

Planning

Growth & Development

Delegated officer report for planning application

Application no.	134480/FH/2022
Date registered valid:	25 July 2022
Proposal:	Erection of a single storey extension to the rear and a car port extension to the front
Address:	104 Wythenshawe Road, Manchester, M23 0PA
Ward(s):	Northenden Ward
Applicant:	Mr Ka Ho Tommy Ho 104 Wythenshawe Road, Manchester, M23 0PA
Agent (if any):	Mr Dominic Lim Team2Design 1 Kingfield Road, L9 3AL
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	14 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 2 August 2022 Expired: 23 August 2022

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/area

104 Wythenshawe Road is a part single/part two storey detached dwellinghouse located to the north of Wythenshawe Park in a predominantly residential area. There is a garden and parking area to the front and a much larger garden to the rear. Dwellings are located on either side and to the rear of the application site.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

The applicant is proposing the following:

- a single storey extension to the rear to form additional living accommodation
- a car port extension to the front



Consultations & Notification Responses

Local Residents – No comments received.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Saved UDP Policy DC1, Residential Extensions – Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- the general character of the property;
- the effect upon the amenity of neighbouring occupiers;
- the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- the overall appearance of the proposal in the street-scene;
- the effect of the loss of any on-site carparking.

Issues

Principle of the Proposal – The principle of the proposal is considered acceptable, notwithstanding this, the potential impact upon existing levels of residential and visual amenity must be assessed.

Design and Siting – The design and siting of the rear extension and proposed car port is in keeping with the overall character of the dwelling and as such is considered acceptable.

Residential Amenity – Given the design and siting of the proposal it is not considered that the development would lead to a loss of privacy or excessive levels of overshadowing. As a result, it is not considered that the proposal would lead to an undue reduction in the current levels of residential amenity enjoyed by neighbouring residents.

Notwithstanding the above, it is felt prudent to require the side window in the rear extension to be obscurely glazed to protect existing levels of residential amenity.

Visual Amenity – Given the design and siting of the extension it is not considered that the proposed extension and car port would have an unduly detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the property.

Pedestrian and Highway Safety – The proposal would not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Wythenshawe Road within the vicinity of the site.

Trees – No trees would be lost to accommodate the proposal.

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

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning 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:

a) Drawing nos. 104WR/SP01, 03, 04 and 05, stamped as received on 25 July 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be constructed and thereafter maintained using the materials detailed on the drawings and application forms stamped as received on 25 July 2022.

Reason - In the interests of visual amenity, pursuant to Policy DM1 of the Manchester Core Strategy.

4) Before first occupation of the development hereby approved, the window in the side elevation of the single storey rear extension shall be obscurely 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 Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

21 Shevington Gardens, Manchester, M23 0BJ
19 Shevington Gardens, Manchester, M23 0BJ
23 Shevington Gardens, Manchester, M23 0BJ
17 Shevington Gardens, Manchester, M23 0BJ
106 Wythenshawe Road, Manchester, M23 0PA
102 Wythenshawe Road, Manchester, M23 0PA

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