

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137500/FH/2023

Date registered valid: 6 July 2023

Proposal: Erection of a two storey side extension, single storey and first floor rear extension and single storey front porch following demolition of existing detached garage.

Address: 8 Denis Avenue, Manchester, M16 8HY

Ward(s): Whalley Range Ward

Applicant: Mr Taher Hajazi

Agent (if any): Mr Anthony Inman A & S Inman (Designs) Ltd

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 August 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 19 July 2023 Expired: 9 August 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 site/building

The site relates to a two storey semi detached property located within the Whalley Range ward area of Manchester. The property is situated at the bottom of a Cul-de-sac and has a small outrigger extension to the rear.

Description of area

The area is predominantly residential in character with mainly single-family dwelling houses

Description of development

Erection of a two-storey side extension, single storey and first floor rear extension and single storey front porch following demolition of existing detached garage.

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations in respect of this application were received.

Issues

Policy & 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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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 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.

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 incorporates a pitch roof to this two-storey side and rear extension. The ground and first floor front extension is set back slightly, and the roof is lower than the existing roof. However, the roof follows the existing roof profile and appears subservient. Therefore, the extension is considered to be 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 nearby, given its relationship with the surrounding buildings and the application sites position within a splayed site at the head of the cul-de -sac and no windows would be inserted within the side elevation of the extension.

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

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 Agent 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 a timely manner and in accordance with the guidance contained within saved Policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to Policy DM1 of the Core Strategy and the National Planning Policy Framework.

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:

1925/06/23 Sheet 3 A, 1925/06/23 Sheet 4 A, 1925/06/23 Sheet 5 A, Location Plan and Site Plan, stamped and received on the 6 July 2023. 1925/06/23 Sheet 2 B, received electronically on the 31 August 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. The development hereby approved shall be carried out in accordance with the following drawings and documents:

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, as stated in the Householder Application Form.

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 floor shower room and the first-floor bathroom and en suite windows shown on drawing numbers, 1925/06/23 Sheet 3 A 1925/06/23 Sheet 5 A, stamped a received on the 6 July 2023. 1925/06/23 Sheet 2 B, received electronically on the 31 August 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

7 Denis Avenue, Manchester, M16 8HY
8 Demesne Road, Manchester, M16 8HG
3 Denis Avenue, Manchester, M16 8HY
189 Withington Road, Manchester, M16 8HF
6 Denis Avenue, Manchester, M16 8HY
5 Denis Avenue, Manchester, M16 8HY
10 Demesne Road, Manchester, M16 8HG

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA