

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133529/FH/2022

Date registered valid: 5 May 2022

Proposal: Erection of a single storey front porch

Address: 7 Denis Avenue, Manchester, M16 8HY

Ward(s): Whalley Range Ward

Applicant: Mr Ghulam Sarwar 7 Denis Avenue, Manchester, M16 8HY

Agent (if any): Mrs Dawn Winterbottom Plans Drawn 4 Swallow Close, Carrbrook, Stalybridge, SK15 3LU

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **28th June 2022**

Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	6 th June 2022
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 9 May 2022 Expired: 30 May 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

The site relates to a two storey semi detached property located within the Whalley Range ward area of Manchester. The property is situated at the bottom of a Cul-de-sac and has previously undergone enlargements to the property.



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

Description of area

The area is predominantly residential in character with mainly single family dwelling houses

Description of development

The applicant is seeking planning permission for the erection of a front porch

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were 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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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.

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 changes are deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There are 4 previous planning applications relating to this site as follows:

034791 - Application Approved - 24.01.1990 Extension at first floor level to form 2 new bedrooms.

108040/FH/2015/S1 - Application Approved - 16.03.2015 Erection of a porch to front of property

125192/PDE/2019 - Conditional extension - GPD - 28.11.2019 Prior notification of proposed larger home extension for single storey rear extension with a rearward projection of 4 m, maximum eaves height of 2.3m and total roof height of 4m

133561/PDE/2022 - Conditional extension - GPD - 30.05.2022 Prior notification of proposed larger home extension projecting 5m to the rear with a maximum height of 3.7m and a height at eaves of 2.45m

133529/FH/2022 - Application Pending Consideration - Erection of a single storey front porch

Residential Amenity

The porch would occupy a relatively small space at the front of the property with a projection of 1.8m to a width of 3.25m and a maximum height of 3.2m to ridge with a dual pitch roof.

The porch would be sited approximately 3.4m from the boundary shared with No.5 and would be significantly set back from the public highway.

Windows are proposed on the side elevations facing the adjacent properties, however given that the proposal is for a porch, this is considered to be acceptable and is not thought would provide any further overlooking than that the front entrance to the property. Although there is no precedent set on the immediate street, should the applicants reduce the porch, this can be constructed under permitted development and therefore given its small size is considered to be acceptable in this location.

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 proposal exceeds the threshold for porches built under permitted development, however it would be proportional to this dwelling house, therefore the location, scale and massing of the proposal is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

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. In terms of the proposed materials, it is intended to use matching bricks and tiles as specified in the application form. The design of porch has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the front and is considered acceptable and detailed as what is normally expected of such a structure.

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 is not affected by this proposal.

Parking

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

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse and the proposal is considered 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, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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 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 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 14th June 2022 numbered 21A Proposed Plans and Elevations

Received on 14th June 2022 numbered 22A Proposed Site Plan

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 porch extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the submitted application form.

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.

Appendix 1 – List of consultees & neighbours notified

4 Denis Avenue, Manchester, M16 8HY
1 Denis Avenue, Manchester, M16 8HY
191 Withington Road, Manchester, M16 8HF
Flat 8, 193 Withington Road, Manchester, M16 8HF
Flat 7, 193 Withington Road, Manchester, M16 8HF
Flat 6, 193 Withington Road, Manchester, M16 8HF
Flat 5, 193 Withington Road, Manchester, M16 8HF
Flat 4, 193 Withington Road, Manchester, M16 8HF
Flat 3, 193 Withington Road, Manchester, M16 8HF
Flat 2, 193 Withington Road, Manchester, M16 8HF
Flat 1, 193 Withington Road, Manchester, M16 8HF
3 Denis Avenue, Manchester, M16 8HY
2 Denis Avenue, Manchester, M16 8HY
189 Withington Road, Manchester, M16 8HF
8 Denis Avenue, Manchester, M16 8HY
6 Denis Avenue, Manchester, M16 8HY
5 Denis Avenue, Manchester, M16 8HY

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH