

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138631/FH/2023
Date registered valid: 23 November 2023
Proposal: Erection of single storey rear extension and front porch
Address: 3 Gleneagles Avenue, Manchester, M11 4JU
Ward(s): Clayton & Openshaw Ward

Applicant: Mr Mohammed Mohsin Talukder
Agent (if any): Mr Rashid Mehmood I. Planning Services
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 16 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 6 December 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 November 2023

Expired: 19 December 2023

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:

Tree Preservation Order:

Description of site / building / area

The application site is a two-storey, ground floor bay fronted, mid-terrace dwellinghouse situated along a row of four properties within a short cul-de-sac with properties of similar type. There is an existing canopy covering across the width of the front façade, above the front door and bay window. The application property benefits from amenity space to the front and rear elevations only - (approximately 12.3 metres deep x 5.8 metres wide along the front) and (approximately 10.1 metres deep x 6.2 metres wide along the rear); including all round boundary treatment. No. 1 Gleneagles Avenue has an existing single storey flat roof rear extension sited along the common shared boundary, measuring approximately 3.2 metres deep x 2.4 metres wide. Gleneagles Avenue is not designed for vehicular access, and therefore, off-street car parking is along Lingfield Road. There is an existing shared access/ginnel between the application site and no. 5 Gleneagles Avenue which leads to separate gated access to the rear of each property.

Site History:

- 137609/FH/2023, Erection of single storey rear extension and front porch, WITHDRAWN 09/23.

Description of development

The submitted plan proposes a single storey rear extension and front porch.

This application is a resubmission following withdrawn planning application, (ref: 137609/FH/2023).

The proposed single storey rear extension element would be sited along the common shared boundary with no. 1 Gleneagles Avenue whilst maintaining a small gap of approximately 106mm from this boundary. It would also retain a separation distance of approximately 900mm from the common shared boundary with no. 5 Gleneagles Avenue and would measure approximately (3598mm deep x 5052mm wide x 2811 maximum height). It would comprise of a broadly flat roof design (with a slight incline to the roof plane), including bi-fold doors along the rear elevation.

In terms of the proposed front porch, it would be placed centrally in front of the existing front door, and would be site along the common shared boundary with no. 1 Gleneagles Avenue, whilst maintaining a distance of approximately 3043mm from the common shared boundary with no. 5 Gleneagles Avenue, and it would measure approximately 2486mm deep x 2586mm wide x 3300mm high. It would incorporate a pitch roof design and include 1no. door and 1no. window along the front elevation; including 1no. window along the side elevation facing the common shared boundary with no. 5 Gleneagles Avenue. The pitch of the proposed roof would not exceed the height of the existing canopy along the front building line, and it is intended to use matching materials for the proposed works.

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 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):

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

2. Places for Everyone

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. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

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.

3. 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 and Strategic Character Areas)
- o Policy EN19 (Waste)
- o 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.

- o 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:

- o 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) - The proposed single storey rear extension is considered acceptable as proposed scale would mitigate from the adverse impact from undue massing and it would maintain a separation distance that is unlikely to give rise to privacy impact concerns; in particular on the occupiers of nos. 22 and 24 Vale Street. Moreover, the proposed rearward projection at approximately 3598mm deep is within the guidance of the City Councils saved policy DC1.3 (a) regarding rearward extensions, and therefore on balance, and subject to planning conditions, it is considered that the proposal could be accommodated in this location in this instance as there are no overbearing, overshadowing, or loss of privacy impacts.

Impact of works (front porch) - Whilst the proposed overall height of the front porch at approximately 3300mm would be (300mm) in excess of the limitations to constitute permitted development; in light of the existing context along the front elevation of the application building involving the ground floor bay window and canopy covering projecting approximately 793mm deep; and given that the overall projection of the proposed front porch would be approximately 2486mm deep - (which would still be within the limitations for householder general permitted development), given the depth of the front garden that would still be retained and the separation distance that would still be maintained, and due to the fact that the porch would hardly be visible along the Lingfield Road primary highway; for these reasons and on balance, and subject to conditions, the proposed porch is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or loss of privacy impacts.

Impact of works (Design and appearance) - In design terms, it is not considered that the proposal would unduly harm the character of the building or the general area as it is intended to match materials with that of the existing dwellinghouse. However, a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning Policy Framework (2021) chapters 8 and 12; policies DM1, EN1, of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary

Planning Document and Planning Guidance (2007) and no local residents comments or objections have been received in response to this application.

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

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 has 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:

- o Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as Local Planning Authority on 23 November 2023.

- o Location Plan and Block Plan - Existing, SHT 1a of 2, received by the City Council as Local Planning Authority on 23 November 2023.

- o Existing Plans and Elevations, SHT 1 of 2, received by the City Council as Local Planning Authority on 23 November 2023.

- o Proposed Plans and Elevations, SHT 2 of 2, received by the City Council as Local Planning Authority on 23 November 2023.

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 policy DM1 of The Manchester Core Strategy Development Plan Document (2012).

3) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of The Manchester Core Strategy Development Plan Document (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 stated on: Proposed Plans and Elevations, SHT 2 of 2, received by the City Council as Local Planning Authority on 23 November 2023.

Reason - In the interests of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policy DM1 of The Manchester Core Strategy Development Plan Document (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

24 Vale Street, Manchester, M11 4WG
7 Gleneagles Avenue, Manchester, M11 4JU
4 Gleneagles Avenue, Manchester, M11 4JU
22 Vale Street, Manchester, M11 4WG
26 Vale Street, Manchester, M11 4WG
5 Gleneagles Avenue, Manchester, M11 4JU
1 Gleneagles Avenue, Manchester, M11 4JU
6 Gleneagles Avenue, Manchester, M11 4JU
2 Gleneagles Avenue, Manchester, M11 4JU

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA