

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135983/FH/2023
Date registered valid: 16 January 2023
Proposal: Erection of a single storey rear extension together with provision of side access ramp
Address: 3 Foxwood Gardens, Manchester, M19 1SN
Ward(s): Burnage Ward

Applicant: Mrs Victoria Kelly
Agent (if any): Mr Richard Harris Manchester City Council
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 21st March 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	28 February 2023
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 30 January 2023 Expired: 20 February 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

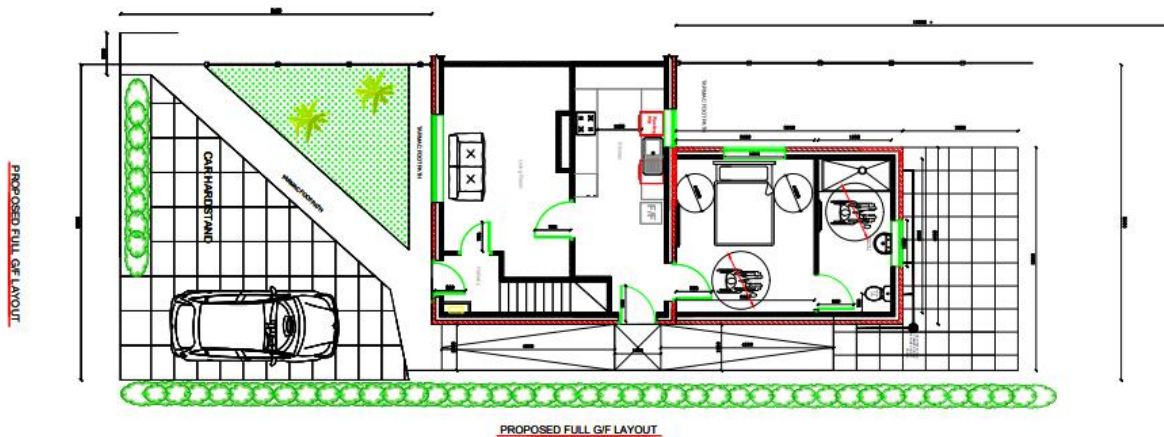
The site relates to a two storey semi detached property in the Burnage ward area of Manchester. A garden and hardstanding for car parking is to the front and garden to the rear with access along the side.



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

The area is predominantly residential in nature.

The applicant is seeking planning permission for a single storey rear extension together with provision of side access ramp



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.

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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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

No previous planning applications relating to this site.

Residential Amenity

The applicant is seeking to extend the property by erecting a single storey rear extension and access ramp to the side of the property to allow additional living accommodation.

The proposed extension would be sited across the back wall retaining a large gap to the shared boundary with the adjoining semi-detached property no. 1. Foxwood Gardens measuring 5.9m in length to a width of 4.9m. The roof would be dual pitch with a gable end. Windows are proposed on the rear and side facing the adjoining semi detached property, however, given the gap to the shared boundary with no. 1 Foxwood Gardens, it is not anticipated that there would be any overlooking or loss of privacy given by the location of the side window.

It is acknowledged that given the orientation of the site that although there would be some overshadowing early morning, there would be no overshadowing or loss of light during the afternoon or early evening. In terms of the relationship with the adjacent property no. 5 Foxwood, given the application site is set forward of this property, it is not anticipated that there would be an unacceptable impact by the introduction of a single storey extension in this location.

The overall projection of the extension exceeds City Council's saved Policy DC1 of 3.65 metres, however, 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. Furthermore, there have been no objections to the proposal.

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

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, It is considered that the proposed development would not provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered accords with Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Access Ramp

The City Council raised the question of providing an access ramp to the front of the property instead along the side due to natural surveillance from the street. The applicant confirmed that this would be difficult due to the turning circle at the front entrance as the internal layout was difficult therefore in this case and given the circumstances the City Council has accepted a side access. The applicant confirmed that suitable lighting would be provided along the side of the property for safety reasons. The applicant is proposing the installation of an access ramp to the side of the property for access and egress to the property. The ramp would measure 4.5m either side of the entrance in length and 1.2m at the point of access to the property and would have handrails. It is considered that the ramp together with the proposed extension would retain adequate amenity space to the rear of the property.

It is considered that the ramp occupies a relatively small footprint and is not thought to impact the residential amenity of surrounding residents as it won't overshadow or overlook the neighbours' gardens or houses due to the distances between the properties.

The development benefits the needs of a disabled user residing at the property and requires access to and from the property, therefore in this instance the proposal is considered acceptable and 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 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.

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 side is retained. Therefore, the bins would accord with policy EN19 of the Core Strategy.

Parking

Current parking arrangements are unaffected by this proposal.

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 ramped access 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 policies 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 16th January 2023 Proposed Elevations as submitted by Manchester's Service for Independent Living

Received on 15th March 2023 Proposed Floor Plan as submitted by Manchester's Service for Independent Living

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 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 Foxwood Gardens, Manchester, M19 1SN
13 Daneholme Road, Manchester, M19 1NZ
4 Foxwood Gardens, Manchester, M19 1SN
6 Foxwood Gardens, Manchester, M19 1SN
5 Foxwood Gardens, Manchester, M19 1SN
2 Foxwood Gardens, Manchester, M19 1SN
9 Daneholme Road, Manchester, M19 1NZ
15 Daneholme Road, Manchester, M19 1NZ
11 Daneholme Road, Manchester, M19 1NZ

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