MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138170/FH/2023
Date registered valid:	22 September 2023
Proposal:	Erection of a single storey rear extension
Address:	7 Wingate Drive, Manchester, M20 2RT
Ward(s):	Didsbury East Ward
Applicant:	Mr David Duggan
Agent (if any):	Mr Ian Grainger Blu Room Architecture
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 September 2023

Standard consultations:
Printed: 28 September 2023 Expired: 19 October 2023

Neighbour notifications
Printed: 28 September 2023 Expired: 19 October 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: **Yes**

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a white rendered upper storey and a red concrete tile hipped roof. The property features white uPVC windows including a two-storey bay and an oculus to the front, a single storey outrigger to the rear, a spacious rear garden with an outbuilding, a modest driveway to the front and small front garden.

Description of area

Wingate Drive is a residential street situated in the Didsbury East ward of Manchester, close to the railway line, Kingsway (A34) and Didsbury Cricket Club. The area is considerably varied, consisting of detached and semi-detached residential properties as well as apartment buildings, which sit in close proximity to Towers Business Park and benefits from its proximity to outdoor green spaces such as Fletcher Moss Park and Didsbury Park.

Description of development

The applicant is seeking permission for the erection of a single storey side and rear extension to form additional living accommodation.

A previous application was approved under ref135931/FH/2023 for a similar scheme. The current scheme reduces the side/ Projection of the ground floor side extension.

Planning History

135931/FH/2023 Erection of a single storey side and rear extension to form additional living accommodation: Approve

135033/TPO/2022 Works to tree - proposed pruning works to Oak Tree behind garage in rear garden incorporating a 25% crown reduction and thinning of 15%.: Approved

127460/TPO/2020 Works to tree - proposed removal of snapped out branch on Oak tree in rear garden Approved

119436/TPO/2018 Works to tree - proposed pruning works to an Oak (T1) in the rear garden incorporating a crown lift to 6 metres.: Approved

090034/TPO/2009/S2 Works to 1 oak tree: Approved

Consultations & Notification Responses

Local residents, as per appendix 1 - no comments or objections received.

Neighbourhood Team Leader (Arboriculture) made the following comments:

I can confirm that I would have no objection to the proposed development subject to adequate tree protection measures being put in place to protect the RTA during the construction of the extension.

No materials or machinery should be stored within the root protection zone mapped out on the above plan.

It would also be helpful to ensure that the developer is familiar with the AIA provided by Matthew Lally, to ensure there is no confusion. Conditions have been added to address the comments made.

Issues

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 - Residential Extensions

The Manchester Core Strategy - Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 - Achieving Well-Designed Places
- Chapter 15 - Conserving and Enhancing the Natural Environment

General Permitted Development Order (GDPO, 2015)
- Schedule 2 - Permitted Development Rights

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

ISSUES

Principle - the principle of erecting a single storey side and rear extension in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however consideration must be given to the development's siting, scale and massing, appearance, impact upon visual amenity, residential amenity, waste storage, parking, and protected trees.

Siting, scale and massing - the single storey extension would predominantly be sited at the rear of the property, replacing the existing single-storey outrigger, with a small portion also extending along the northern side of the dwellinghouse. It would project 4.5m from the rear elevation of the host dwellinghouse. The extension would project 1.7m sidewards from the property's current northern elevation. Featuring a hipped roof, the extension would have a maximum height of 3.88m and an eaves height of 2.65m, ensuring its subservience in terms of dimensions to the host dwellinghouse. The extension would be sited along the boundary shared with No.5 Wingate Drive and would maintain a gap of 0.75m to the boundary shared with No.9. The 4.5m rearward projection exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m), however is considered acceptable given that the General Permitted Development rules allow single storey rear extensions up to 6m (for semi-detached dwellinghouses) though a prior approval process and in the absence of objections, as in this case. Thus, having reviewed the dimensions of the proposal and having noted the gap to the shared boundary, the siting, scale, and massing of the proposed extension is considered acceptable.

Appearance and visual amenity - the side and rear extension would be built of brickwork to match the existing in addition to uPVC or aluminium windows and doors and a metal standing seam roof. The southern elevation, facing No.5, would form a blank wall with no features, whilst the northern elevation would feature a single door and rooflight. The eastern, front-facing elevation would also be blank, whilst the rear elevation would feature one bi-folding door, one window and four rooflights.

The proposal is relatively standard in terms of its design and would be in-keeping with the existing precedent for residential extensions in this locale. Sited at the side and rear of the property, the vast majority of the extension would not be visible within the street scene or public realm and should therefore avoid causing significant visual harm to the character of the dwellinghouse and its surrounding area.

The design and appearance of the proposed development therefore accords with Core Strategy policies DM1 and EN1 and chapter 12 of the NPPF as its impact upon visual amenity is considered to be minor.

Residential amenity - given that the extension would be single-storey, replacing an existing single-storey outrigger and would be sited 0.75m away from the boundary shared with No.9, the

proposal should not cause an undue loss of sunlight or daylight for neighbouring residents. Moreover, its predominantly blank side elevations (save for the single door located along the northern elevation of the proposal) should ensure that the privacy of neighbouring occupants is not compromised.

The proposed development is therefore acceptable in regard to its minimal effect upon residential amenity as it accords with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste storage - the storage of bins would be unaffected by this proposal as adequate space and access to the rear would be retained with the side passage (width: 0.75m) running along the northern edge of the property being maintained. Refuse bins could therefore be screened from the street scene, which accords with policies EN19 and DM1 of the Core Strategy.

Parking - the current parking arrangements and front driveway would be unaffected by this proposal.

Protected trees - the Neighbourhood Team Leader (Arboriculture) was consulted due to the presence of one category A protected tree and one category C protected tree sited in the rear garden. The applicant's 'Arboricultural Impact Assessment', undertaken by Lally Tree Management, indicates that the category A protected tree is to undergo supervised root pruning and excavation. This is acceptable given that the Neighbourhood Team Leader (Arboriculture) made no objection to the proposal subject to the tree's root protection zones being protected through the erection of adequate protective fencing to ensure equipment, machinery and materials are not stored within the root protection zones. A condition has been attached to ensure that the proposed tree works, and protective measures are adequately undertaken.

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

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 and the application has been determined in a timely manner, in accordance with the policies with 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:

06 Rev A, Location Plan, stamped as received on the 22 September 2023 and the Method Statement by Lally Tree Management, stamped a received on the 27 September 2023 and the Arboricultural Impact Assessment by Lally Tree Management, stamped as received on the 27 September 2023.

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 specified on the submitted application form and approved drawings, including brickwork to match existing.

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) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment with Method Statement, by Lally Tree Management, stamped a received on the 27 September 2023 by the city council as local planning authority. For the avoidance of doubt this includes a plan identifying the location of trees affected by the development together with how the extension will be constructed to prevent damage or loss to the trees and their root systems. The development shall be carried out in accordance with the agreed method statement. All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order to agree a suitable method for working in close proximity to trees in order to prevent damage or loss pursuant to policies SP1, EN9 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)

5 Lakenheath Close, Manchester, M20 2WP
8 Didsbury Park, Manchester, M20 5LJ
5 Wingate Drive, Manchester, M20 2RT
1 Lakenheath Close, Manchester, M20 2WP
6 Didsbury Park, Manchester, M20 5LJ
9 Wingate Drive, Manchester, M20 2RT
3 Lakenheath Close, Manchester, M20 2WP

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
Area Team Boundary - Name: SOUTH AREA