

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140381/FH/2024
Date registered valid: 16 September 2024
Proposal: Erection of a part single/part two storey side and single storey rear extension
Address: 62 Rudheath Avenue, Manchester, M20 1PL
Ward(s): Old Moat Ward

Applicant: Mr Asghar
Agent (if any): Mr Aslam Khan, LBV Developments
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 28 October 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 October 2024

Standard consultations:

Printed: 27 September 2024 Expired: 18 October 2024

Neighbour notifications

Printed: 25 September 2024 Expired: 16 October 2024

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

The application site relates to 62 Rudheath Avenue within the south Manchester ward of Old Moat. The application site relates to a semi-detached, two storey dwellinghouse, of an off white render and red brick construction. The site relates to a corner plot and the property sits to the east of the plot which is triangular in formation with a pinch point and narrowest part of the site to the rear. Amenity space to the front consists of a grassed area, areas of hardstanding and an off street parking space and further amenity space to the rear consists of hardstanding and a grassed garden.

Description of area

The surrounding area is residential in nature.

Description of development

The submitted application seeks planning permission for the erection of a part single/part two storey side and single storey rear extension.

The part single storey side extension would be set back from the primary elevation of the host property by 0.5 metres and would have approximate dimensions of Height: 3.3 x Length: 6.2 x Width: 3 metres. The ground floor space would be utilised for use by a disabled occupier and no planning fee has been paid for the application for this reason. The part two storey rear

extension would have a set back of 1.5 metres and have approximate dimensions of Height: 6.7 x Length: 5.2 x Width: 3 metres.

The part single storey extension would wrap into the side extension with approximate dimensions of Height: 3.3 x Length: 1.5 x Width: 9.3 metres.

The proposal would involve the insertion of two windows within the front elevation and three windows within the rear elevation.

Materials to be used have been listed as:

Walls: Brickwork to match the existing house in colour and texture.

Roof: Slate tiles in keeping with the existing roof, in a dark finish as per the existing.

Windows and Doors: uPVC frames in white, matching the existing windows and doors. Obscure glazing in the ground floor WC and first floor bedroom.

Fascia, Soffits, and Guttering: White uPVC to complement the existing elements, guttering in black to match existing.

External Finish: Painted white render, to match the existing colour of the property. Red brick as indicated in the proposed elevations.

All materials to be in keeping with the existing condition.

These materials have been chosen to maintain the aesthetic quality of the property and its surroundings.

Negotiations during the Course of the Application

During the course of the application, the agent was asked to supply further information in relation to the materials to be used. A detailed response was received from the agent in a timely manner.

Planning History

The current application seeks to add further built form to the previously approved application. The current application includes a ground floor disabled bedroom for the occupier for adaptation purposes and the application has been considered fee exempt. The current application seeks additional built form to:

138076/FH/2023- Erection of a two storey side and single storey rear extension.

Approved 5 December 2023.

098149/NMC/2011/S1-Land Bounded By Princess Road/Cavendish Road/Burton Road/Yew Tree Road And Mauldeth Road- Non-Material Amendment to planning approval ref 092620/FO/2010/S1 to allow elevational alterations to 515, 517, 565 and 567 Princess Road. Approved 16 January 2012.

092620/FO/2010/S1-Land Bounded By Princess Road/Cavendish Road/Burton Road/Yew Tree Road And Mauldeth Road, Withington-Overcladding of non traditionally constructed 'Diatomite' houses including exterior wall cladding, roof covering, new windows, doors and canopies. Approved 26 July 2010.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Flood Risk Management Team

The Flood Risk Management Team were consulted and the following response was received: The development is in Flood Zone 2 with a vulnerability classification of 'More Vulnerable' and is a Minor Extension. In accordance with the Flood Risk Assessment Guidance for Local Planning Authorities:

The LPA should assess the FRA under the Standing Advice.

Condition 1: No development shall take place until a Flood Risk Assessment in accordance with NPPG Standing Advice or any subsequent replacement national standards has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- Assessment of the estimated flood level for the Site including Product 4.
- Details of Finished Floor Levels set in accordance with Standing Advice (either no lower than existing floor levels or 300mm above the estimated flood level).
- If floor levels cannot be raised in line with Standing Advice, details of flood resistance and resilience measures to be implemented in accordance with Standing Advice.

Reason: To promote sustainable development and manage the risk of flooding. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

Issues

POLICY

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):

- a) an economic objective
- b) a social objective and
- c) an environmental objective.

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

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

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management),
Policy SP1 (Spatial Principles),
Policy EN1 (Design Principles and Strategic Character Areas),
Policy EN08 (Adaptation to Climate Change),
Policy EN14 (Flood Risk).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;

c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

DC1.5 The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

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

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

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 Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of a part single/part two storey side and single storey rear extension. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. The application seeks additional built form from the previously approved extension under 138076/FH/2023. The difference between the two proposals is the increased amount of built form on the ground floor level of the side extension with an additional 1 metre of built form. As a result as proposed the part single storey extension would have a set back of 0.5 metres from the primary elevation of the host property and at part two storey level a 1.5 metre set back. The previously approved extension approved a 1.5 metre set back at both levels. The increase in built form creates a decent ground floor bedroom and living space for the needs of the

disabled resident and so the development seeks to increase the quality of life for the applicant. 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 extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Two storey side extension:

The two storey side extension would sit to the west of the site boundary and would be set back 0.5 metres from the primary elevation of the host property at ground floor level and 1.5 metres at first floor level. Due to the triangular plot and diagonal boundary leading to a pinch point to the rear of the site, the side extension would be set 0.9 metres from the boundary at the closest point and 5.6 metres at the furthest point. The additional built form would look onto amenity space in connection with no.64 Rudheath Avenue, however due to the splayed nature of the plot, the side extension is not considered to create an overbearing feature to the neighbouring property. The additional 1 metre of built form at ground floor level is not considered to create an overbearing feature to the neighbouring property no.64, given they would not easily feel the impact of the front of the side extension. No.64 would be most impacted by the built form towards the rear of the two storey side extension which would not be amended from the built form previously approved at the site.

The bedroom to be created on the first floor of the proposal to the rear of the extension would look onto the rear amenity space of no.64 Rudheath Avenue. The window looking onto the neighbour's external space and proximity to the boundary could give rise to adverse overlooking implications. This is thought to be minimised by placing an obscure glazed and top opening window condition on any approval granted which would stop any overlooking implications from arising. Whilst obscure glazing is not preferable for a bedroom, it is considered necessary to ensure no overlooking and has been annotated on the submitted plans. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

Given the side extension would be set back from the primary elevation of the host property (0.5 metres GF and 1.5 metres FFL) and the roof of the extension would be lower than that of the host property, the extension would be seen as a subservient feature and not give rise to adverse visual implications.

Single storey rear extension:

The rear extension would wrap into the ground floor of the proposed side extension. A window would be inserted in the disabled bathroom. The window would be conditioned within any approval granted as being obscure glazed, to minimise adverse overlooking implications into no.64 Rudheath Avenue. Given the proposal is of a single storey level only, the proposal is not considered to be overbearing to the detriment of the neighbouring property.

The rear extension would have a projection of 1.5 metres and sited 0.3 metres from the shared boundary with no.60 Rudheath Avenue. As the extension would have a small projection, any adverse implications would be minimal and therefore acceptable.

Overall, the proposal with the additional 1 metre projection at ground floor level is not considered to cause any adverse amenity implications to no.64 due to its siting and is still considered to offer a sense of subserviency to not create an overbearing structure within the streetscene. The current application would provide the resident an opportunity for ground floor

living and so is considered pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Two storey side extension:

DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. In this instance it would be difficult to leave a 1.53 metre gap to the boundary at the rear of the development and create a viable side extension due to the splayed plot and pinch point to the rear of the plot. Although the 1.53 metre gap has been achieved to the front of the site, this is not possible at the point closest to no.64 Rudheath Avenue. No terracing would occur due to the splayed nature and relationship with neighbouring properties. Given there is a set back at both levels and the lowering of the ridge height, this element of the proposal is considered to be pursuant with Policy DC1.4 of the UDP.

Single storey rear extension:

The rear extension would have a projection of 1.5 metres and therefore pursuant with Policy DC1.3 of the UDP. This is considered acceptable given the constrained nature of the rear amenity space. The design respects the relationship with the splayed plot and existing boundaries. This element is therefore considered acceptable in size and form.

Materials:

Materials to be used have been listed in detail previously in the report and would match the host property where appropriate. This is considered acceptable and would be conditioned accordingly within any approval granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

Proposed plans show the existing off street parking space could still be used as a result of the proposal. This is considered acceptable to not put pressure on existing on-street parking provision.

Bin Storage

At the time of the site visit, bins were stored within the rear amenity space. As a result of the proposal, access to the rear amenity space would still be possible and as such no change to arrangements would occur.

Flood Risk pre commencement condition

Flood Risk were consulted on the application as Flood Zone 2 encroaches the boundary. The Team requested an FRA condition be attached to any approval granted. This was sent to the agent for review on 25 October 2024 and a confirmation email was received agreeing to the

condition on 26 October 2024. The condition as agreed would be placed within the decision notice of any approval granted.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area and the additional 1 metre built form at ground floor level within the side extension is considered to be suitably accommodated within the site; not adversely impacting amenity nor creating an unacceptable design feature.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and appropriate conditions have been attached to the approval granted.

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 30 August 2024.

-Drawing- Proposed- Floor Plans & Elevations, numbered PD.01 REV B, stamped as received by the City Council as Local Planning Authority on 16 September 2024.

-Supporting Information- Materials Schedule, stamped as received by the City Council as Local Planning Authority on 24 October 2024.

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

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the ground floor bathroom window and the first floor rear bedroom window as shown on the approved 'Drawing- Proposed- Floor Plans & Elevations, numbered PD.01 REV B', stamped as received by the City Council as Local Planning Authority on 16 September 2024, 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.

In addition, the windows shall be top-opening only and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and within 'Supporting Information- Materials Schedule' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

6) No development shall take place until a Flood Risk Assessment in accordance with NPPG Standing Advice or any subsequent replacement national standards has been submitted to and approved in writing by the Local Planning Authority.

Reason- To promote sustainable development and manage the risk of flooding. This condition is imposed in light of national policies within the NPPF and NPPG and local policies EN08 and EN14.

Informatives

- 1) The Flood Risk Assessment shall include:
 - Assessment of the estimated flood level for the Site including Product 4.
 - Details of Finished Floor Levels set in accordance with Standing Advice (either no lower than existing floor levels or 300mm above the estimated flood level).
 - If floor levels cannot be raised in line with Standing Advice, details of flood resistance and resilience measures to be implemented in accordance with Standing Advice.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

64 Rudheath Avenue, Manchester, M20 1PL
77 Rudheath Avenue, Manchester, M20 1PJ
69 Rudheath Avenue, Manchester, M20 1PJ
66 Rudheath Avenue, Manchester, M20 1PL
60 Rudheath Avenue, Manchester, M20 1PL
79 Rudheath Avenue, Manchester, M20 1PJ
75 Rudheath Avenue, Manchester, M20 1PJ
73 Rudheath Avenue, Manchester, M20 1PJ
71 Rudheath Avenue, Manchester, M20 1PJ
67 Rudheath Avenue, Manchester, M20 1PJ
65 Rudheath Avenue, Manchester, M20 1PJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA