

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137482/FH/2023

Date registered valid: 17 August 2023

Proposal: Erection of a single storey rear extension to form additional living accommodation

Address: 9 Scott Avenue, Manchester, M21 9QW

Ward(s): Chorlton Ward

Applicant: Mr John Gagon Getaroom Ltd

Agent (if any):

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11 October 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 September 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 21 August 2023 Expired: 11 September 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey mid-terraced C3 dwellinghouse of redbrick with a grey slate dual pitch roof. The property features white uPVC windows, including a ground floor bay to the front, a front garden bordered by a low-level redbrick wall with black iron railings, a front porch canopy, a two-storey rear outrigger, an L-shaped dormer, and a detached outbuilding situated within the rear garden.



Figure 1. Principal elevation.



Figure 2. Rear elevation.



Figure 3. Rear garden.

Description of area

Scott Avenue is a residential street situated within the Chorlton ward of Manchester, close to Scott Avenue Allotments, Ryebank Fields, and Aspen Grove. The area is primarily residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a single storey side and rear extension to form additional living accommodation.

Planning History

No previous planning history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Policies

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Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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.

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey side and rear extension in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the single storey extension would be sited at the rear of the property, adjoining the existing two-storey rear outrigger, acting as a small-scale infill extension. It would project 4.997m rearwards from the host dwellinghouse, with a width of 1.701m, and flat roof height of 3.025m. It would be sited along the boundary shared with No.7 Scott Avenue.

The 4.997m rearward projection exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m), however is considered acceptable given that general permitted development regulations allow single storey rear extensions up to 6m (for terraced dwellinghouses), through a prior approval process and in the absence of objections, as in this case.

It is understood that the proposal would not result in an 'excessively large or bulky' addition to the property due to its small-scale nature, thus according with policies DM1 and SP1 of the Core Strategy.

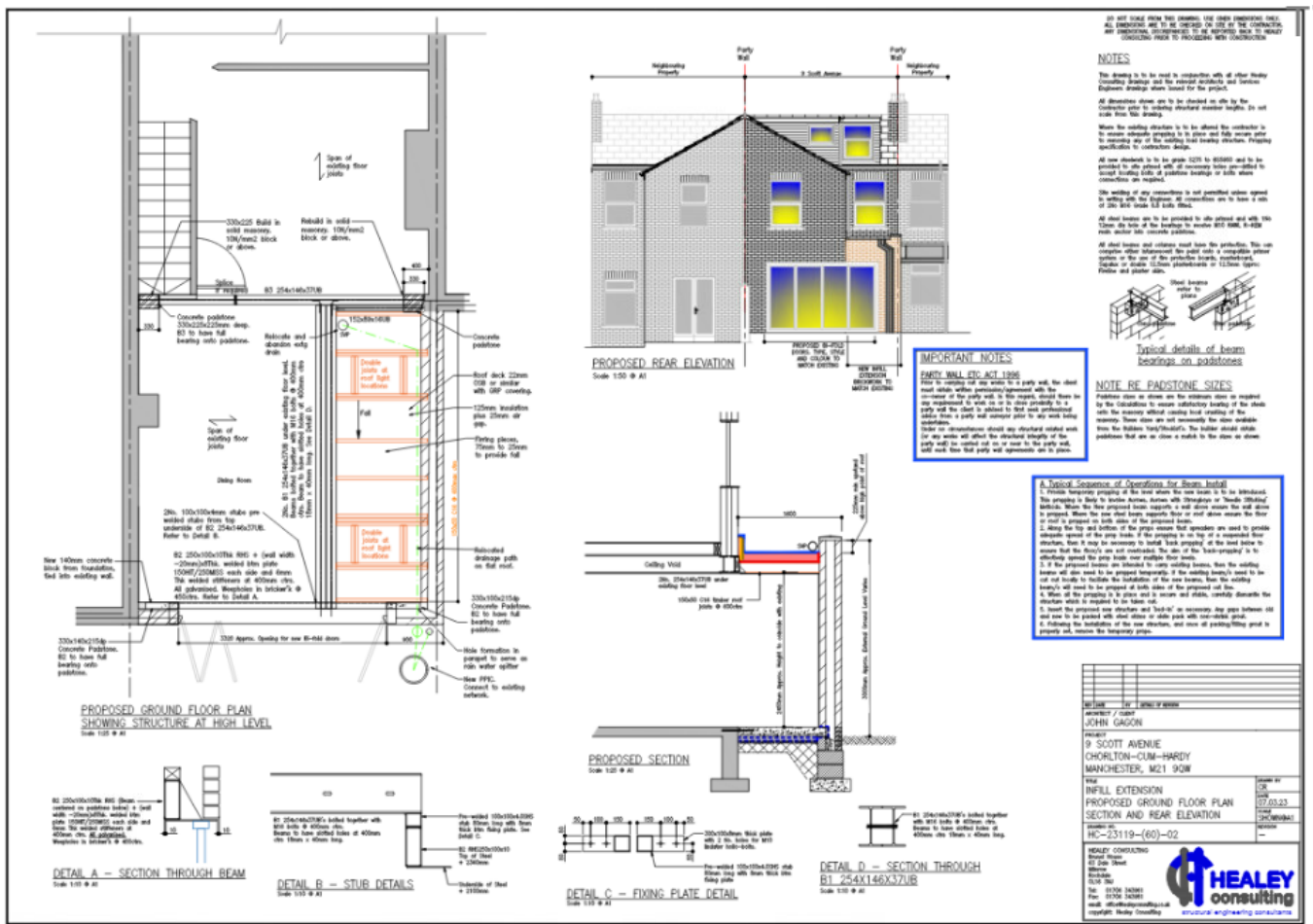


Figure 4. Submitted proposed plans and elevations.

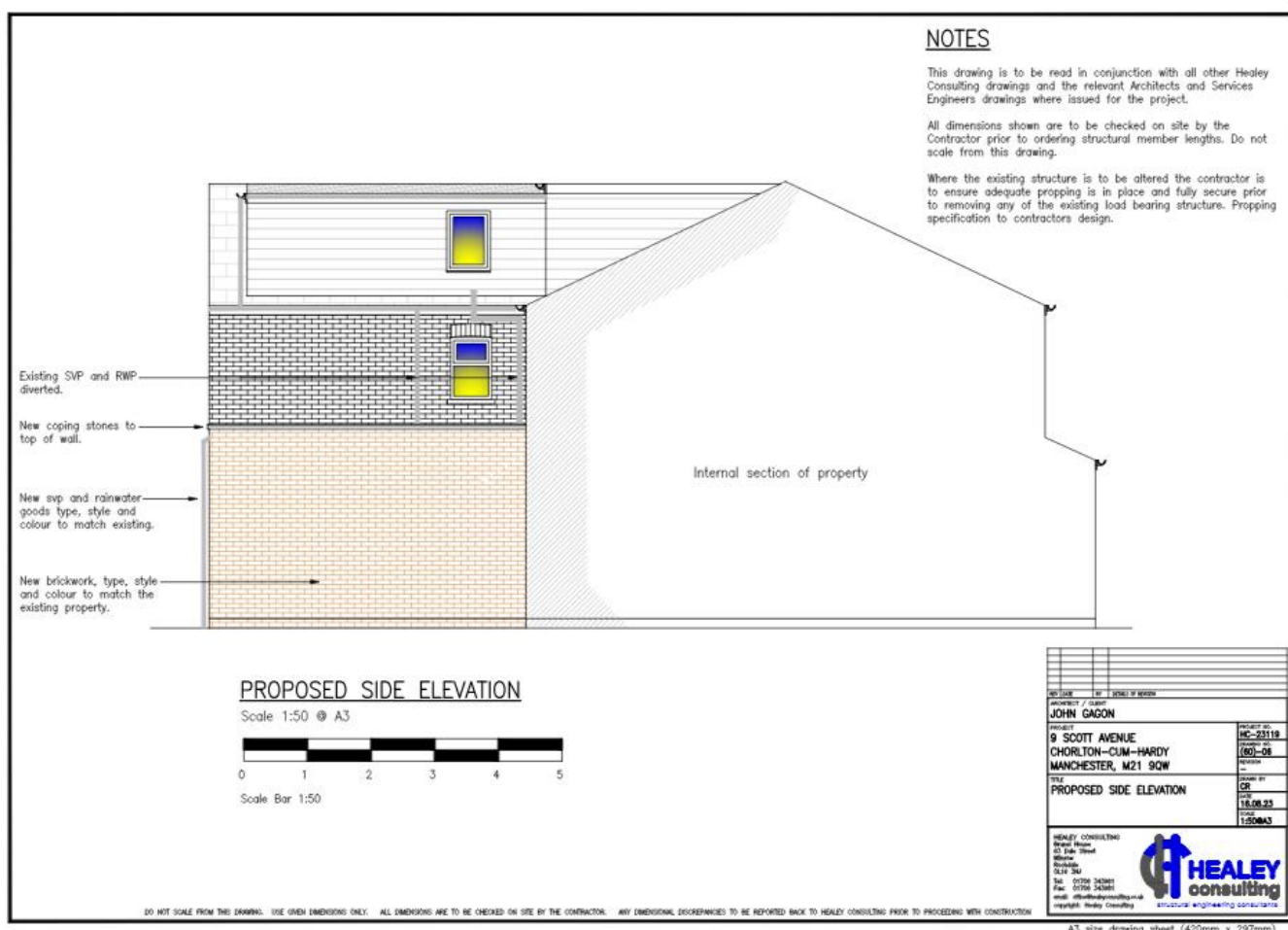


Figure 5. Submitted proposed side elevation.

Appearance and visual amenity – the extension would be built of brickwork and windows to match the existing in addition to a GRP flat roof and black aluminium doors. Its side elevation would be blank and featureless, whilst its rear elevation would feature a set of bi-folding doors. The flat roof of the extension would feature two skylights.

The proposal is relatively standard in terms of its scale and design and would be in-keeping with the overall precedent of residential extensions in this area as well as being subservient to the appearance of the host dwellinghouse. Sited at the rear of the property, it would not be visible from a public highway and therefore would not feature within the street scene. The overall character of the area would not be significantly harmed by these works as the proposal would have minimal impact upon visual amenity.

The proposed development therefore accords with Core Strategy policies DM1 and EN1 and is therefore deemed acceptable.

Residential amenity – given that the extension would be single storey and sited at the property's northwest corner, adjoining the existing two-storey outrigger, it is believed that the proposal would not cause an undue loss of sunlight or daylight for neighbouring residents. Moreover, its blank side elevation should ensure that the privacy of neighbouring occupants is not compromised.

The proposed development is therefore acceptable in regard to its minimal effect upon residential amenity as it accords with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste storage – the current waste storage arrangements would be unaffected by the proposal.

Parking – the current parking arrangements would be unaffected by the proposal.

Other matters – the proposal also includes the replacement of the boundary wall shared with No.7 Scott Avenue. At present the wall stands at approximately 1.589m high. The replacement wall would be built of brickwork to match the existing and would measure to 3.202m in height, 4.977m in length / depth and 0.349m in width, shielding the proposal from the neighbours' view. Sited within the property's existing shadow, the wall would have a minimal impact upon the levels of residential amenity currently enjoyed by neighbouring occupants, is considered to be of acceptable design and appearance and is therefore considered to accord with policy DM1 of the Core Strategy.

On their application form, the applicant indicated that they had given the requisite notice to the relevant landowners, notifying them of the proposed work and no comments or objections were received from local residents in relation to the proposed developments.

Further concerns or issues that may arise in association with the proposed works to the party wall would be regarded as civil legal matters between the parties that should be dealt with under separate legislation (e.g., the Party Wall Act, 1996) and would not represent material considerations of Manchester City Council Planning.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

- 'INFILL EXTENSION: PROPOSED GROUND FLOOR PLAN, SECTION, AND REAR ELEVATION', numbered 'HC-23119-(60)-02', stamped as received by the City Council as Local Planning Authority on the 5th July 2023.

-‘PROPOSED SIDE ELEVATION’, numbered ‘HC-23119-(60)-06’, stamped as received by the City Council as Local Planning Authority on the 17th August 2023.

Reason - To ensure 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 specified on the submitted application form and approved plans, including brickwork to match the existing.

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.

Appendix 1 – List of consultees & neighbours notified.

7 Scott Avenue, Manchester, M21 9QW
11 Scott Avenue, Manchester, M21 9QW
12 Titterington Avenue, Manchester, M21 9QP
10 Titterington Avenue, Manchester, M21 9QP

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) -
Area Team Boundary - Name: SOUTH AREA