

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136099/FH/2023
Date registered valid: 30 January 2023
Proposal: Erection of single storey side extension to provide additional living accommodation with associated external alterations.
Address: 106 Fog Lane, Manchester, M20 6TH
Ward(s): Didsbury East Ward

Applicant: Mr T Bolton
Agent (if any): Mr W Lau WHYL Architecture
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 5th April 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	14 March 2023
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 14 February 2023 Expired: 7 March 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 end semi-detached property located at the corner of Fog Lane and Willoughby Avenue in the Didsbury East ward area of Manchester. The property features gable fronted bay windows and part single part two storey enlargements to the side and rear. Off road car parking is available at the front with access taken off Willoughby Avenue. Boundary treatment comprises low brick wall with hedging and timber fencing along Willoughby Avenue.



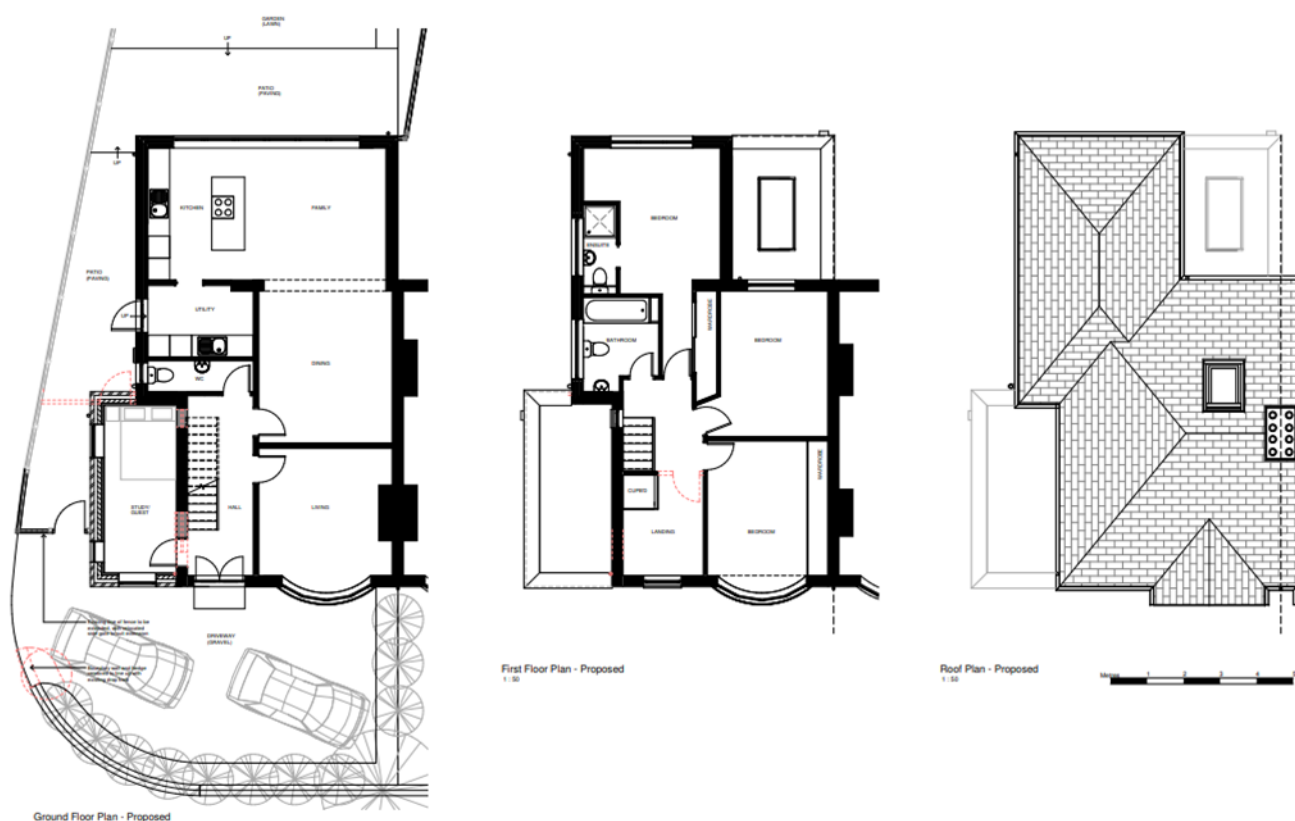
Listed building:	Not applicable
Conservation area:	No
Tree Preservation Order:	No

Description of area

This is primarily a residential area in character.

Description of development

The applicant is seeking planning permission for the erection of single storey side extension to provide additional living accommodation with associated external alterations.



Consultations & Notification Responses

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

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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

History

Previous applications relating to this site as follows:

135330/FH/2022 - Application Withdrawn - 11.01.2023 Erection of two storey side extension to provide additional living accommodation and associated external alterations

122061/FH/2018 - Application Approved - 28.03.2019 Erection of two storey side extension and part single/part two storey rear extension to provide additional living accommodation.

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

The applicant is seeking planning permission for the erection of single storey side extension to provide additional living accommodation with associated external alterations. This is a resubmission of a previously withdrawn scheme due to the impact within the street scene. The agent/applicant amended the proposal by removing the first floor side element of the extension, thus submitting the current proposal for a single storey side extension. However, removing the first floor element of the proposal only was not enough to address the previously raised concerns.

The property is situated on the corner of Fog Lane leading into Willoughby Avenue. Following further negotiations with the agent/applicant, additional changes were made to reduce the proposal in width. The City Council is satisfied that the raised concerns have now been addressed.

The proposal would be in line with the front wall of the house extending a width of 2.4m off the side wall of the house, a total of 1.0m beyond the side wall of the extension. The extension would extend rearwards and would end at the corner of the existing side extension and would retain a gap to the side boundary.

The roof would be flat which is considered would minimise any potential visual impact within the street scene. Two windows would be situated on the side elevation with one window in the front elevation. However, given the gap retained to the boundary and distance to properties opposite, it is considered that the proposal would not provide any overlooking or loss of privacy.

It is considered that the proposal would retain a generous gap to the site boundary of Willoughby Avenue and although would be visible within the street scene, is not considered there would be any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers of adjacent or surrounding properties. Taking into consideration that there is not a common building line within the street scene, it is considered that the extension would not provide an unusual feature especially as the projection to the side is minimal.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

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 by way of brick and tile as specified in the application form. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

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.

Disabled access

Not applicable

Bins

Bins storage would not be affected by this proposal as an adequate gap would be retained to the boundary.

Parking

Off street car parking space would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Conclusion

The proposal is considered to be 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, and there are no material considerations of sufficient weight to indicate otherwise. The proposal broadly complies with policies DM1, DC1, SP1 and the NPPF, it received no objections and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the house or wider area.

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. 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 3rd April 2023 numbered 106 FL - 220 Revision D

Received on 3rd April 2023 numbered 106 FL - 225 Revision D

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/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

69 Fog Lane, Manchester, M20 6AR
3 Willoughby Avenue, Manchester, M20 6AS
2 Willoughby Avenue, Manchester, M20 6AS
71 Fog Lane, Manchester, M20 6AR
67 Fog Lane, Manchester, M20 6AR
104 Fog Lane, Manchester, M20 6TH
1 Willoughby Avenue, Manchester, M20 6AS
108 Fog Lane, Manchester, M20 6SP

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