

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131166/FO/2021

Date registered valid: 6 September 2021

Proposal: Erection of a single storey rear extension to existing (Class E) use.

Address: 448 Hollinwood Avenue, Manchester, M40 0JH

Ward(s): Charlestown Ward

Applicant: Nashi 448 Hollinwood Avenue, Manchester, M40 0JH

Agent (if any): Mr Karim 58 Rectory Lane, Manchester, M25 1BL

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 November 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 8 September 2021

Expired: 29 September 2021

Neighbour notifications

Printed: 23 November 2021

Expired: 30 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: No

Tree Preservation Order: NO

Description of Site/Area

The application site relates to a two-storey end terrace property on Hollinwood Avenue in the Moston ward of North Manchester. The property lies in row of 2 commercial properties and the application property is in use as a retail shop (Use Class E).

Description of Development

The submitted application seeks planning permission for the erection of a single storey rear extension to create a storage room and wc to be used in association with the ground floor commercial unit. The extension is a small infill measuring 3.5m projection x 1.5m width x 2.76m maximum height after demolition of a small out rigger extension.

Consultations & Notification Responses

The occupiers of the neighbouring properties were consulted, and no representations were received.

Environmental Health -were consulted and recommended conditions be attached the consent. However, since the comments were made the scheme has been amended significantly and the conditions are no longer relevant to the current proposal.

The Highways team- were consulted and recommended conditions be attached the consent. However, since the comments were made the scheme has been amended significantly and the conditions are no longer relevant to the current proposal.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. 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 re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment. The proposal will contribute to maintaining the area as a neighbourhood of choice by allowing the school to accommodate a spike in the number of children presenting for admission at primary level.

Policy DM1 is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states all development should have regard to the following specific issues, amongst others:

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.

Community safety and crime prevention.

Design for health.

Refuse storage and collection.

Vehicular access and car parking.

Policy EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

Issues

Visual amenity and character of the area-

The proposed works relate to a small extension which is located on the side of the property. The contextual setting would comprise of such features as single and 2 storey extensions. Given that the works infill at the rear/side of the host property which is at the end of the parade, it will not be visible, and therefore, would not have any greater impact within the street scene than currently exists. The rear garden / yard area is 7m in length there would still be 7m retained following the development, which is similar to the rear space to the majority of the other properties within the parade, and as such would not be out of character with development in the vicinity of the site.

Residential Amenity

Given that the proposed extension is to serve the existing ground and first floor uses, there is no introduction of any new uses within the property and the extension share the common boundary with the neighbouring property and has a 3.5m projection. As such it is not considered that the proposed extensions would result in a detrimental impact upon the neighbouring properties.

Conclusion

There would be limited public viewpoints of the extensions and they would not form an incongruous feature within the street scene, and it is not considered that the proposal would create significant issues in relation to parking and residential amenity. Therefore, the proposed development would comply with policies DM1, EN1 and SP1 of the Core Strategy.

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 seek solutions to problems 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:

The Location Plan, stamped as received on the 23 July 2021, The Plan showing the Car Parking Arrangement, stamped as received on the 4 August 2021, and the proposed 1:100 Floor and Site Plan, stamped as received on the 23 November and the drawings showing the Rear and Side Elevation, stamped as received on the 23 November 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.

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 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

Highway Services
Environmental Health

419 Hollinwood Avenue, Manchester, M40 0JQ
417 Hollinwood Avenue, Manchester, M40 0JQ
11 Glossop Terrace, Manchester, M40 0LA
2A Greengate East, Manchester, M40 0JL
2 Greengate East, Manchester, M40 0JL
444A Hollinwood Avenue, Manchester, M40 0JH
9 Glossop Terrace, Manchester, M40 0LA
7 Glossop Terrace, Manchester, M40 0LA
Glossop Terrace, Hollinwood Avenue, Manchester, M40 0LA
4 Greengate East, Manchester, M40 0JL
4A Greengate East, Manchester, M40 0JL
454 Hollinwood Avenue, Manchester, M40 0JH
444 Hollinwood Avenue, Manchester, M40 0JH
415 Hollinwood Avenue, Manchester, M40 0JQ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1