

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141821/FH/2024

Date registered valid: 30 December 2024

Proposal: Erection of single storey extension and erection of outbuilding at the rear

Address: 24 Ethel Avenue, Manchester, M9 6RR

Ward(s): Higher Blackley Ward

Applicant: Mr Sayeed Mustafa

Agent (if any): Mr Talat Zeria HSH Engineering Design Service Ltd

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 February 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 January 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 13 January 2025 Expired: 3 February 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 a traditional two-storey mid-terraced dwellinghouse within a predominantly residential setting of the Higher Blackley ward of north Manchester.



(Officer's site visit 27.01.2025)



The application site has an existing single storey rear outrigger, measuring approximately (3.7 metres deep x 2.7 metres wide), whilst retaining a separation distance of approximately 1.8 metre from the common shared boundary with 26 Ethel Avenue; together with boundary treatment along the rear perimeter, whilst incorporating a gated access along the rear boundary.

The depth of the existing rear garden is sizable, measuring approximately 18 metres deep. A gated alleyway runs along the rear boundary. Immediately beyond the rear alleyway is E-ACT Blackley Academy site (an educational facility).

Site History

- 140335/PDE/2024 - Prior notification of proposed larger home extension projecting 6m to the rear, with a maximum height of 3.4m and a height at eaves of 3m, TURNED AWAY (Non-compliant with Class A Order) 30.07.2024

Description of development

The submitted plan relates to a proposed single storey rear extension and erection of outbuilding within the rear garden.

During the consideration of the application concerns regarding the proposed side facing windows were expressed to the planning agent. Revised plans were subsequently submitted, (dated, 19/02/2025), with the originally proposed windows in the side elevation omitted and a roof light incorporated into the rear roof slope.

The proposed single storey extension element would involve increasing the size of the existing single storey rear outrigger. The proposed extension would measure approximately (3700mm deep x 1600mm wide x 3774mm maximum height); whilst being stepped away approximately 200mm to leave a gap from the common shared boundary. It would comprise of a lean-to pitched roof and would include 1no. window in the rear roof slope; together with 1no. window within the rear elevation. It is intended to use materials matching the those in the existing house.

The proposed outbuilding would be sited along the rear boundary, whilst retaining a distance of approximately 640mm from this boundary. It would maintain a distance of approximately 463mm from the common shared boundary with no. 26 Ethel Avenue; whilst also being stepped away approximately 176mm from the common shared boundary with no. 22 Ethel Avenue to leave a gap from this boundary and would measure approximately (7000mm deep x 3900mm wide x 3796mm maximum height); whilst retaining a separation distance of approximately 10904mm from the rear building line of the proposed single storey rear extension. It would comprise of a hip roof, with windows and a door along the front elevation; together with 2no. windows within the roof slopes. It is also intended to use 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. No comments, objections or representations have been received in response to this application from residents.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

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

The central theme to the revised NPPF is to achieve sustainable development. The government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role. The Framework underlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF. Relevant to this application is:

- Chapter 12: Achieving well-designed places.

2. 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 policies are considered to be relevant:

- JP-P1 - Sustainable Places

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

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

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

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

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

- Chapter 2: Design

ISSUES

During the consideration of the application concerns regarding the proposed side facing windows were expressed to the planning agent. Revised plans were subsequently submitted, (dated, 19/02/2025), with the originally proposed windows in the side elevation omitted and a roof light incorporated into the rear roof slope.

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. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (Single storey rear extension and erection of outbuilding along the rear garden) – Consideration has been had to the scheme as shown on revised plans (dated, 19/02/2025), the contextual relationship to the rear boundary combined with the substantially long rear garden, the alleyway and the E-ACT Blackley Academy site beyond the rear boundary, coupled separation distance that would still be retained. Furthermore, that the proposal would be significantly screened by the existing boundary treatment and would not be visible from the immediate highway. In addition, it is considered that the proposed roof configuration would also reduce any potential adverse impacts associated with the massing of the proposed development. Given the siting, proposed scale and design, it is not considered that the proposed development would be overbearing, give rise to significant adverse impacts to residential amenity resulting from overshadowing or present any loss of privacy impacts.

Moreover, the proposed single storey rear extension would not project beyond the rear building line, or the ridge of the existing rear extension. However, although the proposed rearward projection at approximately 3700mm is (50mm) in excess of the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions; given the sizable rear garden, it is not considered that this variance would present any significant adverse impacts to residential amenity in terms of give rise to overshadowing impacts or being overbearing to neighbouring dwelling houses. It is proposed, however, that a condition be attached to any approval to ensure the proposed use of the outbuilding remains in use ancillary to the main dwellinghouse. On this basis, it is considered that the revised proposed development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

Impact of works (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 would not be visible from the immediate highway and the proposed external facing materials would match the primary dwellinghouse. It is therefore considered acceptable in terms of design and appearance, pursuant with the requirements of Core Strategy policies DM1 and EN1 and saved UDP policy DC1.

Impact of works (Waste management) - The existing arrangement would be unaffected.

Impact of works (Car parking) - The existing arrangement would be unaffected by the proposal.

Conclusions - For the reasons outlined above, and on balance, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19 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 policy JP-P1 - Sustainable development of Places for Everyone (2022 - 2039).

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: Approve

Article 35 Declaration

In the case of this application, the initially submitted plan has been revised in the interest of residential amenity and revised plans were subsequently submitted, (dated, 19/02/2025). The initially proposed side facing windows have been removed; with windows now proposed along the roof elevations.

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

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Location Plan with application site edged in red, received by the City Council as the Local Planning Authority on 30 December 2024.
- Proposed Layout Plan, dwg.no. 04C, received by the City Council as the Local Planning Authority on 19 February 2025.
- Proposed Outbuilding Plans and Elevations, dwg.no. 05B, received by the City Council as the Local Planning Authority on 19 February 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (2012).

2) The external facing materials to be used on the development hereby approved shall match those of the existing dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information.

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 policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

3) The outbuilding hereby approved and as shown on: Proposed Layout Plan, dwg.no. 04C and Proposed Outbuilding Plans and Elevations, dwg.no. 05B, both received by the City Council as the Local Planning Authority on 19 February 2025, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 24 Ethel Avenue, Manchester.

Reason: To ensure the use remains ancillary to the principle use on the site, as a single dwellinghouse, in the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), policies DM1 and SP1 of the Manchester

Core Strategy (2012), and for the avoidance of doubt, as any proposal to use the outbuilding as a self-contained living unit, or business would require planning permission.

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 single storey rear extension and outbuilding hereby approved other than those shown on: Proposed Layout Plan, dwg.no. 04C; and Proposed Outbuilding Plans and Elevations, dwg.no. 05B, both received by the City Council as the Local Planning Authority on 19 February 2025.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

E-ACT Blackley Academy, Victoria Avenue, Blackley, Manchester, M9 0RD
21 Ethel Avenue, Manchester, M9 6RR
26 Ethel Avenue, Manchester, M9 6RR
23 Ethel Avenue, Manchester, M9 6RR
22 Ethel Avenue, Manchester, M9 6RR

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
Area Team Boundary - Name: NORTH AREA