

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142593/FH/2025

Date registered valid: 31 March 2025

Proposal: Erection of single storey rear extension to form additional living accommodation.

Address: 37 John Clynes Avenue, Manchester, M40 7PQ

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Ms Conceicao Figueiredo

Agent (if any): Mr Tom Adshead AG Architectural Solutions Ltd.

Case officer: Sam
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Elliott
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Recommendation: Approve, with Conditions

Date of recommendation: 12/05/2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 April 2025

Standard consultations:

Printed: 15 April 2025 Expired: 9 May 2025

Neighbour notifications

Printed: 15 April 2025 Expired: 9 May 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 area

The proposed development site is located in a residential area of Collyhurst, bounded by John Clynes Avenue to the northeast, an area of landscaping to the southwest and residential dwellings and rear their gardens to all other aspects.

The class C3 dwellinghouse is a brick-built terraced property set slightly further back from John Clynes Avenue than the adjoining no.39. It features a pitched roof and an original detached brick garden store. To the front of the dwelling there is a hardstanding driveway and to the rear there is a rear yard.

The dwellings in the surrounding area are a mixture of 20th century terraced properties and the more contemporarily designed semi-detached/terraced townhouse properties on Bothwell Road.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension.

The proposed extension would have a width of 3.8m and a rearward projection of 3.9m. The proposed roof would be of a flat design with a height of 3m and feature a lantern skylight increasing the total height to 3.5m.

A mixture of traditional and contemporary materials would be utilised in the construction of the development. The proposed brickwork, window frames and tiling to be utilised are to match those of the existing dwelling. The proposed roof would feature a flat roof membrane, and the bi-fold doors would be framed in a white powder-coated aluminium.

Consultations & Notification Responses

Environmental Health: Recommended for approval subject to a condition restricting construction hours. Added as informative.

The application was advertised through notification letters sent to immediate neighbours. No representations were received in response to the application.

Policy Context

The proposal is for extensions and alterations to an existing residential property, within a predominately residential area. Therefore, the proposed development will be assessed against the requirements and limitations of the Manchester Core Strategy, Policies JP-P1 and JP-S1 of the PfE Joint Development Plan, and the Extant Unitary Development Plan, in line with the objectives of the National Planning Policy Framework (December 2024). The following policies are considered relevant to this application:

The Adopted Core Strategy for the City of Manchester

- DM1 – Development Management
- EN1 – Design Principles and Strategic Character Areas
- SP1 – Spatial Principles

The Unitary Development Plan for the City of Manchester

- DC1 – Residential Extensions

Places for Everyone

- JP-P1 – Sustainable Places
- JP-S1 – Sustainable Development

NPPF

- Section 8 (Promoting Healthy and Safe Communities)
- Section 12 (Achieving Well Designed Places)

Principle of Development

Householder extensions and alterations are acceptable in principle subject to there being no harm to the character of the property and the street scene through unsympathetic design, or harm to the amenity of neighbouring properties and residential areas.

Appearance

The proposed extension would be set to the dwelling's rear and would not be visible within the street scene as seen from John Clynes Avenue. Where visible from Bothwell Road at the rear, it is acknowledged that the proposal would exceed the 3.65m guidance on rear projection in policy DM1 and would occupy a substantial amount of the rear yard space. However, the proposal would otherwise be single storey, of an acceptable height and would feature a subservient roof design. On balance, it is considered to appear acceptable in scale relative to the original dwelling and

would not appear 'excessively large or bulky'. There would remain a suitable garden space for the dwelling particularly to dry clothes and outdoor play.

With respect to materiality, the proposed brickwork and UPVC framing would match those of the original dwelling and are considered to help integrate the proposed addition with the existing dwelling. The proposed ply roof membrane and white aluminium bi-fold frames are not considered to detract from the character of the existing dwelling.

Ultimately, the proposed extension is not considered to have a significant visual impact when viewed from the rear, adversely harming the street scene. The proposed development would therefore comply with the Core Strategy, UDP, Policies JP-P1 and JP-S1 of the PfE Joint Development Plan and the NPPF in this respect.

Residential Amenity

Impact upon no.35 John Clynes Ave

The proposal is single storey, features a subservient roof design and sited away from the shared boundary. As such, it is not considered to result in an unacceptable overbearing or overshadowing impact on the neighbour. The proposed window facing the shared boundary would be at ground-floor and would not provide any privileged vantage into the neighbour's garden. As such it is not considered to result in a loss of privacy.

Impact upon no.39 John Clynes Ave

It is acknowledged that the proposal's depth exceeds the 3.65m figure recommended in DC1. In addition, the dwelling is set further back from John Clynes Avenue relative to no.39 and this setback would exacerbate the proposal's impact on the adjoining neighbour. However, there is an existing detached store in the rear yard in close proximity to the boundary with no.39, and the proposal would project only slightly beyond as well as infill a small gap between the store and the main dwelling. It is also noted that the neighbour features a lightweight gazebo structure outside their rear ground floor habitable room window.

In this context, it is not considered that the additional projection of the proposal nor the small space infilled would result in any significant changes to the existing conditions on site. As such, the proposal is not deemed to unacceptably harm the neighbour's amenity by virtue of any additional overbearing or overshadowing impacts. The proposal would furthermore feature no windows facing the shared boundary and as such is not considered to result in a loss of privacy.

Impact upon dwellings to the rear

Given the distance between the proposal and the dwellings opposite Bothwell Road, it is not considered that there are any significant amenity concerns to the rear of the host site.

As assessed on-site, the proposal is not considered to be significantly overbearing nor to significantly compromise the light or privacy of the neighbouring sites. To conclude, it is considered that the proposed development would be in accordance with policies SP1 and DM1 of the Core Strategy, the Council's UDP guidelines and government guidance contained within the NPPF relating to residential amenity.

Parking and Waste Storage

Neither the current parking arrangements nor the storage of refuse bins would be affected by the proposal.

Conclusion

All relevant planning issues and representations have been taken into consideration in concluding that the proposal comprises an appropriate form of development for the site. The proposed development is considered to be acceptable in terms of its design and appearance, not causing harm to the character of the host dwelling and the street scene and according with the Core Strategy, the UDP and Policy JP-P1 of the Places for Everyone Joint Development Plan.

In addition, the proposed development will have no significant impact in terms of any overbearing, overshadowing or overlooking impact or parking demand in the area, it therefore meets the aims of the Core Strategy and the NPPF in this respect. The application is therefore recommended for approval.

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, with Conditions

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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

1. 3-year time limit:

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. Specified plans:

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

b. Drawing – Existing and Proposed Plans and Elevations 21 March 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Specified materials:

The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form 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 structure. Pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

4. Additional glazing restriction:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

18 John Clynes Avenue, Manchester, M40 7PQ
16 John Clynes Avenue, Manchester, M40 7PQ
59 New Allen Street, Manchester, M40 7UR
35 John Clynes Avenue, Manchester, M40 7PQ
39 John Clynes Avenue, Manchester, M40 7PQ
14 John Clynes Avenue, Manchester, M40 7PQ
12 John Clynes Avenue, Manchester, M40 7PQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL