MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132023/FH/2021
Date registered valid:	25 October 2021
Proposal:	Erection of a single storey rear extension to form additional living accommodation
Address:	6 Whalley Avenue, Levenshulme, Manchester, M19 3FD
Ward(s):	Levenshulme Ward
Applicant:	Debbie Burton 6 Whalley Avenue, Levenshulme, Manchester, M19 3FD
Agent (if any):	Mr Ahmed Choudhry NADA Architects 169 Kingsway, Burnage, Manchester, M19 2ND
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	14 December 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 November 2021

Standard consultations:
Printed: 25 October 2021 Expired: 15 November 2021

Neighbour notifications
Printed: 25 October 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

The application relates to a period mid-terrace dwellinghouse within an area of houses of similar type in Levenshulme ward. Whalley Avenue is a short no-through road and the houses along this road have 2 storey rear outriggers which is an original feature of these properties. The application site benefits from a small amenity space along the front elevation, a rear yard area with gated access to a gated alleyway running behind the rear boundary wall, including all round boundary treatment. Along the side elevation of the existing 2 storey rear outrigger and projecting its depth, whist flush with the rear building line is a single storey extension, which is abuts the common boundary with no. 4 Whalley Avenue.

Description of development

The submitted proposal relates to the erection of a single storey rear extension to replace the existing structure located on the rear façade of the house adjacent to the existing two storey outrigger to form additional living accommodation. It has been confirmed that the proposed works solely relate to the removal of the existing timber frame and glass roof structure forming existing single storey rear extension, which abuts the common boundary with no. 4 Whalley Avenue, and replacing it with facing brickwork, pantile roof covering and white uPVC windows to match the primary dwellinghouse.

The proposal would be stepped away approximately 200mm from the common boundary with no. 4 Whalley Avenue and would have a proposed width of approximately 1640mm. It would project 3000mm along the shared boundary, whilst retaining a distance of approximately 499mm between the elevation and the rear building line of the 2 storey outrigger. The proposed structure would have two windows along the roof elevation and a door facing the rear yard area and is intended to serve a utility area (as annotate on the submitted plans). The maximum proposed height of the extension would not exceed 3815mm.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

2. Environmental Health

No comments (including ground contamination issues) regarding the application.

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:

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

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

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

- 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

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 submitted proposal would constitute a small scale replacement in-fill development to improve the functionality of the existing accommodation. The proposed works solely relate to the replacement of the existing timber frame and glass roof single storey rear extension, which abuts the common boundary with no. 4 Whalley Avenue, with a single storey extension comprising facing brickwork, pantile roof covering and white uPVC windows to match the primary dwellinghouse. The proposed size,

scale and massing would be consistent with the existing structure, it is therefore considered that the proposal would not present any significant adverse impacts to residential or visual amenity as there are no overbearing, overshadowing or loss of privacy impacts.

Design and appearance - It is not considered that the proposal would unduly harm the character of the building or the general area as it is 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 unaffected.

Car parking - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 polices 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core

Strategy Development Plan and other material considerations. The local planning authority had no 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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 25 October 2021.
- Location plan with application site edge in red; received by the city council as the local planning authority on 25 October 2021.
- EXISTING GA SITE PLAN, ELEVATIONS & FLOOR PLAN; dwg no (01)001; revision PL01; received by the city council as the local planning authority on 25 October 2021.
- PROPOSED GA SITE PLAN, ELEVATIONS & FLOOR PLAN; dwg no (02)001; revision PL01; received by the city council as the local planning authority on 25 October 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 - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of 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 development hereby approved other than those shown on: PROPOSED GA SITE PLAN, ELEVATIONS & FLOOR PLAN; dwg no (02)001; revision PL01; received by the city council as the local planning authority on 25 October 2021.

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

5) 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

4 Whalley Avenue, Levenshulme, Manchester, M19 3FD
69 Randolph Street, Manchester, M19 3DW
8 Whalley Avenue, Levenshulme, Manchester, M19 3FD
12 Whalley Avenue, Levenshulme, Manchester, M19 3FD
73 Randolph Street, Manchester, M19 3DW
67 Randolph Street, Manchester, M19 3DW
10 Whalley Avenue, Levenshulme, Manchester, M19 3FD
2 Whalley Avenue, Levenshulme, Manchester, M19 3FD
71 Randolph Street, Manchester, M19 3DW

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 -
Area Team Boundary - Name: NORTH2