

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129713/FH/2021

Date registered valid: 15 March 2021

Proposal: Erection of two storey rear extension following demolition of existing conservatory, and associated elevational alterations to existing side gable

Address: 30 Seddon Avenue, Manchester, M18 8NW

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Zheng 30 Seddon Avenue, Manchester, M18 8NW

Agent (if any): Mr Mo Iqbal 899 Stockport Road, Manchester, M19 3PG

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 18 May 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Not conducted during COVID-19, Google imagery utilised

Standard consultations:

Printed: 22 March 2021 Expired: 12 April 2021

Neighbour notifications

Printed: 29 April 2021 Expired: 6 May 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

30 Seddon Avenue is a two-storey dwellinghouse at the end of a row of four situated at the end of a cul-de-sac on a corner triangle plot position, with amenity space to the front side and rear elevations, off-street car parking along the frontage, including boundary treatment. There is an existing rear conservatory projecting 2978mm from the rear building line of the original house, and also an outbuilding sited in the rear garden, close to the common boundaries with nos.15 and 17 Seymour Street and shared boundary with Thorpeness Square. The application property lies within the Gorton & Abbey Hey Ward of Manchester, within a predominantly residential area of properties of similar type.

Description of development

The submitted application relates to the erection of two storey rear extension following demolition of existing conservatory and associated elevational alterations to existing side gable.

The initially submitted plan has been revised in the interest of residential amenity, revised plans, (dated 29/04/2021).

The revised plan would comprise of:

- o A ground floor to rearward projection of 4 metres
- o A first floor rearward projection of 3 metres
- o The proposed rear 'bedroom 4' window is re-located to the side elevation
- o The proposed 'bedroom 1' side facing window to have obscure glazed and non-opening till 1.7m above finished floor level.

The proposal would involve the demolition of the existing rear conservatory and erection of a two storey rear extension (ground floor: length 4000mm x width 6046mm x height 3305mm) and (first floor: length 3000mm x width 6046mm) which would project along the full width of the original dwellinghouse and along the common shared boundary with no. 32 Seddon Avenue: 4 metres at ground floor and 3 metres at first floor. A hipped roof design is proposed, and the ridge of the proposed roof has been set below that of the original house. All proposed windows and doors would either face the rear garden, or the common boundary with no. 28 Seddon Avenue. The proposed bathroom and ensuite room windows along the first floor rear elevation would be fully obscurely glazed.

In terms of the associated elevational alterations to existing side gable, this would involve 2 side facing windows - one at ground floor to serve the existing living room and the other at first floor to serve 'Bedroom 1' which would have obscured glazing and be non-opening on the lower half.

It is intended to use external facing materials matching the original house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties adjoining the application site were notified of the proposal. One comment was received indicating no objections to the proposal.

Neighbours were re-notified following revisions to the initially submitted plan. No comments were received.

2. Environmental Health

a. Proprietary gas protection membrane condition

Proprietary gas protection membrane condition required, as the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas.

b. DEMOLITION/CONSTRUCTION PHASE condition

Condition requiring construction/demolition works to be confined to specified hours:

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm
Saturday: 8.30am - 2pm
Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

POLICIES

The following policies are considered relevant in the consideration of this application.

1. The National Planning Policy Framework (NPPF), (February 2019)

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

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

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

- o Policy DC1 for Residential Extensions is still considered of relevance.

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

- o 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 document advises that high quality design is a vital attribute of successful neighbourhoods.

- o 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.

- o 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

As outlined above, the initially submitted plan has been revised in the interest of residential amenity. Revised plans were subsequently submitted, (dated 29/04/2021).

Principle of development

The principle of the proposal in providing additional residential 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 (two storey rear extension following demolition of existing conservatory, and associated elevational alterations to existing side gable) - In light of the existing context, consideration has been given the significant size of the plot surrounding the application property; the size of the gardens of the adjoining properties; that there would be a separation between those properties along the rear elevation and the proposed maximum rearward projections would not exceed 4 metres at ground floor and 3 metres at first floor. This combined with the roof ridge of the proposed extension being set below that of the original house, would reduce any potential impacts from massing. It is also noted that nos.39 and 41 also have similar rear extensions.

With all the proposed windows and doors facing the rear garden, or the common boundary with no. 28 Seddon Avenue, and the proposed bathroom and en-suite room windows along the first floor rear elevation being fully obscurely glazed, together with the window formed in the existing side gable at first floor level to serve bedroom one having obscured glazing to a level of 1.7m above internal floor levels and being non-opening, it is considered that there would be no significant impacts to residential amenity to adjoining residents due to overlooking. Whilst a window would be located at first floor level in the side elevation of the first floor extension, this would have views over the side garden at a point where the side garden is 12m in depth, and therefore would limit any potential impacts relating to loss of privacy.

It is intended to use external facing materials to match the original house, and therefore it is not considered that the proposal would adversely affect the streetscene or neighbouring houses, specifically those at nos. 28 and 32 Seddon Avenue, and those properties along the rear elevation on Thorpeness Square.

For the reasons outlined above, and subject to planning conditions, it is not considered that the proposed development would be unduly overbearing, nor would it present privacy and overlooking concerns, which would adversely impact upon residential or visual amenity; pursuant with The National Planning Policy Framework (February 2019); 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).

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area as it is intended to match materials with that of the existing, however, a materials condition has been attached to ensure that the

materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Car parking / highways issues - The proposal would not affect the existing arrangement; pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

Waste Management - The existing arrangement is unaffected, pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

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 applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plans have been revised in the interest of residential amenity, (dated, 29/04/2021). The local planning authority had no other 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:

- o Location Plan received by the City Council as the Local Planning Authority on 15 March 2021.
- o Site Plan with application site edged in red, received by the City Council as the Local Planning Authority on 15 March 2021.
- o Planning Statement received by the City Council as the Local Planning Authority on 15 March 2021.
- o Existing and Proposed Floor Plans, DRAWING NUMBER A100, received by the City Council as the Local Planning Authority on 15 March 2021.
- o Existing and Proposed Elevations, DRAWING NUMBER A102, received by the City Council as the Local Planning Authority on 15 March 2021.
- o Revised plans dated 29/04/2021: Existing and Proposed First Floor Plans, DRAWING NUMBER A101 rev.A ; Existing and Proposed Rear Elevations DRAWING NUMBER A103 rev.A ; and Existing and Proposed Side Elevations, DRAWING NUMBER A104 rev.A

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 the materials annotated on the elevation plans, prior to above ground works, samples of the external facing materials to be used on the extension hereby permitted shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

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) Prior to the commencement of development, the development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building, an appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented prior to occupation of the proposed extension.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, pursuant to policies DM1 and EN18 of the Core Strategy

5) Before first occupation of the development thereby approved, the proposed the proposed bathroom and ensuite room windows along the first floor rear elevation as shown on:

- o Existing and Proposed Floor Plans, DRAWING NUMBER A100, received by the City Council as the Local Planning Authority on 15 March 2021, and
- o Revised plans dated 29/04/2021: Existing and Proposed First Floor Plans, DRAWING NUMBER A101 rev.A ; and Existing and Proposed Rear Elevations DRAWING NUMBER A103 rev.A 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 - In the interest of privacy and in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of the Core Strategy.

6) Before first occupation of the development thereby approved, the proposed elevational alteration to existing side gable involving the first floor side facing window to serve 'Bedroom 1' as shown on the revised plans dated 29/04/2021: Existing and Proposed First Floor Plans, DRAWING NUMBER A101 rev.A ; and Existing and Proposed Side Elevations, DRAWING NUMBER A104 rev. A shall be non-opening and shall be obscurely glazed to a height of 1.7m above the internal floor level of bedroom 1, 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 - In the interest of privacy and in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of the Core Strategy.

7) 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 stated on:

- o Existing and Proposed Floor Plans, DRAWING NUMBER A100, received by the City Council as the Local Planning Authority on 15 March 2021.
- o Existing and Proposed Elevations, DRAWING NUMBER A102, received by the City Council as the Local Planning Authority on 15 March 2021.
- o Revised plans dated 29/04/2021: Existing and Proposed First Floor Plans, DRAWING NUMBER A101 rev.A ; Existing and Proposed Rear Elevations DRAWING NUMBER A103 rev.A; and Existing and Proposed Side Elevations, DRAWING NUMBER A104 rev.A.

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

8) 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 part of the resulting dwelling shall be used for any other purpose than Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3.

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.

Informatives

1) The applicant should refer to https://secure.manchester.gov.uk/info/100006/environmental_problems/2956/noise/9 and IAQM/EPUK Construction Guidance at: <http://iaqm.co.uk/guidance/>.

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

19 Seymour Street, Manchester, M18 8NN
26 Seddon Avenue, Manchester, M18 8NW
17 Seymour Street, Manchester, M18 8NN
32 Seddon Avenue, Manchester, M18 8NW
15 Seymour Street, Manchester, M18 8NN
37 Thorpeness Square, Manchester, M18 8FL
33 Thorpeness Square, Manchester, M18 8FL
29 Thorpeness Square, Manchester, M18 8FL
23 Thorpeness Square, Manchester, M18 8FL
28 Seddon Avenue, Manchester, M18 8NW
13 Seymour Street, Manchester, M18 8NN
11 Seymour Street, Manchester, M18 8NN
39 Thorpeness Square, Manchester, M18 8FL
35 Thorpeness Square, Manchester, M18 8FL
31 Thorpeness Square, Manchester, M18 8FL
27 Thorpeness Square, Manchester, M18 8FL
25 Thorpeness Square, Manchester, M18 8FL
21 Thorpeness Square, Manchester, M18 8FL
41 Seddon Avenue, Manchester, M18 8NW

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2