

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130816/FH/2021

Date registered valid: 30 June 2021

Proposal: Construction of single storey side and rear extension following the demolition of an existing side extension

Address: 25 Woodfold Avenue, Manchester, M19 3AP

Ward(s): Levenshulme Ward

Applicant: Mr Muhammad Hamza 25 Woodfold Avenue, Manchester, M19 3AP

Agent (if any): Mr Anwar Ul-Haq 33 Moorton Avenue, Manchester, M19 2NQ

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 30 July 2021 Expired: 20 August 2021

Neighbour notifications

Printed: 12 August 2021 Expired: 22 August 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

No.25 Woodfold Avenue is a modern end terraced house situated within a row of similar properties, within a mixed use area of Levenshulme lying to the west of the district centre. The property benefits from amenity space to front, and rear, with off street car parking provision to the front of the house. The house comprises red brickwork at ground floor and first floor level, with a grey tiled pitched roof with a gable detail on the front elevation. There is a single storey built on the side elevation of the dwellinghouse which is used for storage

The dwellinghouse has a hard surfaced rear garden. The front entrance to the house has a porch feature built as part of the original house

Listed building: Not applicable

Conservation area: Not Applicable

Tree Preservation Order: Not Applicable

Description of area

The property lies to the west of Levenshulme district centre, with residential properties to the north and south, and the Manchester to London rail line on an embankment directly to the west.

Description of development

Consent is sought for the erection of single storey side and rear extension following the demolition of the existing store to the side of the house.

The proposed single storey rear extension would be 4.5m in depth, and 3.35m in width with a pitch roof. It would be located 1.8m from the boundary with no.23 Woodfold Avenue. The proposed single storey side extension would extend along the full extent of the side gable of the original dwellinghouse, but would leave a 1m gap between the proposed extension and the western boundary with the rail line.

The proposed extensions would enable the enlargement of the dining room in the existing dwellinghouse together with a family room , a shower room and a storage area.

Materials would match the existing house.

Consultations & Notification Responses

Local residents - No comments received

Environmental Health – recommend an acoustic insulation condition be attached to any approval to secure a reduction in noise from the mainline railway, and a condition relating to construction hours . An informative relating to a contaminated land watching brief is also recommended.

Network Rail – 30.07.2021 The above proposal is adjacent to the railway – and the existing dwelling is very tight / hard against the railway boundary – there is therefore a concern that the proposed works could impact the stability of the railway boundary. The applicant MSUT ensure that they interface with Network Rail and agree the works with our asset protection team – a site visit will be required to review the construction works.

Network Rail will need to review and agree:

- Excavation/earthworks
- RAMS
- All surface water drainage must drain in the direction away from the railway.
- Scaffolding must have a failsafe of 3m from the railway boundary
- All works including foundations must be constructed wholly within the applicant's land ownership without over-sailing or encroaching onto Network Rail land
- The works may also include Party Wall Act works

The applicant is to submit the attached form to AssetProtectionLNWNorth@networkrail.co.uk As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a **BAPA** (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

12.08.2021- The other comments will stand and the applicant is to submit the attached form to AssetProtectionLNWNorth@networkrail.co.uk and agree the works with Network Rail.

06.10.2021 - Network Rail advise they have recently attended site and viewed the site in relation to the proposal.

Although the building will be within 3m of the boundary, all works can be contained within the applicants land and the existing boundary will not be encroached.

Therefore they have advised the applicant's architect, that providing the works are contained in this way and there is no encroachment of Network Rail airspace or land during or after construction, inclusive of drainage, the work instruction requires no further Network Rail attendance.

Issues

POLICIES

NPPF

The National Planning Policy Framework (NPPF) was published in 2012 and revised in February 2019, and subsequently in July 2021

The aim of the NPPF is to ensure there is a presumption in favour of sustainable development and that positive planning solutions are found to ensure development is brought forward. The NPPF is a material consideration in planning decisions as outlined in Paragraph 2 of the NPPF and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Sustainable development is broadly defined in Paragraph 8 of the NPPF as having three overarching objectives:

- a) An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other documents as outlined below:

Manchester Core Strategy

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

Regard should be given to:

Policy SP1 (Spatial Principles) which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income, and; protecting and enhancing the built and natural environment.

Policy DM1 (Development Management) says that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Of relevance in this instance are: appropriate siting, layout, scale, form, massing, materials and detail. Impact on the surrounding areas should be considered in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. 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. In terms of accessibility, buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes. There should be regard for community safety and crime prevention. Adequacy of internal accommodation and external amenity space, including refuse storage and collection and vehicular access and car parking must be assessed. The effects relating to biodiversity, landscape, archaeological or built heritage, including green infrastructure, open space, both public and private must be given due consideration. In addition, flood risk and drainage, including existing or proposed hazardous installations will be assessed.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies:

Large elements of the UDP have been superseded by the Core Strategy. Saved policies DC1.1, DC1.2, DC1.3, DC1.4 and DC1.5 which relate to determining planning applications for extensions to residential properties are of relevance in the consideration of this application. Policy DC1.5 advises that 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, which is of relevance to this application.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods.

The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

It advises that high quality design is a vital attribute of successful neighbourhoods. Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted application is for the proposed erection of a single storey side and rear extension of the dwellinghouse. The principle of the proposal is considered to be acceptable in that it would allow the adaptation of the existing house to meet changing residential needs. On balance it is considered that the proposal represents a proportionate addition to the existing building to create improved living accommodation. It is therefore considered that the development responds positively to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Residential Amenity

Approval is sought for the erection of a single storey rear extension in the rear garden which would project 4.5 m from the rear elevation, be 3.35m in width and have a pitch roof. It would be located 1.8m from the boundary with no.23 Woodfold Avenue. The proposed single storey side extension would extend along the full extent of the side gable of the original dwellinghouse, but would leave a 1m gap between the proposed extension and the western boundary with the rail line.

The rear elevation of the rear extension would incorporate windows to the proposed shower room and separate toilet facility. Due to the internal configuration of the proposed extension, a side window is proposed to the western elevation in close proximity to the shared boundary the boundary to the rail line.

The rearward projection and modest sized rear garden, would mean that 4m of rear garden would be retained between the proposed rear extension and the southern boundary to the dwellinghouses on Belvoir Avenue. Furthermore, the rear garden is enclosed by 1.8 m high waneylap panel fencing, which would effectively screen a significant proportion of the proposed extensions.

Conditions, however are recommended to ensure that only approved windows are incorporated into the proposed extension, and that those in the southern elevations are obscurely glazed (with the window on the eastern elevation also being non-opening). On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Visual Amenity

It is considered that the proposal would not detract from the character and appearance of the existing house, due to the context, and siting.

Overall the proposal has been designed to be in keeping with the design and character of the existing house, and would incorporate matching materials. It would therefore not adversely affect the appearance of the existing dwelling or visual amenity within the area, and is considered to be acceptable.

Height, scale and massing

It is considered that the scale of the development and its massing in relation to the surrounding context would be acceptable.

Siting

The proposed extension would be contained within the existing curtilage of the property and with the proposed side extension being sited in a similar location to the existing single storage structure at the side of the house, which is to be removed. It is considered that the proposed siting of the extension would not adversely affect neighbouring houses. It is considered that the development meets the requirements of Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Design and appearance

The single storey extensions would be partly visible to the properties to front, rear, and side of the dwellinghouse,.

The rear garden area is well screened by fencing to all three boundaries. It is considered that the design and appearance of the proposed extension is acceptable.

Waste Management

The existing arrangement is unaffected by the proposed development.

Car Parking

The front garden incorporates a large hard surfaced area which forms a driveway for two vehicles in the front garden. This would be retained, with no loss of off street parking provision.

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

The local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes. Officers have worked with the applicant in a positive and proactive manner in order to achieve solutions to problems arising from the consideration of this planning application. In this instance, matters relating to noise insulation, and working in proximity to a main rail line were raised with the agent and the appropriate conditions have been attached.

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:

Location plan ref: 2021/04/04 received 22nd June 2021;

Demolition of existing single store to the side and construction of Single Storey Side and Rear Extensions. Sections Sheet 3 of 3 2021/04/03 rev.P2 (notwithstanding sections C-C and D-D); received 7th August 2021;

Demolition of existing store to the side and construction of Single Storey Side and Rear Extensions. Existing & Proposed Plans Sheet 1 of 3 ref: 2021/04/01 rev.P2; received 29th September 2021;

Demolition of existing store to the side and construction of Single Storey Side and Rear Extensions. Existing & Proposed Elevations and Proposed Roof Plan Sheet 2 of 3 ref: 2021/04/02 rev.P3; received 29th September 2021;

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3. The external facing materials to be used on the extensions 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 the Manchester Core Strategy(2012).

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 extension hereby approved other than those shown on drawing

Demolition of existing store to the side and construction of Single Storey Side and Rear Extensions. Existing & Proposed Plans Sheet 1 of 3 ref: 2021/04/01 rev.P2; and
Demolition of existing store to the side and construction of Single Storey Side and Rear Extensions. Existing & Proposed Elevations and Proposed Roof Plan Sheet 2 of 3 ref: 2021/04/02 rev.P3; received 29th September 2021;

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

5.Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from the mainline railway shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation scheme

shall be completed before any of the extension is occupied.

Noise survey data must include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary.

Due to the proximity of the development to the mainline railway vibration criteria shall also apply as per BS 6472: 2008 "Guide to evaluation of human exposure to vibration in buildings". Groundborne noise shall also be factored into the assessment and design.

b) Prior to first occupation of the residential accommodation , a verification report will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason- To secure a reduction in noise from the railway in order to protect future residents from noise disturbance, pursuant to policy DM1 of the Manchester Core Strategy (2012) , and saved UDP policy DC26.

6. Before first occupation the window to the toilet in the southern elevation of the proposed rear extension , and the shower room in the southern elevation of the side extension 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).

INFORMATIVE:

Contaminated Land

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Construction Hours

Construction/demolition works shall be confined to the following hours

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Network Rail

8 Woodfold Avenue, Manchester, M19 3AP

23 Woodfold Avenue, Manchester, M19 3AP

30 Belvoir Avenue, Manchester, M19 3AN

6 Woodfold Avenue, Manchester, M19 3AP

10 Woodfold Avenue, Manchester, M19 3AP
32 Belvoir Avenue, Manchester, M19 3AN

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH2