

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129996/FH/2021

Date registered valid: 28 April 2021

Proposal: Erection of a part single/part two storey side and rear extension to form additional living accommodation

Address: 5 Adams Avenue, Manchester, M21 8FX

Ward(s): Chorlton Park Ward

Applicant: Salem Shekhi, 5 Adams Avenue, Manchester, M21 8FX

Agent (if any): Mr Nasar Ishfaq, JAAN Architects Ltd, 37 Sudbury Drive, Stockport, SK8 3BT

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 8 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 June 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 5 May 2021 Expired: 26 May 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey end-terrace C3 dwellinghouse of red brick and grey tile. The property features a front gable and hipped rear, with well-sized front and rear gardens.

Description of area

Adams Avenue is a residential cul-de-sac within the Chorlton Park ward near Hardy Lane, characterised by similar semi and quasi-semi-detached family dwellinghouses. The area benefits from its proximity to Barlow Moor Road metrolink stop, the district centre and ample greenspace.

Description of development

The applicant wishes to build a single storey side and part single part two storey rear extension to provide additional living accommodation for a family dwellinghouse. Originally the proposal was for a two storey side and rear extension but this was negotiated to the current design.

Consultations & Notification Responses

Local residents, as per appendix 1 – One letter of objection was received in regards to the initial design. No further objections were received after the scheme was revised. The letter read:

- *The size of this extension is ridiculous and affects us in many ways. It will affect the amount of sunlight/daylight that we have and goes against the ROLA 1959. Most people in Adams ave/Hardy lane/Dagnall ave like to enjoy the sun and spend time in there*

gardens and this building will affect that and also be a eyesore. We and many others have lived here for many years and we don't want this building blocking our sunlight.

- *We have high parking congestion in Adams avenue and for this reason I suggest that a planning officer should come and inspect this by making a site visit so they can see the gravity of the congestion issues especially during the weekend. Many people that live in Adams avenue (especially those that do not have a driveway) have to park there vehicles out of the avenue and in the opposite avenues (Aveson ave or Dagnall ave).*

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP, 1995) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 (Core Strategy, 2021) was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021) sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. The following chapter(s) are of significance:

- Chapter 12 – Achieving well-designed places

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

Issues

Principle – The principle of building a single storey side and part single, part two storey rear extension to provide additional living space for a family dwellinghouse is acceptable, however consideration must be given to the proposals siting, scale and massing, design, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The single storey side extension would be sited on the east elevation of the house, projecting 1.38m to the side, occupying the full depth of the property and leaving a gap of 1.1m to the boundary, with an eaves height of 2.8m and a maximum height of 3.55m. The rear element would have a depth of 3.65m at ground and first floor, with a width of 8.29m at ground floor and 3.43m at first floor. The single storey element would have a height to match the side and the first floor would have an eaves height to match existing with a ridge height set 1m lower than the main ridge. The first floor would be sited 3.65m from the party wall shared with adjoining semi No.7, and 1.2m from the boundary of No.3. The rearward depth accords with the limit recommended within policy DC1 (of 3.65m) and the side element (in isolation) could be built under permitted development. Originally the applicant wanted a two storey side and rear wraparound, but this was deemed too bulky considering the relationship with No.3's rear garden, hence negotiations took place and the agent removed the first floor side element complete. The revised extension is considered subservient to the main house and is sited and scaled appropriately, pursuant to policies DC1, DM1 and SP1.

Appearance and visual amenity – The extension would be constructed of materials to match the existing house, including red facing brickwork, grey concrete roof tiles and white uPVC windows and doors, which has been conditioned. The single storey side and rear elements would feature mono-pitched roofs, with 2no rooflights in the rear. The first floor rear would feature a hipped roof with a pitched to match the main roof. The front elevation would feature a ground floor window, the side elevation facing No.3 would feature a small ground floor window and door and the rear elevation would feature a bedroom window at first floor and a window and set of glazed French doors opening onto the garden at ground floor. Due to its siting at the rear and the way these houses are arranged, the two storey extension would not be visible from the highway, hence the only part visible would be the small single storey side which is not considered to form a prominent feature within the street scene. The materials are appropriate and the design is to be expected of such development, hence the appearance of the development is considered acceptable and is not thought to harm the visual amenity of the house nor wider area, pursuant to policies DM1 and SP1.

Residential amenity – The first floor element would be significantly stepped away from the party wall (3.46m) to ensure the 45 degree rule can be satisfied, hence the outlook for both No.7 and No.3 should not be unduly impacted. The low hipped roof and acceptable projection ensure the extension would not have an overbearing impact as viewed from neighbouring plots nor cause undue overshadowing of said plots, particularly as the rear gardens face south and thus receive ample direct sunlight for much of the day as existing. There are no windows proposed for the side elevations at first floor, therefore a loss of privacy is also not deemed an issue. A letter of objection was received from a local resident in relation to the initial design, which would have had an unacceptable impact upon No.3 due to the overbearing impact it would have on their rear garden, which is set forwards of the applicant's garden. Negotiations took place to reduce this, to which the agent removed the first floor side element and reduced the depth of the rear element. The objector also raised concerns with parking however the proposal does not alter the existing parking arrangements or use of the property hence it is not relevant to this application. No further objections were received. The revised proposal is considered acceptable in terms of its impacts upon residential amenity.

Conclusion – The off-street parking provision will remain as existing. Access to the rear garden will be retained via a 1.1m gap which is more than adequate for the transport of refuse bins to the rear, out of sight. The proposal complies with saved policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy and the NPPF. The revised proposal is not considered to cause undue harm to the residential amenity currently enjoyed by surrounding occupiers, nor significantly harm visual amenity of the dwellinghouse or wider area. The proposed development is therefore deemed acceptable and construction may commence in accordance with the approved drawings and the following conditions.

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. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

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 revised drawing numbered '5ADAMPLREVB', stamped as received by the City Council as Local Planning Authority on the 17th September 2021.

Reason - To ensure 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 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

7 Adams Avenue, Manchester, M21 8FX
3 Adams Avenue, Manchester, M21 8FX
6 Adams Avenue, Manchester, M21 8FX
4 Adams Avenue, Manchester, M21 8FX
28 Hardy Lane, Manchester, M21 7LA
26 Hardy Lane, Manchester, M21 7LA
24 Hardy Lane, Manchester, M21 7LA

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
Area Team Boundary - Name: SOUTH