

Planning

Growth & Development

Delegated officer report for planning application

Application no. 143145/FH/2025
Date registered valid: 9 June 2025
Proposal: Erection of first floor rear extension
Address: 2 Seymour Avenue, Manchester, M11 4LH
Ward(s): Clayton & Openshaw Ward

Applicant: Yavari
Agent (if any): Mr Karim
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 3 August 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 June 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 June 2025 Expired: 2 July 2025

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

Description of site / building / area

The application relates to 2 Seymour Avenue, a two storey semi-detached property situated along a short cul-de-sac off North Road, within a predominantly residential area of Clayton and Openshaw ward.

The application site benefits from amenity space along the front, side and rear, including boundary treatment, whilst incorporating a gated access along the side elevation. Off-street car parking is along the front of property and bins are stored within curtilage along the side and rear garden. There is an existing single storey side and rear extension, which retains a minimum separation distance of approximately 788mm from the common shared boundary with "Kelsie".

Site History:

- 122987/FH/2019 - Proposed erection of a single storey extension to the rear of the existing property, APPROVED 22.05.2019
- 068816/VO/2003/N2 - CITY COUNCIL DEVELOPMENT Refurbishment of council housing including renewal of porches and canopies, new bay windows and new roofs, APPROVED 09.09.2003

Description of development

The submitted application form proposes a first floor rear extension.

Upon assessment of the initially submitted plans, it appears that the submitted plan rather relates to a proposed first floor side and rear extension. Concerns were raised with the planning agent regarding the proposed 3200mm rearward projection, coupled with the proposed 6400mm projection along the first floor side boundary and the resultant overbearing massing impact of built form coming forward of and projecting along the first floor side boundary. Therefore, the agent was advised that the proposal could not be supported in its current form.

Revised plans were subsequently submitted, (dated, 28/07/2025, Rev A). The revised plan would consist of: the initially proposed new post off the new foundation to support the first floor has been omitted from the plan, the proposed first floor rearward projection has been pulled in, to 3000mm and the proposed first floor width has been slightly pulled away from the first floor common shared boundary with "Kelsie" - approximately 105mm (minimum). These subsequent revisions were still considered to be unacceptable, and correspondence was sent to the agent in this regard. The application will therefore be duly determined on the basis of the revised sets of plans and recommended for refusal in this instance.

The revised proposed plan (dated, 28/07/2025, Rev A) would be set-back approximately 4407mm from the first floor front building line of the host dwelling and would measure approximately 1409mm wide along the front elevation; whilst being set-way approximately 105mm (minimum) from the first floor common shared boundary with "Kelsie". It would project 6400mm deep along the first floor common shared boundary with "Kelsie" and would measure 5015mm wide along the rear elevation x 3000mm deep, whilst retaining a separation distance of approximately 2227mm from the first floor common shared boundary with no. 4 Seymour Avenue. It would comprise of a hip roof design, with the proposed roof ridge dropped below the existing roof ridge and would include windows along the front and rear elevations. It is intended to use external facing materials matching the existing house.

Consultations & Notification Responses

1. Local residents / Public opinion

Occupiers of properties surrounding the application site were notified of the proposal. An objection was received by two local residents.

Comments

The local residents have highlighted several areas of concern, although the planning issues are related the proposed extension being overbearing and overshadowing. Concerns have also been expressed in relation to the proposed expanse of brick work would be unduly overbearing thereby effecting access to light. They have also expressed concerns about the submitted plan when combined with the existing extension would result in overdevelopment.

POLICY

The following guidance, policy and legislation are considered to be relevant to the proposed development.

1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

2. The National Planning Policy Framework (NPPF), (December 2024) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 12: Achieving well-designed places.

3. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following polices are considered to be relevant:

- JP-P1 - Sustainable Places

4. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012.

It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to

accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following Core Strategy policies are relevant to the proposed development:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)

5. Saved Unitary Development Plan (UDP), (1995)

- Saved Policy DC1 for Residential Extensions.

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

- Chapter 2: Design

Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context.

Policies DC1.1, DC1.2 and DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle of development

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In this instance however, the principle of the revised proposal (dated, 28/07/2025, Rev A) is still considered unacceptable by virtue of proposed 6400mm projection along the first floor side boundary and the resultant overbearing massing impact of built form coming forward of and projecting along the first floor side boundary; which means the application cannot be approved. It is therefore believed that there are factors of sufficient weight that would warrant the refusal of this application.

Residential and Visual Amenity

Having assessed the revised submitted plan, and on balance, the proposed extension is still deemed to conflict with saved policy DC1 of the UDP, and policy DM1 of the Core Strategy as well as the general requirements set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Consideration has been given as to whether the scale, massing, design and appearance of the proposed extension is acceptable. In addition, consideration has been given to any impact the proposed extension may have on the residential and visual amenity of neighbouring occupiers.

Several concerns still relate to the revised scheme, (dated, 28/07/2025, Rev A). Whilst the initially proposed new post off the new foundation to support the first floor has been omitted from the revised plan and the initially proposed first floor rearward projection has been pulled in, to 3000mm and the initially proposed first floor width has been slightly pulled away from the first floor common shared boundary with "Kelsie" by approximately 105mm (minimum), it is considered that the proposed 105mm (minimum) does not sufficiently mitigate from the cumulative overbearing massing impact of built form coming forward of and projecting 6400mm deep along the first floor common shared side boundary; resulting in an overbearing, visually intrusive and oppressive outlook from neighbouring properties and gardens. The revised proposal and is therefore contrary to policies DM1 of the Core Strategy and saved UDP policy DC1.

Conclusion

In this instance, it is considered that the revised proposed extension, (dated, 28/07/2025, Rev A) does not sufficiently accord with the principles of the policy documents outlined above. Although the proposed development would allow the adaptation of the existing house to meet changing residential needs, on balance, it is considered that the proposed 6400mm projection along the first floor side boundary combined with the proposed mass of built form coming forward of and projecting along the first floor side boundary would create an unduly cumulative overbearing massing impact and visually intrusive and oppressive outlook from neighbouring gardens; to the detriment of the residential amenity of the neighbouring occupiers; which is contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and cannot be approved due to its confliction with the principles set out under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The proposal, therefore, cannot be supported by the Local Planning Authority.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a

protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

Officers have communicated their concerns about this proposal during the course of the planning application, but these concerns have not been overcome. The revised proposal, (dated, 28/07/2025, Rev A) is still considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed extension by reason of the 6400mm projection along the first floor side boundary combined with the proposed cumulative mass of built form coming forward of and projecting along the first floor side boundary would create an unduly overbearing massing impact and visually intrusive and oppressive outlook; to the detriment of the residential and visual amenity of the neighbouring occupiers, and as such, is contrary to The National Planning Policy Framework (2021) chapter 12; policy DM1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007).

Appendix 1 – List of consultees & neighbours notified

17 Seymour Avenue, Manchester, M11 4LH
17A Seymour Avenue, Manchester, M11 4LH
Seymour Care Home, 327 North Road, Clayton, Manchester, M11 4NY
Sunnyside, Seymour Avenue, Manchester, M11 4LH
Kelsie, Seymour Avenue, Manchester, M11 4LH
12 South Crescent, Manchester, M11 4LN
9 Seymour Avenue, Manchester, M11 4LH
6 Seymour Avenue, Manchester, M11 4LH
4 Seymour Avenue, Manchester, M11 4LH
11 Seymour Avenue, Manchester, M11 4LH
6 South Crescent, Manchester, M11 4LN
329 North Road, Clayton, Manchester, M11 4NY
Flat 5, 329 North Road, Clayton, Manchester, M11 4NY
Flat 4, 329 North Road, Clayton, Manchester, M11 4NY
Flat 3, 329 North Road, Clayton, Manchester, M11 4NY
Flat 1, 329 North Road, Clayton, Manchester, M11 4NY
Flat 2, 329 North Road, Clayton, Manchester, M11 4NY
10 South Crescent, Manchester, M11 4LN
8 Seymour Avenue, Manchester, M11 4LH
23 Seymour Avenue, Manchester, M11 4LH
21 Seymour Avenue, Manchester, M11 4LH
19 Seymour Avenue, Manchester, M11 4LH
13 Seymour Avenue, Manchester, M11 4LH
12 Seymour Avenue, Manchester, M11 4LH
10 Seymour Avenue, Manchester, M11 4LH
8 South Crescent, Manchester, M11 4LN
15 Seymour Avenue, Manchester, M11 4LH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA