Planning

Growth & Development

Delegated officer report for planning application

Application no.	129823/FH/2021
Date registered valid:	23 March 2021
Proposal:	Erection of single storey rear extension to form additional living accommodation
Address:	18 Whernside Avenue, Manchester, M40 9PW
Ward(s):	Moston Ward
Applicant:	Mr Adam Connelly 18 Whernside Avenue, Manchester, M40 9PW
Agent (if any):	Les Foey 8 Glasson Walk, Oldham, OL9 9DR
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 May 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 29 March 2021 Expired: 19 April 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

The property relates to a 2 storey, semi-detached dwellinghouse situated within a predominantly residential area of Moston in North Manchester. The property benefits from garden area to the side and rear. There is off street car parking within then curtilage and boundary screening that binds the site.

The application seeks consent for the erection of a single storey rear extension to increase the living accommodation by approximately 4m projection x 6.3m width x 3.6m height.

The applicant reduced the rear projection of the extension by 500mm after concerns were raised in relation to the impact on the adjoining property.

History

129416/PDE/2021 was refused for the following reasons.

When assessing the criteria of the larger homes' extensions under Schedule 2, Part 1, Class A of the above Order, the proposal must comply with all of the requirements to be permitted development. In paragraph A.1(j) of the Order, development is not permitted where "the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse...," and "...(iii) have a width greater than half the width of the original dwellinghouse".

It is clear from the submitted plans and enquiries of aerial photos that there is an original single storey rearward projection; this rearward projection is typical of the house styles in the locality and an obvious original element of the dwellinghouse. As a result, the proposed enlargement will extend beyond the wall forming the side elevation of this original rearward projection. In addition, as the proposed enlargement will extend beyond the rear wall of the existing single storey element and encompass it, a width greater than half the width of the original dwellinghouse will result.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and one objection was received. The nature of the objection relates to obstruction of light due to the size of building and the levels of activity and parking of motor vehicles that take place at the premises. In response to the objection it is considered the scale of the extension in relation to the position to the surrounding properties would not be detrimental to the occupiers of the surrounding properties. Furthermore, the extension does not displace car parking provision at the premises.

Further consultation took place after the amended drawings were received and no representation was received after the neighbours were re notified of the reduced projection of the extension.

Environmental health recommended a gas condition be attached to the consent.

Issues

POLICIES
UNITARY DEVELOPMENT PLAN SAVED POLICIES
DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:
a) rearward extensions greater than 3.65m (12ft) in length

NATIONAL PLANNING POLICY FRAMEWORK

Chapter 12. Achieving well-designed places

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (ADOPTED 11 JULY 2012)

Policy SP1 identifies 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 including:-
- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas 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 and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

CITY COUNCILS GUIDE TO DEVELOPMENT IN MANCHESTER 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;
2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages.

ISSUES

Amenity

The submitted application is for the erection of single storey rear extension to form additional living accommodation after demolition of a small outrigger.

The application site relates to a semi-detached property, which sits within a rectangular plot. The property benefits from a single storey outrigger that would be demolition as part of the proposal. The semi-detached properties within this row all appear to have similar characteristics in terms of rear gardens and single storey-built form along the shared common boundaries. The extension would not project beyond the existing conservatory and as a result there would no detrimental impact on no. 20 Whernside Avenue.

The proposed pitched roof, single storey rear extension would project 4m from the rear elevation and would be no wider than the overall width of the dwelling house. A small gap would be maintained between the shared common boundary which lies between the application site and no 20 Whernside Avenue. Furthermore, given the extension projects from the width of the dwelling house the extension does not take built form closer to the non-adjoining property no 16 Whernside Avenue and In terms of the size and positioning of the extension it is considered that there would be no detrimental impact in terms of shadowing or overlooking and is therefore acceptable.

There are no windows proposed on the side elevation of the extension and the rear fenestration looks over the existing garden. Therefore, the proposed openings do not pose issues in terms of residential amenity; overlooking or privacy. A condition shall be applied to any approval regarding no further windows in any of the elevations.

Overall, the proposed extension is considered to be subservient to the existing property and therefore does not create any significant impact in terms of visual and residential amenity or within the local surrounding area.

DESIGN & APPEARANCE

The proposed extensions are in keeping with the original property and the applicant intends to match the existing materials with that of the house, therefore it is considered that the proposal is acceptable in design terms.

CAR PARKING

Off streetcar parking is provided at the property and would be unaffected by the proposal.

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. In this instance officers have worked with the agent in a positive and proactive manner by requesting further information and drawings relating to the scheme and appropriate conditions to the approval have also 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:

The Location Plan, and the drawings titled, ' Proposed Rear Elevation Showing Rear Elevation of the Property, stamped as received 23 March 2021 and the drawing titled, Proposed Side Elevation and Proposed Rear', stamped as received on the 26 April 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 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 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 extension hereby approved other than those shown on the approved drawings titled, ' Proposed Rear Elevation Showing Rear Elevation of the Property, stamped as received 23 March 2021 and the drawing titled, Proposed Side Elevation and Proposed Rear', stamped as received on the 26 April 2021.

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

5) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

20 Whernside Avenue, Manchester, M40 9PW
35 Tyndall Avenue, Manchester, M40 9PL
16 Whernside Avenue, Manchester, M40 9PW
37 Tyndall Avenue, Manchester, M40 9PL
33 Tyndall Avenue, Manchester, M40 9PL

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
Area Team Boundary - Name: NORTH1