

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142004/FH/2025
Date registered valid: 28 January 2025
Proposal: Erection of first floor side extension with juliet balcony installation of rear dormer with juliet balcony
Address: 9 Hadley Avenue, Manchester, M13 0UU
Ward(s): Rusholme Ward

Applicant: Mr Jehanzaib Awan
Agent (if any): Mr Ahmed Choudhry, Nada Architects
Case officer: Jake Walther
Tel: 0161 234 1632
Email: jake.walther@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **25/03/2025**

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 February 2025 Expired: 24 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

The application relates to a two-storey semidetached class C3 dwellinghouse, built from red brick with a hipped roof and concrete roof tiles. The property features a large front garden with hardstanding for vehicle parking, a single storey side extension and a single storey outbuilding in the rear, windows and doors are black uPVC and boundary treatment is black railings.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Hadley Avenue is a residential street situated within the Rusholme Ward, close Birchfields Road (A34). The immediate area is residential in terms of its character, consisting of semidetached and terraced family dwellings.

Description of development

The applicant is seeking permission for the erection of a first-floor side extension and rear roof dormer to provide additional living accommodation.

Consultations & Notification Responses

Neighbours, as per Appendix 1 – No comments or objections received.

Policy

The Manchester Core Strategy Development Plan Document 2012-2027 –

The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

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

Extant Unitary Development Plan (UDP)

The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions

Places for Everyone

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The following policies are relevant:

- S1- Sustainable development

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and

- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Principle

The submitted application is for the erection of first floor side extension and rear roof dormer to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter or extend homes, rather than move, 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. As the property is to remain a single family dwellinghouse it is not considered that the proposed alteration would give rise to any significant additional waste or car parking pressures.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application. The proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Sitting, Scale and Mass

The proposed first floor side extension would project to the side by 2840mm and span the length of the property (7730mm), following the footprint of the existing first floor side extension. It would have a hipped roof to match the existing house.

The proposed rear dormer would project out of the roof by a maximum of 3660mm, it would span 4800mm, it would be set in from the eaves by 390mm and would not be higher than the ridge of the roof or overhang the side roof slope of the hipped roof.

Given the positioning of the property in relation with the neighbouring houses, significantly set back from the next house, the side extension does not risk causing a terracing effect with the neighbouring properties. Moreover, the development is still considered to be subservient to the host dwellinghouse in terms of its dimensions and would not result in 'excessively large or bulky' addition to the property.

Residential Amenity

As the proposed extension would extend close to the boundary, there is likely to be some overshadowing on the neighbouring properties as there would be with most extensions. However, given the set back of the property and orientation of the gardens the levels of overshadowing are considered to be acceptable in this instance.

The proposed windows on the first-floor side extension would be obscurely glazed and conditioned as such, and the rear facing windows and Juliet balconies will not cause issues associated with overlooking given the orientation of no.17 Whitburn Avenue to the rear of the applicant property.

The proposed dormer would be large but would fit within the rear slope of the hipped roof without projecting to the side and with acceptable setbacks from the party wall, eaves and roof ridge, it is therefore considered to be acceptable.

It is noted that the first floor extension would provide a kitchenette, bathroom and living area, the purpose of this is for providing for a resident the means to live more independently, but

would be ancillary to the main house and would not result in a separate dwelling. This will be conditioned as such to ensure the house remains a single family dwelling.

In addition, no objections have been received in response to the application.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Visual Amenity

The proposed side extension would be built of brickwork black uPVC windows and doors to match the existing dwellinghouse. Its side elevations would feature 2no. obscure glazed windows at first floor level, whilst its rear elevation would feature a Juliet balcony, and one skylight window on the rear roof slope and one on the side roof slope.

The proposed dormer would be finished in grey roof tiles to match the existing roof, with black uPVC windows, the rear elevation would feature one Juliet balcony and one window, whilst the front roof slope would feature 3no. skylight windows.

Although both the extension and rear dormer are large additions, the proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions on the surrounding streets.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Conclusion

Given the above issues, it is considered that the proposed side extension and rear dormer are acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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

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:

- a. Drawing –Location Plan – 28 January 2025
- b. Drawing – Proposed Plans – 28 January 2025 – Ref: (03)001 PL0
- c. Drawing – Proposed Elevation and Site Plan – 20 March 2025 – Ref: (02)001 PL0

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.

5. Obscure Glazing:

Before first occupation the first-floor windows in the side elevation shall be obscure 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 - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6. Ancillary Accommodation

The living accommodation within the first-floor side extension shall only be used as ancillary accommodation for use in conjunction with the occupation of 9 Hadley Avenue as a dwellinghouse (Class C3) and shall not be used at any time as a separate or independent dwellinghouse.

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

Appendix 1 – List of consultees & neighbours notified

12 Hadley Avenue, Manchester, M13 0UU
15 Whitburn Avenue, Manchester, M13 0UR
8 Hadley Avenue, Manchester, M13 0UU
8A Hadley Avenue, Manchester, M13 0UU
11 Hadley Avenue, Manchester, M13 0UU
7 Hadley Avenue, Manchester, M13 0UU
19 Whitburn Avenue, Manchester, M13 0UR
17 Whitburn Avenue, Manchester, M13 0UR
13 Whitburn Avenue, Manchester, M13 0UR
10 Hadley Avenue, Manchester, M13 0UU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA