

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 132972/FH/2022

**Date registered valid:** 18 February 2022

**Proposal:** Erection of single storey side and rear extension, together with raised decked area, following demolition of existing conservatory

**Address:** 17 Claxton Avenue, Manchester, M9 6PH

**Ward(s):** Higher Blackley Ward

**Applicant:** Mr Ian Clifford 17 Claxton Avenue, Manchester, M9 6PH

**Agent (if any):** Mr Peter Entwistle PCE Designs Ltd 40 Queensway, Chorley, PR7 6PW

**Case officer:** Adam Mitchell  
Tel: 0161 234 4165  
Email: adam.mitchell@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 24.05.2022

## **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: 21 February 2022 Expired: 14 March 2022

Printed: 16 May 2022 Expired: 23 May 2022

### **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

**Listed building:** Not applicable

**Conservation area:**

**Tree Preservation Order:**

## **Description of Site/Area**

This application relates to a two storey brick built semi-detached property at the head of a cul-de-sac within a residential area of Higher Blackley North Manchester. The property incorporates amenity space to the front, an existing conservatory to the side, with a relatively large and splayed rear garden and a raised decking. Given the elevated topography of the property the rear garden slopes downwards, with boundary treatment in the form of a small timber fencing to the shared boundary with 18 Claxon Avenue and timber fencing along the other shared boundaries.

The remainder of the area is predominately residential in nature and are houses of similar style and design of the proposal site.

## **Description of development**

The application seeks consent for the erection of a single storey side and rear extension with raised decking following the demolition of the existing conservatory, to form additional living accommodation.

The single storey side extension accommodates a utility room and WC along the front elevation with an open plan kitchen area to the rear, including 2 front elevation windows and one rear

elevation window. The proposed extension will incorporate a 1.6 metre setback from the principal elevation and will have approx. dimensions of Height 3.6m/ (at the eaves) 2.4m x Width 2.8m x Depth 6.7m. A tiled hipped roof would make up the extension's roof profile.

The single storey rear extension accommodates an open plan family area including 2 large windows along the rear elevation. The proposed extension would have approx. dimensions of Height 3.6m/ (at the eaves) 2.4m x Width 7.6m x Rearward projection 3.6m. A tiled hipped roof would make up the extension's roof profile. The proposal would be sited 1.6 metres away from the shared common boundary with 18 Claxton Avenue.

The proposal also includes raising the decking behind the rear extension. The revised drawings (Drawing: Plans and Elevations dated 12/05/2022) have reduced the height of the proposed decking, protecting the neighbouring occupiers privacy and residential amenity. Additionally, the decking will include boundary screening (1.8m) along the shared boundary with 18 Claxton Avenue.

### **Consultations & Notification Responses**

Local residents were notified however none responded

### **Policy**

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

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.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

### Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- 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.

### **Principle**

The proposed development is a single storey rear and side extension and raising of the decking to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order to meet the changing residential needs of families. However consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

### **Issues**

#### **Residential and Visual Amenity**

It is deemed that the single storey side and rear extension is acceptable in terms of residential and visual amenity upon the existing property and surrounding properties due to its positioning within the street scene (head of the cul-de-sac), the elevated topography of the original dwelling, the large application curtilage, and retaining a gap between the extension and the shared boundary with 18 Claxon Avenue. These elements are all significant factors which prevent any substantial undue harm on the surrounding properties especially the adjoining semi-detached property. Additionally, introducing a setback level to the single storey side extension addresses the concerns relating to the subservience of the proposal and accords with principles set out in DC1.3.

As mentioned above the rear extension will introduce a 1.6 metre gap with the shared boundary with 18 Claxon Avenue, given the orientation of the property and the fact the rearward projection is within DC1.3 guidance (3.6metres) it is considered that overbearing and overshadowing impacts will be negligible. Furthermore, the property retains a substantial amount of amenity space to the rear of the property and alongside the mature boundary screening along the rear boundary it is not considered that any overlooking impacts will occur on neighbouring properties situated along Milo Street.

The proposed single storey side extension has 2 front elevation windows alongside 3 smaller rear elevation windows and a side elevation door. Additionally, the rear extension will have two large rear elevation windows. These fenestration elements are considered not to pose intrusive sight lines into neighbouring properties, maintaining privacy levels for neighbouring occupiers. A condition shall be applied to any approval regarding no additional windows along the side elevation.

The revised drawings were required to reduce the height of the raised decking and the installation of boundary screening implemented along the shared boundary to minimise the possible overlooking impacts and maintain a level of privacy for the neighbouring occupiers. It is noted that some overlooking impacts towards the rear of 18 Claxon Avenue's curtilage would be present however this are deemed insignificant as too warrant a refusal.

The proposed development would allow for amenity space to be retained along the front, side and rear of the application site.

Overall the proposed extensions are considered to be subservient to the existing property and creates a sympathetic approach to the street character therefore, this proposal does not create any significant impacts in terms of visual or residential amenity within the character of the general area and is considered acceptable against the principles set within Saved DC1 and SP1 and DM1 of the Core Strategy.

### **Design and Appearance**

It is not considered that the proposed development would unduly harm the character of the building or the general area. The materials would match the existing, although it is recommended a materials condition is attached to ensure that the materials are adhered to, pursuant with

### **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 agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the 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 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 documents and drawings:

Drawing- Plans and Elevations Stamped as received by the City Council, as the Local Planning Authority on 12 May 2022

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 materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

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.

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 : Drawing- Plans and Elevations Stamped as received by the City Council, as the Local Planning Authority on 12 May 2022

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

5) The positions, heights and type of boundary treatment around the proposed raised decking area hereby approved shall be erected in accordance with the plan referenced: Plans and Elevations Stamped as received by the City Council, as the Local Planning Authority on 12 May 2022. The approved scheme shall be retained in situ hereafter.

Reason- To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located in order to comply with Policies SP1, EN1 and DM1 of the Core Strategy.



## **Appendix 1 – List of consultees & neighbours notified**

1193 Rochdale Road, Manchester, M9 7FP  
1187 Rochdale Road, Manchester, M9 7FP  
1185 Rochdale Road, Manchester, M9 7FP  
18 Claxton Avenue, Manchester, M9 6PH  
1181 Rochdale Road, Manchester, M9 7FP  
13 Claxton Avenue, Manchester, M9 6PH  
15 Claxton Avenue, Manchester, M9 6PH  
1191 Rochdale Road, Manchester, M9 7FP  
1189 Rochdale Road, Manchester, M9 7FP  
1183 Rochdale Road, Manchester, M9 7FP

## **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  
Historic Landfill Site 250m Buffer -  
Area Team Boundary - Name: NORTH1