

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130221/FH/2021

Date registered valid: 27 April 2021

Proposal: Erection of single storey side and rear extension to form additional living accommodation

Address: 8 Merlewood Avenue, Manchester, M19 2RS

Ward(s): Levenshulme Ward

Applicant: Mr. Sajid Khan 8 Merlewood Avenue, Manchester, M19 2RS

Agent (if any): Mr. Niamat Ali NA Design 47 Egerton Road South, Manchester, M21 0YW

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 06.12.2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 7 May 2021 Expired: 28 May 2021

Neighbour notifications

Printed: 8 November 2021 Expired: 15 November 2021

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:

Tree Preservation Order:

Description of site / building / area

8 Merlewood Avenue semi-detached dwellinghouse with a ground-floor shallow bay to the front façade, with the first floor front façade rendered, and having a hipped-roof, set within a row of similar properties in a predominantly residential area of Levenshulme. The property benefits from amenity space to the front, side and rear, with a detached outbuilding sited within the rear garden, along the common shared boundary with 10 Merlewood Avenue (measuring approximately, length 6967mm x width 2991mm). There is a distance of approximately 6.45m from the rear of the existing outbuilding and common shared boundary to the rear with no. 62 Milford Drive. There is also an existing single storey lean-to extension (measuring approximately, length 3100mm x width 6190mm x height 3610mm) across the full width of the rear façade, - which also retains a distance of approximately 14.27m from the rear common shared boundary with no. 62 Milford Drive. The property has an off street car parking space and boundary treatment around the curtilage. The pair of semi-detached houses (which includes no.8) projects approximately 1.47 metres forward of the front building line of the adjacent pair of semi detached houses to the north east.

Description of development

Consent is sought the proposed erection of a single storey side extension to create additional living accommodation. On assessment of the originally submitted plans, the title of the proposed works was revised to, erection of a single storey side and rear extension to form additional living accommodation. The proposed works would also in-part involve an in-fill development to link, and incorporate the floor plate of existing outbuilding.

Due to concerns relating to the originally submitted plans, the proposal has been slightly revised in the interest of residential amenity, (revised plans 04/07/2021).

The revised plan incorporates the following changes:

- o A set-back of 1800mm along the front elevation.
- o The proposed side extension would be stepped-away from the common shared boundary wall with no. 10 Merlewood Avenue by approximately 150mm, leaving a small gap.
- o The initially proposed window facing the shared boundary with no. 10 Merlewood Avenue has been removed and relocated along the roof elevation. There would be 3 windows in total within the roof elevation along this elevation.
- o Details have been provided in relation to on-site car parking and refuse management arrangements. A proposed car parking space (depth 6000mm) would be retained in front of the proposed side extension to serve as off-street car parking; and a covered timber frame bin store (length 1514.72 x width 1513.30mm x height 1069.17mm) would be provided, which would be sited within curtilage, at the front of the original dwellinghouse, in front of the bay window, close to the common shared boundary with no. 6 Merlewood Avenue.

The proposed single storey side and rear extension would be set-back 1800mm set-back from the front building line of the original house and would be stepped away approximately 150mm from the common shared boundary with no. 10 Merlewood Avenue, leaving a small gap. It would then project 1777.75mm along this boundary.

The rear extension would also be stepped away approximately 150mm from the common shared boundary with no. 6 Merlewood Avenue, leaving a small gap. It would project 5131.80mm along this boundary. The scheme would involve the demolition of the existing single storey rear extension and as such the proposed rear extension would project 2000.86mm, further than the existing extension which is to be removed. The proposed rear and side extensions would be inter connected.

The proposed roof design would be a combination of a lean-to pitched roof (along the front elevation) and a shallow pitch roof (along the rear elevation), with 5 windows within the roof slopes - (3 facing the common boundary with no.10 Merlewood Avenue and 2 facing the common boundary with no.6 Merlewood Avenue). Further windows would be located along the side elevation facing the common boundary with no. 6 Merlewood Avenue, one to serve a proposed bedroom and the other, a shower room, including French doors. Along the rear elevation, there would be another set of French doors and a window facing the rear garden to serve the extended kitchen and dining. In terms of proposed materials, the extension would be constructed in materials matching the existing dwellinghouse.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. Three objections were received from a resident in relation to the siting of the side extension and the

proximity to the side shared boundary. They advised that provided the extension is built away from the boundary they would have no problem. They also raised issues in connection with works previously undertaken at the property in relation to the installation of a roof to the garage with an encroaching gutter and a broken window in the garage, raising concerns in regard to broken glass.

Following revised plans, local residents were re-notified, and the resident who responded to the original notification reiterated that provided that the extension was stepped away from the party wall, leaving a gap of at least 10 to 15 inches, and there no windows, doors or extractor fan were installed along the side elevation and the applicant follows all building regulations rules and procedures properly they did not have a problem.

2. Environmental Health

No comments regarding the application on this occasion.

POLICIES

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

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o 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 - 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.'

The following policies are relevant to the proposed development:

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)

- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

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

- o Saved Policy DC1 (Residential Extensions) is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

As previously outlined, due to concerns relating to the initially submitted proposal, revised plans were subsequently submitted, and the description of the proposed works has also been amended to reflect the proposed works, (revised plans 04/07/2021).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this, 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 side and rear extension) – The dwellinghouse is sited approximately 1.47 metres forward of nos.10 and 12 Merlewood Avenue's front building line. No. 10 Merlewood has a single storey side and rear extension in proximity to the shared side boundary, and has an outbuilding sited along the shared side boundary rear of the single storey extension. Given the extent of the built form along the boundary within the curtilage no.10 Merlewood Avenue, it is considered that the proposed side extension (which would

incorporate the area covered by the existing outbuilding (which is to be demolished)) could be accommodated in this location without it unduly impacting on residential amenity, due to massing . Furthermore, although the proposed extension would lead to the loss of some sunlight in the middle of the day , due to the single storey nature of the proposed development , it is not considered that this would be so significant as to warrant the refusal of planning permission.

The elevations submitted for consideration show a blank gable wall to the boundary with no.10 Merlewood Avenue , and to safeguard the amenity of the neighbours it is proposed to attached a condition to ensure no additional windows or doors could be installed within the proposed development without the need for further planning permission. The section of the side extension which would replace the existing outbuilding, would incorporate a bedroom window, a set of french doors and a shower room window which would front onto the garden of the dwellinghouse. These, however, would be 5.5m from the rear garden boundary with no.6 Merlewood Avenue. This distance combined with the height of the existing boundary treatment would mean that the proposed development would not give rise to any significant impact due loss of privacy.

In relation to the proposed rear extension it would be stepped away approximately 150mm from the common shared boundary with no. 6 Merlewood Avenue, leaving a small gap. It would project 5131.80mm along this boundary. The scheme would involve the demolition of an existing single storey rear extension and as such the proposed rear extension would project 2000.86mm, further than the existing extension which is to be removed. The proposed rear and side extensions would be interconnected.

In addition, the revised proposed plans would involve a proposed 1800mm set-back along the front elevation, and the extension would also be stepped-away approximately 150mm from the common shared boundaries with no.10 Merlewood Avenue, leaving a small gap - and thus all the works would be contained within the curtilage of the application site, (which would be consistent with the completed certificate A).

The proposed roof designs, (shallow pitch - along the rear elevation) and (lean-to pitch - along the front elevation) are considered acceptable and would mitigate against potential issues arising from massing , in particular along the side boundaries. The proposed design also be consistent with the roof configuration of the adjoining property's existing single storey side extension.

Furthermore, in light of the revisions to the initially submitted plan, it is considered that the proposal would not adversely affect the streetscene or neighbouring houses, nor would it be out of character. Therefore, on balance, and subject to conditions, it is considered that the revised proposal would not present any significant adverse impacts on residential or visual amenity.

Design and appearance - It is not considered that the revised proposal would unduly harm the character of the building or the general area. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. It is also intended to match materials with that of the existing, although a materials condition has been attached to ensure that the materials are adhered to.

Waste management - The existing arrangement would be affected, as the side access would be lost to accommodate the proposed extension. Therefore, it is intended to store wheeled bins at the front of the original dwellinghouse, in front of the bay window, close to the common shared boundary with no. 6 Merlewood Avenue in a covered timber frame bin store (length 1514.72 x width 1513.30mm x height 1069.17mm). It is recommended that this aspect of scheme is conditioned.

Car parking - The existing arrangement would be affected. However, it has been demonstrated that at least one off-street car parking space (depth 6000mm) would be retained. This is considered to be acceptable. Furthermore, there are no parking restrictions on Merlewood Avenue.

Objectors comments - In terms of planning comments raised by the objector, these have been duly considered in the issues section above. Their requirement for a gap of 10-15 inches between the side wall of the proposed extension and the shared boundary is civil matter. The proposed extension has been shown as being within the curtilage of the dwellinghouse, as such any requirements to offset the extension from the shared boundary would not be a matter for consideration under planning legislation. The other comments raised would either fall within a separate legislation - the party wall act, or would fall within civil issues or would fall within building regulations legislation and therefore cannot be considered as part of this planning application.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is not considered that the revised proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential or visual amenity. Moreover, refuse management and parking arrangements have been sufficiently demonstrated; pursuant with The National Planning Policy Framework; The Manchester Core Strategy Development Plan Document Policies EN1, DM1, SP1, EN19, T2; Saved Unitary Development Plan Policy DC 1; and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, due to concerns relating to the initially submitted proposal, revised plans were subsequently submitted, and the description of the proposed works has also been amended to reflect the proposed works, (revised plans 04/07/2021). 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:

- o Revised Location plan with application site edge in red, received by the city council as the local planning authority on 09 November 2021.

- o Existing Plans and Elevations, DRWAING No. NA-P01, received by the city council as the local planning authority on 27 April 2021

- o Revised Proposed Plans and Elevations, DRWAING No. NA-P02, received by the city council as the local planning authority on 04 July 2021

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 (July 2012).

3) The external facing materials to be used on the extension hereby permitted shall match those of the original 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 policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

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 extensions hereby approved other than those shown on the: Revised Proposed Plans and Elevations, DRWAING No. NA-P02, received by the City Council as the local planning authority on 04 July 2021.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester (July 2012).

5) Before first occupation of the development thereby approved, the proposed shower room window along the southern elevation, as shown on: Revised Proposed Plans and Elevations, DRWAING No. NA-P02, received by the City Council as the local planning authority on 04 July 2021, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy (2012).

6) Wheeled bins shall be stored in the bin store in the front garden, as shown on the: Revised Proposed Plans and Elevations, DRWAING No. NA-P02, received by the City Council as the local planning authority on 04 July 2021 and only brought to be back of pavement on collection days and this arrangement shall remain so in perpetuity.

Reason - In the interests of visual and residential amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, SP1 and DM1 of the Core Strategy (July 2012).

7) 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

Environmental Health

10 Merlewood Avenue, Manchester, M19 2RS
6 Merlewood Avenue, Manchester, M19 2RS
4 Merlewood Avenue, Manchester, M19 2RS
12 Merlewood Avenue, Manchester, M19 2RS
64 Milford Drive, Manchester, M19 2RZ
60 Milford Drive, Manchester, M19 2RZ
7 Merlewood Avenue, Manchester, M19 2RS
62 Milford Drive, Manchester, M19 2RZ
9 Merlewood Avenue, Manchester, M19 2RS
5 Merlewood Avenue, Manchester, M19 2RS

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
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2