MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138474/FH/2023
Date registered valid:	3 November 2023
Proposal:	Erection of a two storey side and rear extension to form additional living accommodation together with single storey front porch and the erection of a single storey detached outbuilding in rear garden
Address:	8 Chorley Wood Avenue, Manchester, M19 1HE
Ward(s):	Burnage Ward
Applicant:	Mr Shoaib Ali Iqbal
Agent (if any):	Mr Saghir Hussain, Create It Studio Architects
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	21 December 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 November 2023

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 16 November 2023 Expired: 7 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: NO

Tree Preservation Order: **NO**

Description of area

The area is largely residential in nature, with a number of circa mid twentieth century semidetached properties fronting Chorley wood Avenue, close to Western Circle, in Burnage, Manchester.

Description of development

Erection of a two storey side and rear extension to form additional living accommodation together with single storey front porch and the erection of a single storey detached outbuilding in rear garden.

Negotiations.

The first floor rear extension has been modified by reducing the width by pulling the return away from the adjoining property, to lessen the overbearing impact and reduce shadowing on the neighbouring properties. The outbuilding roof has been lowered to reduce the impact along the common boundary.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representation were received.

Issues

Policy & Issues

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

- Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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

Issues

Principle of the Proposal - The principle of erecting an extension to the property is considered acceptable. Notwithstanding this, the impact of the proposal upon existing levels of residential and visual amenity must be assessed.

Design - The proposal incorporated a pitch roof to this two-storey side and rear extension. The ground and first floor front extension is set back considerably, and the roof is lower than the existing roof. However, the roof follows the existing roof profile. The two storey side extension is considered acceptable.

Residential Amenity - It is not considered that the erection of the extension would lead to a reduction in the levels of residential amenity enjoyed by the occupants of the adjoining properties and those on the opposite side of the road given its relationship with the surrounding buildings and the applications positions within a splayed site cul-de -sac location.

Visual Amenity - Given the design of the extension and the fact that it would be subservient to the main house, it is not considered not the proposal would have a detrimental impact upon the levels of visual amenity enjoyed along Chorley Wood Avenue.

Car Parking - Sufficient off-street parking will remain at the front of the property once the extension has been completed. Given this, the level a parking provision for the property is considered acceptable and it is not considered that the proposal would have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the property.

Outbuilding and Porch

The outbuilding has been modified by lowering the roof and the front porch and the outbuilding are considered to be permitted development due to the dimensions and the distance from the boundary,

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

During the course of the application, any problems that have arisen required steps to be taken to resolve them. 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.

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:

AP002 P6,
AP001 P5,
AP003 P5, received electronically on the 20 December 2023 and the Location Plan, stamped as received on the 3 November 2023 and AP004 P3, received electronically on the 18 December 2023.

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 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 ground and first floor bathroom windows, shown on drawing numbers, AP002 P6, AP001 P5 and AP003 P5, stamped as electronically on the 20 December 2023, stamped as received on the 24 November 2023, 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 properties 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 plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework

Appendix 1 – List of consultees & neighbours notified

2 Chorley Wood Avenue, Manchester, M19 1HE
345 Burnage Lane, Manchester, M19 1EW
5 Chorley Wood Avenue, Manchester, M19 1HE
1 Chorley Wood Avenue, Manchester, M19 1HE
Burnage Community Centre, Burnage Lane, Manchester, M19 1EW
Burnage Health Centre, 347 Burnage Lane, Manchester, M19 1EW
Burnage Library, Burnage Lane, Manchester, M19 1EW
9 Chorley Wood Avenue, Manchester, M19 1HE
4 Chorley Wood Avenue, Manchester, M19 1HE
3 Chorley Wood Avenue, Manchester, M19 1HE
14 Chorley Wood Avenue, Manchester, M19 1HE
13 Chorley Wood Avenue, Manchester, M19 1HE
11 Chorley Wood Avenue, Manchester, M19 1HE
10 Chorley Wood Avenue, Manchester, M19 1HE
7 Chorley Wood Avenue, Manchester, M19 1HE
6 Chorley Wood Avenue, Manchester, M19 1HE
12 Chorley Wood Avenue, Manchester, M19 1HE

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
Area Team Boundary - Name: SOUTH AREA