant is seeking planning permission for the erection of a single storey rear extension following demolition of existing single storey conservatory, outrigger, and detached garage.

Following demolition of the existing single storey rear extension, the proposed extension would project from the original rear wall measuring 4.5m extending across the rear and in line with the side wall of the property. Bi folding doors are proposed on the rear elevation with a window is proposed on the side elevation facing the road, however, given the existing boundary treatment together with the gap retained to the site boundary there would be no overlooking or loss of privacy; no window is proposed on the side elevation facing the adjoining semi detached property. The roof would be flat with the inclusion of a large roof light.

It is not anticipated that the introduction of a single storey extension in this location would provide any undue harm on the occupiers of properties either side of the application site, especially given that the adjoining semi-detached property already has a projection on the rear wall of its property. Although the extension projects further than what DC1 policy would allow, there have been no objections to the proposal and should the applicant build a single storey extension under the Larger Homes scheme limitation, in the same materials, this would be allowed to be built under permitted development subject to retaining a projection of 6m.

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.

Overall, given the height, projection and relationship to adjacent properties, it is considered that the proportions of the extensions are acceptable. The footprint is not considered to create a bulky or disproportionate scale addition to the property and therefore the development accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

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. 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. In terms of the proposed materials, it is intended to use matching brick as specified in the application form with grey single ply for the flat roof. 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 rear and is considered acceptable and detailed as what is normally expected of such a structure.

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.

Disabled access

Not applicable

Refuse Bins

Refuse bins storage is unaffected by the proposal as there is access retained along the side for movement of refuse bins for collection which accords with policy EN19 of the Core Strategy.

Parking

Car parking would be unaffected by the proposal.

Conclusion

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and 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.

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 8th December 2023 numbered 23 408 PL200 Proposed Plans 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

1 Broughville Drive, Manchester, M20 5WH
2 Broughville Drive, Manchester, M20 5WH
31 Mellington Avenue, Manchester, M20 5WE
29 Mellington Avenue, Manchester, M20 5WE
27 Mellington Avenue, Manchester, M20 5WE
4 Broughville Drive, Manchester, M20 5WH
20 Mellington Avenue, Manchester, M20 5NJ
16 Mellington Avenue, Manchester, M20 5NJ
14 Mellington Avenue, Manchester, M20 5NJ

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