MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138125/FH/2023
Date registered valid:	25 September 2023
Proposal:	Erection of single storey rear extension to form additional living accommodation.
Address:	10 Meldreth Drive, Manchester, M12 4NB
Ward(s):	Longsight Ward
Applicant:	Mr & Mrs Shahjahan Islam
Agent (if any):	Ms Dawn Cooper, DaC Design ltd
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	15 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 October 2023

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 26 September 2023 Expired: 17 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application relates to a mid-terraced dwellinghouse located at the head of a turning circle along a short cul-de-sac in an exclusively residential setting. There is existing amenity space along the front and rear elevations only. Car parking is along the front driveway and wheeled bins are stored along the rear yard area. An open alleyway/no through footpath runs along the rear boundary of the application site. The existing rear yard is broadly south facing, and measures approximately 12 metres deep. A similar extension has been consented along the street scene, (ref. 102555/FH/2013/N2).

Site History:

- 137737/PDE/2023 - Prior notification of proposed larger home extension projecting 4.05m to the rear, with a maximum height of 3.7m and a height at eaves of 2.25m - Turned Away (Legislative) 08/23.

Description of development

The submitted plan relates to a proposed a single storey rear extension.

In this instance as the proposal would be sited along the side boundaries and certificate A has been completed on the submitted forms, it was requested the agent provides further details. Clarification has been subsequently provided by the agent advising that the proposed foundation will be trenchfill and the building will be entirely on the applicant's side of the boundary, a party wall letter has been issued to the neighbours to inform them of the works, (correspondence from agent, dated 14/11/23).

In terms of the proposed extension, it would be sited along the common shared boundaries with nos. 8 and 12 Meldreth Drive, whilst maintaining a separation distance of approximately 4910mm from the rear common boundary with the open alleyway/footpath. It would measure approximately (5615mm wide x 3650mm deep x 3600mm maximum height) whilst incorporating a lean-to pitch roof configuration, with 3no. windows along the roof plane, including 1no. door and 1no. French doors along the rear elevation. It is intended to use matching materials.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

ISSUES

In this instance, as the proposal would be sited along the side boundaries and certificate A has been completed on the submitted forms, further details were requested, which subsequently provided, (correspondence from agent, dated 14/11/23).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) - The site history indicates a recent Application to determine if prior approval is required for a proposed: Larger Homes Extension which was unsuccessful, (reference no. 137737/PDE/2023). A full householder application has been made in this instance, and therefore, it is assessed under a separate criterion.

In terms submitted proposal's impact upon existing levels of residential and visual amenity, it is considered that in light of the pre-existing contextual relationship along the side boundaries, and due to the fact that the proposed extension would be single storey, and the existing rear garden is relatively deep, measuring approximately 12 metres deep, and in light of the (correspondence from agent, dated 14/11/23) and the proposed design of the roof would mitigate any undue massing along the side boundaries; it is considered that there would not be a significant adverse impact from the proposed development as there are no undue overbearing, overshadowing, or loss of privacy impacts. Moreover, the overall proposed rearward projection of the extension at 3650mm, is in line with the guidance set out in saved policy DC1.3(a) regarding rearward extensions; and therefore, on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location in this instance.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposal would unduly harm the character of the building or the general area. The proposed extension would be informed by the existing dwellinghouse and similar developments along the immediate street scene. It is also intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies SP1, DM1, EN1, EN19, T2 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and no comments or objections have been received in response to this application.

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, as the proposal would be sited along the side boundaries and certificate A has been completed on the submitted forms, further details were requested, which was subsequently provided, (correspondence from agent, dated 14/11/23). The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 18 September 2023.
- Location Plan and Site Plan with application site edged in red, P01, received by the City Council as the Local Planning Authority on 18 September 2023.
- Existing Floor Plans, P02, received by the City Council as the Local Planning Authority on 18 September 2023.
- Existing and Proposed Elevations, P03A, received by the City Council as the Local Planning Authority on 18 September 2023.
- Proposed Floor Plans, P04A, received by the City Council as the Local Planning Authority on 18 September 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the primary dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

Reason - To ensure that 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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy (July 2012).

4) 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: Existing and Proposed Elevations, P03A; and Proposed Floor Plans, P04A; both received by the City Council as the Local Planning Authority on 18 September 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of the Core Strategy for the City of Manchester (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

8 Meldreth Drive, Manchester, M12 4NB
12 Meldreth Drive, Manchester, M12 4NB

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA