

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139195/FH/2024
Date registered valid: 6 February 2024
Proposal: Erection of a two- storey side extension, and part first floor rear extension.
Address: 65 Meltham Avenue, Manchester, M20 1FE
Ward(s): Old Moat Ward

Applicant: Mr J Tahanha
Agent (if any): Mrs E Caunce House Architects
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 2 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18th March 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 February 2024 Expired: 7 March 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

The property that is the subject of this householder application is identified as 65 Meltham Avenue. It is a brick built two storey semi-detached property. It has gardens to the front and rear with a low wall boundary to the frontage and timber panel fencing and established planting to the side and rear boundaries. There is in curtilage parking to the property frontage. There is an existing single storey rear extension which occupies the full width of the property projecting 3.65 metres.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential with a mix of house types ranging from detached to semi-detached to terraced properties. It is close to local services with a number of local schools in the vicinity and green spaces, such as Cavendish Road Park. It is well served by public transport.

Description of development

The proposal is for the erection of a part single part two storey side and first floor rear extension over part of the existing single storey rear extension. The proposal will provide additional living accommodation in the form of a utility room, WC and cloakroom to the ground floor and a bedroom with ensuite and dressing area and relocation of the family bathroom to the first floor. There is a Juliet balcony to the rear elevation serving the bedroom. The materials to be used would match those of the existing property.

Consultations & Notification Responses

Local Residents were informed- 4 representations were received summarised as follows:

This proposal represents an overdevelopment as it is a small semi-detached house, and the proposed two storey side and rear extension will result in a terracing effect due to the proximity of the adjacent property at 63 Meltham Avenue.

The proposed extension is inappropriate, and the massing of the extension is overbearing as the proposed extension isn't subservient to the original building. It would result in the terracing effect and breaks the rear building line. The proposed extension is clearly out of character with the style of development in the surrounding street scene

The replacement parking space in the front garden will have a negative impact on the street scene and reducing the amount of soak-away on the site contrary to Manchester Core Strategy Spatial Objective SO1.

The proposed extension will also result in an undue loss of sunlight, daylight and privacy for neighbouring properties to the detriment of their residential amenity. In particular the proposal will cause an undue loss of sunlight and daylight to neighbouring properties. It will also result in the overlooking of neighbouring gardens. The proposals will have a detrimental impact upon the residential amenity of the neighbouring properties.

Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Places for Everyone Plan - The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The Places for Everyone Plan was adopted on the 21st March 2024 and now forms part of Manchester's development plan.

Given the stage the Plan has reached and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

Principle

The principle of extending existing residential accommodation in an established residential area to provide additional living accommodation is considered acceptable in principle subject to there being no detrimental impacts upon either the character of the property or upon the residential and visual amenity of the neighbouring properties or the area within which it is located.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight to merit a refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential / Visual Amenity

The proposal is for the erection of a part single part two storey side extension and a first floor extension across part of the rear of the dwellinghouse.

The extension to the existing dwellinghouse would provide additional living accommodation in the form of a utility room, WC and cloakrooms, with an additional bedroom with en-suite, dressing room and reconfigured bathroom to the first floor. There is a Juliet balcony to the rear first floor bedroom.

The extension to the side is set back from the first floor and the ridge line of the extension is set down from the existing ridge of the host property. This then continues around to the rear at first floor. It stops short of the common boundary with the remaining width of the property to the rear being only single storey. There are two small windows proposed in the side elevation to the first floor, one serves the en-suite bathroom, the other the stairway. A condition requiring these to be obscurely glazed would be attached to any consent granted. There is a Juliet balcony to the rear at first floor, however there is no greater view afforded from this than any other open window. It is not considered that the proposal would result in loss of privacy or overlooking. The neighbouring property at number 63 Meltham Avenue is detached, and has a rear extension, however due to how close the property is to the common boundary it presents as the same as the wrap around first floor extension to number 65 Meltham Avenue. Therefore neither of the extensions on the respective properties has a detrimental impact upon the residential amenity currently enjoyed by the other.

Whilst comments have been received about loss of light and privacy, these have been from residents on Sandhurst Road which is to the rear of the proposal site. However there is a distance of some 29 metres between the properties, and with the extension being set lower than the existing property, which the sun already clears, it is not considered that there would be any greater impact on the properties to the rear than currently exists.

The proposed extension has been designed with a set down and set back at first floor from the front of the property. The amount of additional footprint is considered modest, and retains subservience.

With regards to the visual amenity, whilst occupying an enlarged footprint, the property will not appear very different when viewed within the street scene, It would retain a gable roof, the proposed windows in the front elevation (2) are in proportion to the existing and the development appears balanced. The first floor extension would be set in at first floor off the common boundary with number 67 Meltham Avenue and given that the owners of number 65 Meltham still wish to be able to access the property from down the side rather than purely through the property there is sufficient gap retained to the side to enable this. There is no potential for terracing effect to either side of the property as a result of the proposed extensions. The rearward projection is relatively modest and being set in at the first floor from the neighbouring boundary is not considered that it would have a detrimental impact upon the residential or visual amenity currently enjoyed by the neighbouring properties.

The proposal would post development retain a good sized amount of usable amenity space for the occupants of number 65 Meltham Avenue.

Character

It is not considered that the proposed development would have a detrimental impact upon the character of the property itself or upon the character of the area within which it is located.

Materials

The materials to be used would match those of the existing property and an appropriate condition to that effect would be attached to any consent granted.

Design and Siting- The design is similar to other properties within the immediate and wider area and consideration has been given to the proposed siting reducing the bulk and massing on the common boundaries.

Bin Storage- The bins are currently stored in the rear garden. This will remain so post development. The bin storage therefore accords with policy EN19 of the Core Strategy.

Parking- The proposal will retain space for in curtilage parking to the front of the property. Provision of one space in curtilage is achieved and this is in line with national and local policy.

Overall the proposed extensions are considered not to create any significant impact in terms of visual and residential amenity within the character of the general area. There are other properties within the immediate area that have also had the benefit of similar extensions to those proposed for 65 Meltham Avenue.

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.

Disabled access

Not applicable

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. The application has been determined in accordance with both national and local policies and following that assessment has been considered to be acceptable subject to the attachment of appropriate conditions.

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:

PL01 Rev A-Proposed floor plans

PL02 Rev A- Proposed Elevations

SP01 Rev A- Proposed Site Plan

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

3) The materials to be used on the external surfaces of the extension hereby permitted including patching in and mortar shall match those of the existing building 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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the windows in the northern (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.

5) 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 extension hereby approved other than those shown on the approved drawings.

Appendix 1 – List of consultees & neighbours notified

62 Meltham Avenue, Manchester, M20 1EF
67 Meltham Avenue, Manchester, M20 1FE
63 Meltham Avenue, Manchester, M20 1FE
66 Meltham Avenue, Manchester, M20 1EF
64 Meltham Avenue, Manchester, M20 1EF
60 Meltham Avenue, Manchester, M20 1EF
58 Meltham Avenue, Manchester, M20 1EF
23 Sandhurst Avenue, Manchester, M20 1ED
21 Sandhurst Avenue, Manchester, M20 1ED
29 Sandhurst Avenue, Manchester, M20 1ED

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA