MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141016/FH/2024
Date registered valid:	13 September 2024
Proposal:	Erection of a single storey rear extension
Address:	7 Rayleigh Avenue, Manchester, M11 1GU
Ward(s):	Clayton & Openshaw Ward
Applicant:	Maryum Bibi
Agent (if any):	Mr – Hatami, Orya Architectural Studios
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: harriet.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	7 November 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 October 2024

Standard consultations:
Printed: 26 September 2024 Expired: 17 October 2024

Neighbour notifications
Printed: 26 September 2024 Expired: 17 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

Description of site / building / area

The application relates to hip roof semi-detached dwellinghouse at the head of a turning circle along a short cul-de-sac in the Clayton & Openshaw ward of Manchester.

The property sits on a broadly triangular plot and the site benefits from amenity space to the front, side and rear elevations, including boundary treatment along perimeter. 2no. detached outbuildings are site along the common shared boundary with no. 8 Rayleigh Avenue. Off-street car parking is along a detached garage along the side elevation and a fully hard surfaced front driveway with drop kerb access. A railway line runs along the rear boundary to the south of the site and there is an existing separation distance of approximately 22.8 metres from the rear boundary wall to the railway track. The rear garden is also south facing.





(Officer's site visit 07.10.2024)

Site History

- No record.

Description of development

The submitted plan relates to a single storey rear extension which would serve as a kitchen and living room.
The proposed extension would be sited along the common shared boundary with no. 5 Rayleigh Avenue, whilst leaving a small gap of approximately 170mm from this boundary. It would then project approximately 3577mm along this boundary, it then comes forward of the common shared boundary with no. 8 Rayleigh Avenue approximately 5660mm wide, and then returns forward of the rear building line of the host dwelling whilst being flush with the side elevation. The maximum proposed height would be approximately 3773mm high. It would comprise of a lean-to pitch roof and would include 1no. window along the side elevation facing the common shared boundary with no. 8 Rayleigh Avenue, 2no windows along the roof elevation; together with 1no door opening and 1no. window opening along the rear elevation. It is intended to use matching materials.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Network Rail

No comments on this occasion.

POLICY

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

1. The National Planning Policy Framework (NPPF), (July 2021):

- 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 polices are considered to be relevant:

- JP-S1 - Sustainable development

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)
- Policy T2 (Accessible areas of opportunity and need)

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

Principle

The principle of extending one's home is acceptable, and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore the impacts on residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) - In this instance, in light of the of the existing contextual relationship along the boundaries and the fact that the rear garden is south facing, coupled with the railway line along the rear boundary, together with the fact that the proposal would retain a significant separation distance from the boundaries; or, would be stepped away, it is not considered that the resultant contextual relationship and proposed scale, would be unduly overbearing, overshadowing or present any loss of privacy impacts. Moreover, the proposed rearward projection at approximately 3577mm is within the guidance set out in saved UDP policy DC1.3 a) regarding rearward extensions, and therefore, for these reasons, and on balance, and subject to planning conditions, the proposal could be accommodated in this location in this instance; pursuant with The Manchester Core Strategy Development Plan Document Policies EN1, SP1 and DM1 and saved Policy DC1 of the Unitary Development Plan.

Impact of works (Design and appearance) - The proposed development is considered to be acceptable in design terms as it would be informed by similar development within the immediate neighbourhood, and it is also intended to match materials with those of the existing building. However, a materials condition has been attached to ensure that materials are adhered to; pursuant with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policy DC1 of the Unitary Development Plan.

Impact of works (Car parking) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1 and saved policy DC1 of the Unitary Development Plan.

Impact of works (Waste management) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document policy DM1, EN19; and saved policy DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, 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); chapter 2 of the Guide to Development in Manchester Supplementary Planning

Document and Planning Guidance (2007); policy JP-S1 - Sustainable development of Places for Everyone (2022 - 2039), and no comments or objections have been received in response to this application from local residents.

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 polices 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 assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 13 September 2024.

- Existing and Proposed Plans and Elevations, Drawing No: 0177-PA-002, Revision: A, received by the City Council as the Local Planning Authority on 13 September 2024.

- Location Plan with application site edged in red, and Existing and Proposed Site Plan with application site edged in red, Drawing No: 0177-PA-001, Revision: A, received by the City Council as the Local Planning Authority on 13 September 2024.

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

3) 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).

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 development hereby approved other than those shown on:

- Existing and Proposed Plans and Elevations, Drawing No: 0177-PA-002, Revision: A, received by the City Council as the Local Planning Authority on 13 September 2024.

- Location Plan with application site edged in red, and Existing and Proposed Site Plan with application site edged in red, Drawing No: 0177-PA-001, Revision: A, received by the City Council as the Local Planning Authority on 13 September 2024.

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).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Network Rail

8 Rayleigh Avenue, Manchester, M11 1GU
5 Rayleigh Avenue, Manchester, M11 1GU

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