MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137566/FH/2023
Date registered valid:	25 July 2023
Proposal:	Erection of a single storey rear extension and formation of new driveway
Address:	16 Amberley Drive, Manchester, M23 2RH
Ward(s):	Baguley Ward
Applicant:	Mr P Burke Wythenshawe Community Housing Group
Agent (if any):	Mr Ian Perry Heaton Design Ltd
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**18.09.2023**



Application details

Type of application:	Full Householder Application	
Development type:	Householder	
Date of site visit:	12 September 2023	
Standard consultations:	Printed: 4 August 2023	Expired: 25 August 2023
Neighbour notifications	Printed: 4 August 2023	Expired: 25 August 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 site relates to a two storey semi detached property in the Baguley Ward area of Manchester. Gardens are to the front and rear with access along the side. The front elevation is stepped with the entrance to the property located on the side facing the boundary. The property features a bay window on the ground floor front and rear. The property has previously undergone enlargement to the rear comprising a single storey rear projection which is annotated as a bathroom. The property is surrounded by a mix of new and old properties some terraced and some semi detached varying in design and size.





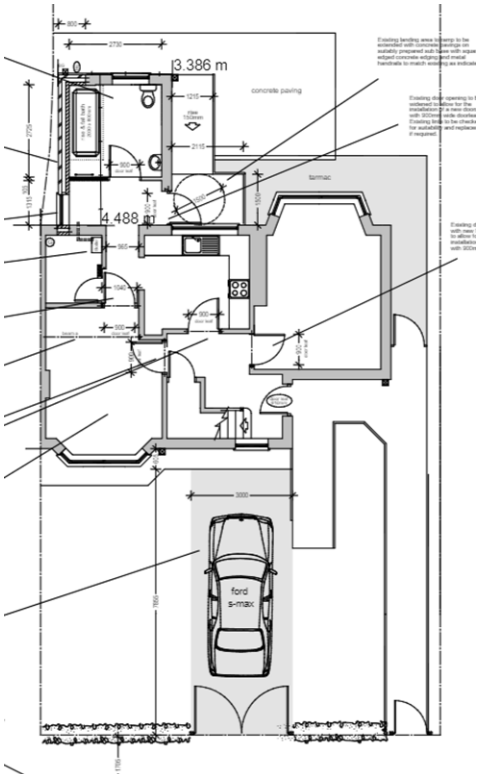
Listed building:	Not applicable
Conservation area:	NA
Tree Preservation Order:	NA

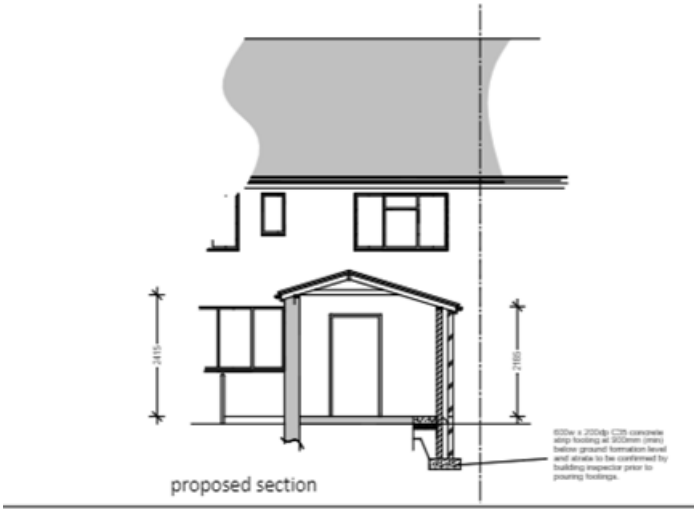
Description of area

This is primarily a residential area in nature

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension and formation of new driveway.





Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. There have been no comments received in respect of this application.

Highways - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise. The site currently has no on-site parking.

A new dropped kerbed access and driveway parking place will be installed as part of the proposals. This is acceptable to Highways. The submitted plan shows that the proposed driveway will be 3m x 7.855m, which meets Highways driveway standards. It should be ensured that the proposed driveway has at least 1 no. full-face kerb provided in-between each dropped-crossing.

Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Amberly Drive and will require a crossing licence/agreement. This will require the agreement with MCC's

Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense. The applicant should be advised that the wall/fence fronting the adopted highway should be reduced in height to no greater than 0.6m to ensure visual permeability. All boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 0.6m upwards. Plans show that the driveway and pedestrian access will have inward opening gates, which is acceptable to Highways. It is expected that refuse servicing will continue as present. Submitted plans note that bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Network Management teams via Email - highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

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.
o 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 EN 19 - Waste Management
o Policy SP1 - Spatial Principles
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

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

Previous planning applications relating to this site as follows:

Planning reference 109725/PDE/2015/S2– for Prior Notification for Larger Home Extension for erection of single-storey rear extension with rearward projection of 4.5 metres, maximum height to ridge of 3.2 metres and maximum height to eaves of 2.4 metres. This application was approved on 16.09.2015

Residential Amenity

The applicant is seeking planning permission for the erection of a single storey rear extension and formation of new driveway for a disabled resident at the property. The application has been submitted by the Wythenshawe Community Housing Group on behalf of the applicant.

The proposed extension would be sited across the back wall measuring 4.5m in projection with a width across the rear measuring 3.4m close to the boundary with no. 18 Amberley Drive. The height would measure approximately 3.0m and would have a dual pitch roof. Windows are proposed on the rear and side facing no. 18 Amberley Drive, with a door on the opposite side facing towards no. 12 Amberley Drive; Although the adjoining property no 18 has received planning permission for a single storey rear projection up to the shared boundary with the application site, a condition for obscure glazing has been attached to ensure that there would be no possibility for overlooking should the adjoining property not wish to build their extension.

Although the proposal exceeds City Council's saved Policy DC1 of 3.65 metres, there has been no objection from the adjoining properties. In addition, should the applicant build a single storey extension under the Larger Homes scheme in the same materials independently and receive no objection and comply with all other relevant limitation, this would be allowed to be built under permitted development.

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 particularly as the presence of a structure along the boundary has already been established by the existing extension.

The extension is required for the use by a disabled resident to allow additional living accommodation and therefore complies with DC1.5 of the UDP. 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.

The extension would not be visible from the public highway and therefore would not feature within the street scene, however, the character of the area has been retained, the appearance is considered to be acceptable and its impact upon visual amenity is considered negligible.

In this instance the proposal is considered acceptable and therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 (in particular policy DC1.5).and accords with Core Strategy policies DM1 of the Core Strategy.

Design

The proposal is considered acceptable and detailed as what is normally expected of such a structure. 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 matching materials as specified in the application form. It is believed that the proposed works would not detract from the character and appearance of the property and the design of the works would complement host dwelling.

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.

Waste management

The storage of bins is not affected by this proposal as adequate space to the rear is retained. Therefore, the bins would accord with policy EN19 of the Core Strategy.

Front driveway

In addition to the rear extension, the applicant seeks to make changes to the front of the property by providing vehicular access for off road car parking.

A dropped kerb is being considered by the City Councils highway team and is considered to be a positive addition to the property and would see the retention of some green boundary treatment and front garden area (the creation of the access onto the highways would not require consent as the road is not a classified road). The driveway would be constructed in tarmac and concrete edging with a sub base. This is acceptable to Highways. The submitted plan shows that the proposed driveway will be 3m x 7.855m, which meets Highways driveway standards.

Conclusion

The proposal complies with the above policies; it received no objections, and the City Council recognises the importance of adapting homes to suit changing household needs and accommodate disabled residents. The single storey rear extension and driveway would improve the safety and comfort of the dwelling for the resident, allowing them to remain independent in their own home, therefore development may commence in accordance with the following conditions.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and 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

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 17th July 2023 numbered 2 Proposed Floor Plans, Sections 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.

4) Before first occupation the windows in the side elevation facing no. 18 Amberley Drive 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.

Informatives

1) the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Amberly Drive and will require a crossing licence/agreement. This will require the agreement with McC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161234 5004). This will be funded at the applicant's expense. The applicant should be advised that the wall/fence fronting the adopted highway should be reduced in height to no greater than 0.6m to ensure visual permeability. All boundary treatments with frontage to the adopted highway must ensure appropriate visibility and therefore be visually permeable from a height of 0.6m upwards. Plans show that the driveway and pedestrian access will have inward opening gates, which is acceptable to Highways. It is expected that refuse servicing will continue as present. Submitted plans note that bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands. The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk , highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

2 Chedlin Drive, Manchester, M23 2AD
1 Boncarn Drive, Manchester, M23 2TQ
11 Amberley Drive, Manchester, M23 2TG
9 Amberley Drive, Manchester, M23 2TG
18 Amberley Drive, Manchester, M23 2RH
Flat 4, Fern House, Amberley Drive, Manchester, M23 2RW
114 Greenbrow Road, Manchester, M23 2ET
12 Amberley Drive, Manchester, M23 2RH
Flat 6, Fern House, Amberley Drive, Manchester, M23 2RW
Flat 5, Fern House, Amberley Drive, Manchester, M23 2RW
Flat 3, Fern House, Amberley Drive, Manchester, M23 2RW
116 Greenbrow Road, Manchester, M23 2ET
112 Greenbrow Road, Manchester, M23 2ET
108 Greenbrow Road, Manchester, M23 2ET
106 Greenbrow Road, Manchester, M23 2ET
110 Greenbrow Road, Manchester, M23 2ET
14 Amberley Drive, Manchester, M23 2RH

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 45M
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA