

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132278/FH/2021

Date registered valid: 23 February 2022

Proposal: Erection of part single, part two storey rear extensions to form additional living accommodation

Address: 11A And 15 Kathkin Avenue, Manchester, M8 4QL

Ward(s): Crumpsall Ward

Applicant: Mr Amir Qureshi, 15 Kathkin Avenue, Manchester, M8 4QL

Agent (if any): Mr M. Amjad, 77 Fields New Road, Oldham, OL9 8BT

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

Recommendation: Approve

Date of recommendation: 25.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 February 2022 Expired: 18 March 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: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to two linked two storey brick built mid terraced properties located within the Crumpsall ward of North Manchester. The properties have a garden to the front and rear. To the ground floor is a gated access that takes you through a ginnel into the rear garden. A bedroom related to no. 15 over sails the ginnel which is linked to the adjoining properties, construction has begun on the part two storey rear extension as approved from 130250/FO/2021. The front garden has previously been block paved to provide one small off-street parking space, and the frontage is of an open plan. The rear garden is of an average size for properties of this size, and slopes as it moves rearward towards its boundary with the open space beyond. The adjacent property to no. 11A has an existing two storey rear extension with a rear projection of approx. 2 metres and a dual pitched roof.

Description of development

The single storey element of the extension would have a rear projection of 4 metres and would have a width of approx. 9.5metres across both properties. The two storey element of the rear extension would be set away from the shared boundary with no. 11 Kathkin Avenue by 1.6 metres and have a rear projection of approx. 3metres. The proposed two storey element of the rear extension at 15 Kathkin Avenue would have a rear projection of 3metres and would be sited approx. 1.2 metres away from the shared boundary with no. 17 Kathkin Avenue. The side elevations of both extensions differ from the approved application 130250/FO/2021 which now extend outwards and are no longer splayed rear projection.

Planning History

Erection of two storey rear extensions at 11a and 15 Kathkin Avenue. APPROVED 05.07.2021

Erection of single storey rear extension to form additional living accommodation. APPROVED 04.12.2020

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:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) 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
- 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

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Principle

The proposed development is an extension 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 Amenity

As stated above, the proposed two storey element of the extension on closest to the boundary with no. 11 and 17 Kathkin Avenue would be set away from the shared boundaries by approx. 1.6 and 1.2metres, respectively. Due to the extension being set-in from the shared boundaries and the dual pitched roof which reduces the massing of the extension and therefore impacts with regards to overbearing or overshadowing to the non-adjoining properties, there are not considered to be unduly harmful to neighbouring occupiers at no. 11 and 17 Kathkin Avenue.

The projection of the single storey extension on the adjoining boundary with no.11 and 17 is 4 metres and the extension is sited approx. 1.3metres and 0.3metres away from the shared boundaries, respectively. Given this is a single storey extension and 17 Kathkin Avenue already has a two storey rear extension which has a rearward projection of 2metres, it is deemed that the addition of a single storey rear extension to this residential dwelling will not add significant residential amenity to neighbouring occupiers.

There are no windows proposed in the side elevations, and as such there is no detrimental impact relating to overlooking or loss of privacy. The windows and patio doors as well as a windows at first floor are located in the rear elevation and would overlook the applicants own garden. A condition would be attached to any consent granted to restrict the installation of any additional fenestration. Due to the above stated reasons the proposal is considered acceptable and in accordance with saved UDP policy DC1 and Core Strategy Policies DM1 and SP1.

Visual Amenity

The set-in dimensions of approx. 1.6 and 1.2 metres of the part two storey rear extension from the shared boundary with 11 and 17 Kathkin Avenue, respectively, and the drop in ridge height of the roof will assist in making the extensions appear subservient to the existing property. Notwithstanding the current drawings the materials currently are not acceptable and samples and specifications of all materials to be used on all external elevations of the development shall be submitted and agreed by the City Council. A condition to this wording will be attached to any approval. The proposals are to enlarge two semi-detached properties and as such they are not considered to give rise to unacceptable impacts on the visual amenity or character of the area or the street scene, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UPD policy DC1.

Height, Scale and Massing

The height of the proposed extensions appropriately relates to the height parameters of the existing building. The height of the proposed part single part two storey rear extension have tied in with the existing building. It is considered that the proposed extension responds well with the dimensions, design and sitting of the neighbouring properties. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1 and saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

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 date 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:

Drawing: Floor Plans and Elevations, stamped as received by the City Council as Local Planning Authority on 16 May 2022

Drawing: Proposed Site Plan ref. L(00)02 REV C, stamped as received by the City Council as Local Planning Authority on 20 April 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) Notwithstanding details submitted, within one month of planning permission hereby being granted, samples and specifications of all materials to be used on all external elevations of the development shall be submitted and agreed by the City Council as Local Planning Authority. The development shall only be constructed using the approved materials.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 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 plans 'Floor Plans

and Elevations' received by the City Council as Local Planning Authority on 16 May 2022.

Reason - In the interests of residential amenity 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

Appendix 1 – List of consultees & neighbours notified

6 Kathkin Avenue, Manchester, M8 4QL
17 Kathkin Avenue, Manchester, M8 4QL
11A Kathkin Avenue, Manchester, M8 4QL
11 Kathkin Avenue, Manchester, M8 4QL
8 Kathkin Avenue, Manchester, M8 4QL
12 Kathkin Avenue, Manchester, M8 4QL
10 Kathkin Avenue, Manchester, M8 4QL

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