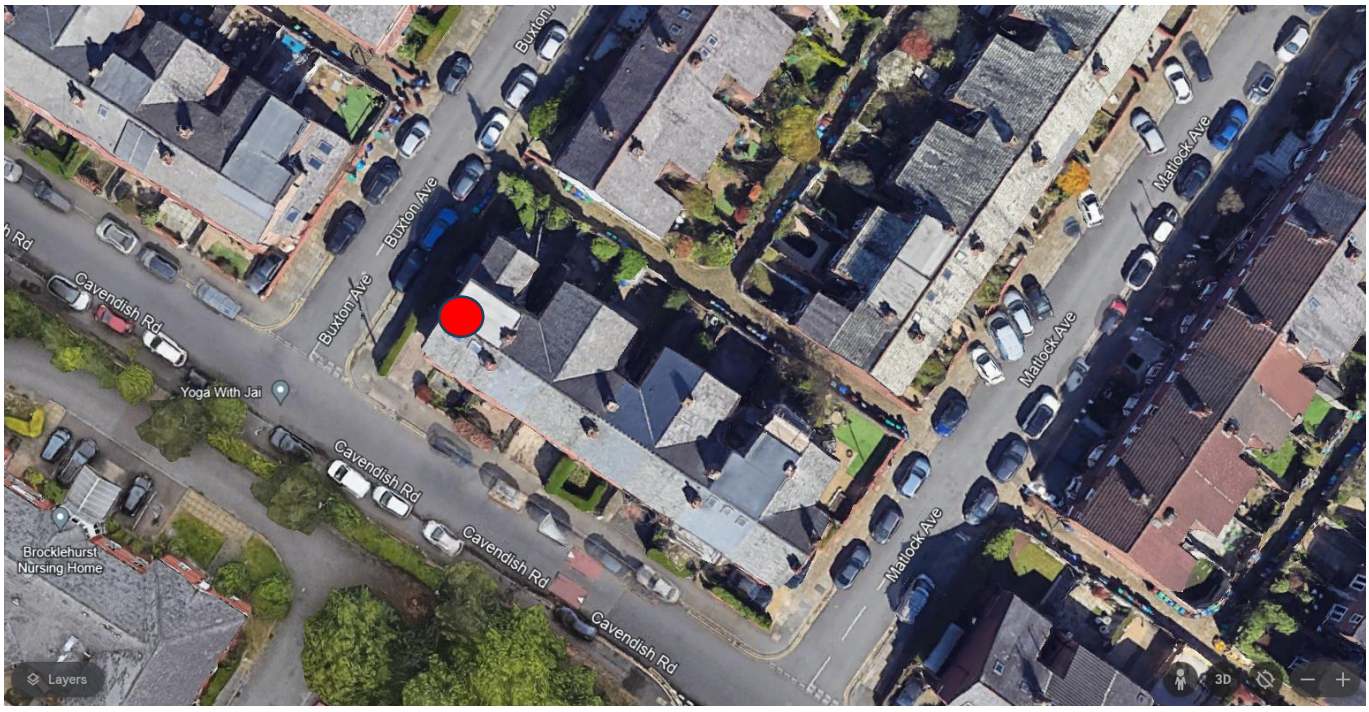
MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137945/FH/2023
Date registered valid:	31 August 2023
Proposal:	Erection of a single storey side extension together with a single storey rear extension
Address:	62 Cavendish Road, Manchester, M20 1QE
Ward(s):	Didsbury West Ward
Applicant:	Mr Oliver Atkinson
Agent (if any):	Toby Lechler Lechler Hayes Architects
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**23rd October 2023**



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 14.03.2023
Standard consultations:
Printed: 6 September 2023 Expired: 27 September 2023
Neighbour notifications
Printed: 6 September 2023 Expired: 27 September 2023
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 application site is a two storey end terrace property located within the Didsbury West ward area of Manchester. The property is positioned at the corner of Cavendish Road and Buxton Avenue. Boundary to the front comprises a low brick wall with wall and hedging to the side and higher brick wall to the rear which provides privacy from Buxton Avenue. An off road car parking space is available at the front together with a garden, access along the side and rear yard. The property features a two storey rear outrigger and rear dormer.

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

Description of area

Cavendish Road is predominantly a residential area in nature with housing on both sides of Cavendish Road. On the northern side of Cavendish Road are traditional two storey terraces whose appearance have a high degree of uniformity. The opposite side of the road has a different character given by the mix of residential dwellings varying in height, materials and layout.

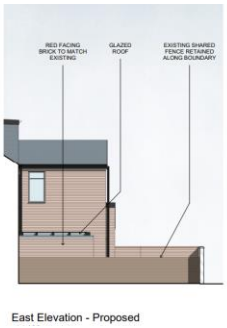
Description of development

The applicant is seeking planning permission for the erection of a single storey side extension together with a single storey rear extension.

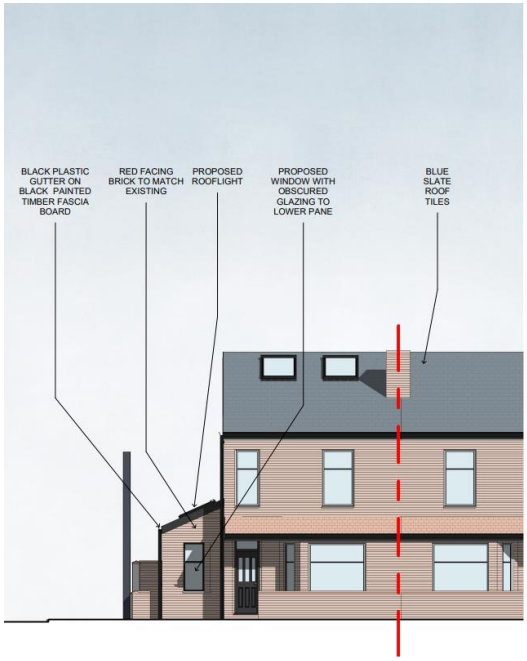


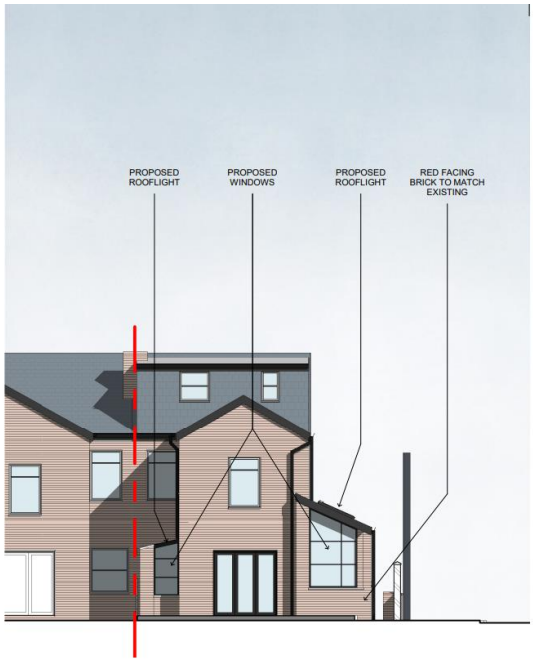


Vest Elevation - Proposed



East Elevation - Proposed





Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. There has been one letter of objection as a result of this proposal. Summary of comments as follows:

- Objecting to the proposed side extension of the applicant's kitchen / diner specifically between their original outrigger and the rear party boundary
- Loss of daylight, will create a tunnelling effect
- The 45 degree rule does not appear to have been adhered to
- A solar study does not appear to have been completed by the applicant

West Didsbury Residents Association – no objection to the proposed development

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.

History

Previous planning applications relating to this site as follows:

Planning reference : 135871/FH/2023 - Erection of a part single/part two storey side extension and a single storey rear extension. This application was refused on 30.05.2023 for the following reason:

The proposed part single part two storey side extension by reason of its scale, massing and siting; would create an over dominant and incongruous feature within the street scene which would be out of character with the area in general, to the detriment of visual amenity and as such is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

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

This application follows the refusal of a previous scheme outlined above. Following negotiations, the agent/applicant amended the scheme and now seeks planning permission to erect a single storey side extension together with a single storey rear extension. In terms of it is immediate surroundings, the property is neighboured by similar sized dwelling houses with front and rear gardens.

An objection has been received by a local resident with concerns about the proposed side extension between their original outrigger and the rear party boundary, overshadowing causing loss of daylight and tunnelling affect.

Rear

The applicant proposes the erection of a single storey rear extension which would project off the rear wall measuring approximately 3.8m along the shared boundary with no. 60 Cavendish Road retaining a gap to the end of the outrigger measuring 600mm. The height is approximately 2.6m and would have a sloping glazed roof. No windows are proposed along the side. A window is proposed on the rear elevation. Given the location of the proposed window, it is not anticipated that there would be any overlooking or loss of privacy given by this window. The City Council is satisfied that the amended single storey rear extension given its modest scale, depth and height would be an acceptable addition in this location.

Side

The side extension would be set back from the front wall of the property measuring approximately 600mm extending along the side by approximately 12.3m adjoining the existing outrigger to the rear. A gap would be retained to the site boundary of 1.0m. Windows are proposed on the front, side and rear elevation with the inclusion of two rooflights. Although there is a window along the side elevation, given the distance to the property opposite the site, together with the existing boundary treatment, it is not anticipated that there would be any overlooking or loss of privacy given by the location of this window.

It is not considered that the addition of a single storey side and rear extension would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers of adjoining properties.

The property opposite the application site, no. 64 Cavendish Road, has a similar layout as the current site and has undergone enlargement to the side/rear. It is considered that the introduction of an extension along this elevation would not be out of character with the host dwelling or properties within the area and would provide a degree of uniformity on the approach to Buxton avenue.

Overall, it is considered that the addition to the side and rear of the property would not provide an impact within the street scene or upon the occupiers of surrounding properties. 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.

In context to the existing property the extension is acceptable. The scale and massing of the proposal is considered would not cause undue harm to the current levels of amenity being enjoyed by the occupiers of surrounding properties. The extension would not present an unusual feature in the immediate area and due to the existence of other similar extensions to a variety of house types in the immediate area, the size of the extension is considered acceptable within the surrounding environmental context and 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 extension is satisfactory and is considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design and Appearance

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 brick and tiles as specified in the application form. 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.

Car Parking

Existing car parking arrangements would not be affected by this proposal as there is still adequate car parking retained within the curtilage of the site.

Disabled access

Not affected by this proposal

Bins

Bin storage is not affected by this proposal.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. 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. 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 31st August 2023 numbered LHA-00-00-DR-A-PL-006 P01 Proposed Ground Floor Plan
Received on 31st August 2023 numbered LHA-00-XX-DR-A-PL-007 P01 Proposed First, Second Floor and Roof Plan
Received on 31st August 2023 numbered LHA-00-XX-DR-A-PL-008 P01 Proposed Elevations North and South
Received on 31st August 2023 numbered LHA-00-XX-DR-A-PL-009 P01 Proposed Elevations East and West
Received on 31st August 2023 numbered LHA-XX-XX-RP-A-PL-100_P01 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 Strate

3) The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form and drawings 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

West Didsbury Residents Association

Monet Lodge, 67 Cavendish Road, Manchester, M20 1JG
60 Cavendish Road, Manchester, M20 1QE
2 Buxton Avenue, Manchester, M20 1JT
1 Buxton Avenue, Manchester, M20 1JT
Brocklehurst, 65 Cavendish Road, Manchester, M20 1JG
64 Cavendish Road, Manchester, M20 1QF

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