MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	136591/FH/2023
Date registered valid:	17 May 2023
Proposal:	Erection of single storey rear extension and front porch.
Address:	44 Glen Avenue, Manchester, M9 4EE
Ward(s):	Harpurhey Ward
Applicant:	Mr Khaled Mansour
Agent (if any):	
Case officer:	Robert Tyrer Tel: 0161 234 4068 Email: robert.tyrer@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	12 July 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 6 July 2023

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 19 May 2023 Expired: 9 June 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



Photograph 1 Application site as viewed from Glen Avenue.

The application site relates to a brick built, slate roofed end terraced dwellinghouse with a ground floor front bay window which is incorporated into a slate roofed canopy. The property has a small front garden but a substantial sized rear garden which has access to Westleigh Road at the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character comprising of terraced and semi-detached dwellings laid out in a grid iron rows. There are some historic industrial uses interspersed with the residential properties and Boggart Hole Clough which provides a significant amount of green space not only for the area but North Manchester as a whole.

Description of development

The applicant is applying to erect a front porch and a single storey rear extension.

Consultations & Notification Responses

A list of consultees & neighbours notified are provided in appendix 1.

One representation was received objecting to the proposal as the property has only recently installed a new roof and window and that the neighbour had been inconvenienced by the noise and disturbance from their installation/construction at weekends and early mornings. The resident also raised concerns that the highway to the rear could be used for vehicles associated with the construction of the extension and that this would have a negative impact on the quality of life of those living in the area.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1

The relevant UDP policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
And,

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design52, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) 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 (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

During the site visit the applicant explained that the proposal was to provide a purpose-built bedroom with a bathroom and therapy room for a relative. Saved UDP policy DC1.1c states that the Council will have regard to the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs.

Matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Residential and Visual Amenity – At the time of the site visit works had already begun on the front porch see (photographs 1 and 2). The applicant is seeking to modify the porch so that it would fit neatly under the existing canopy as shown in the image 1 below taken from the proposed elevations.



Photograph 2 – Partially constructed front porch



Image 1 Proposed side elevation of front porch (taken from proposed elevations drawing)

This will set the porch so that it would sit no further forward that the existing bay window. Additionally, the floor space of the porch would be 1.575 square metres which is not considered to be an excessive area for a porch and have a height of 2.7 metres.

As porches are a relatively common feature for residential properties the introduction of one to this house would not cause visual disamenity to the street scene. This reduction in size and placement would have a neutral impact on the street scene; however, a condition regarding the choice of brick is recommended to ensure that they are better match to the original dwellinghouse than those presently used on the existing structure.

At the rear the property has a substantial rear outrigger contains the properties Kitchen and attached outbuildings which although part of it is in a slightly dilapidated state still contains an external w.c and storage space.

The extension would extend the built form along the shared boundary with no. 46 Glen Avenue by a further 3.5 metres which is within the limitations of saved policy DC1.3 of the UDP. The existing outrigger which is the same size as that found at no.44 Glen Avenue means that an additional 3.5 metre extension may result in some loss of light in the later summer evening, but the proposed extension is unlikely to worse this situation. No windows are proposed on the side facing no.46 Glen Avenue and would not have a significant impact on the neighbouring properties privacy or sense of being overlooked.

However, as the applicant is seeking to increase the width of the outrigger the total rearward projection from the rear wall of the dwellinghouse would be 10 metres as shown in image 2. That said the increase in width that would result in the maximum project is unlikely to result in an overbearing or loss of privacy on other neighbouring property no. 42 Glen Avenue as the extension would only be single storey and be approximately 3.5 metres away from the shared boundary.

The substantial size of the rear garden on this part of Glen Avenue means that an extension of this size could be accommodated with ease within the plot without appearing over dominant and would have limited impact on the available amenity space for the current and future occupiers.

As mentioned in the principle section of this report saved policy DC1.4 the extension is proposed to be used by a relative so that they can be on the ground floor and have dedicated therapy room and bathroom. Obviously, the proposal would improve the amenity of the current occupiers, but it would also allow future occupiers to either re-purpose the space if they so wished.

Therefore, the proposal in terms of siting, scale and massing, residential and visual amenity accords with polices with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Design and Appearance - The extension has been designed to complement the design of the existing dwellinghouse and with its choice of materials. Therefore, there are no concerns over its design, a condition is recommended to ensure that materials are similar in appearance and in keeping with the character of the property. The proposal from design and appearance perspective would accord with Core Strategy polices SP1 and DM1 and saved UDP policy DC1.

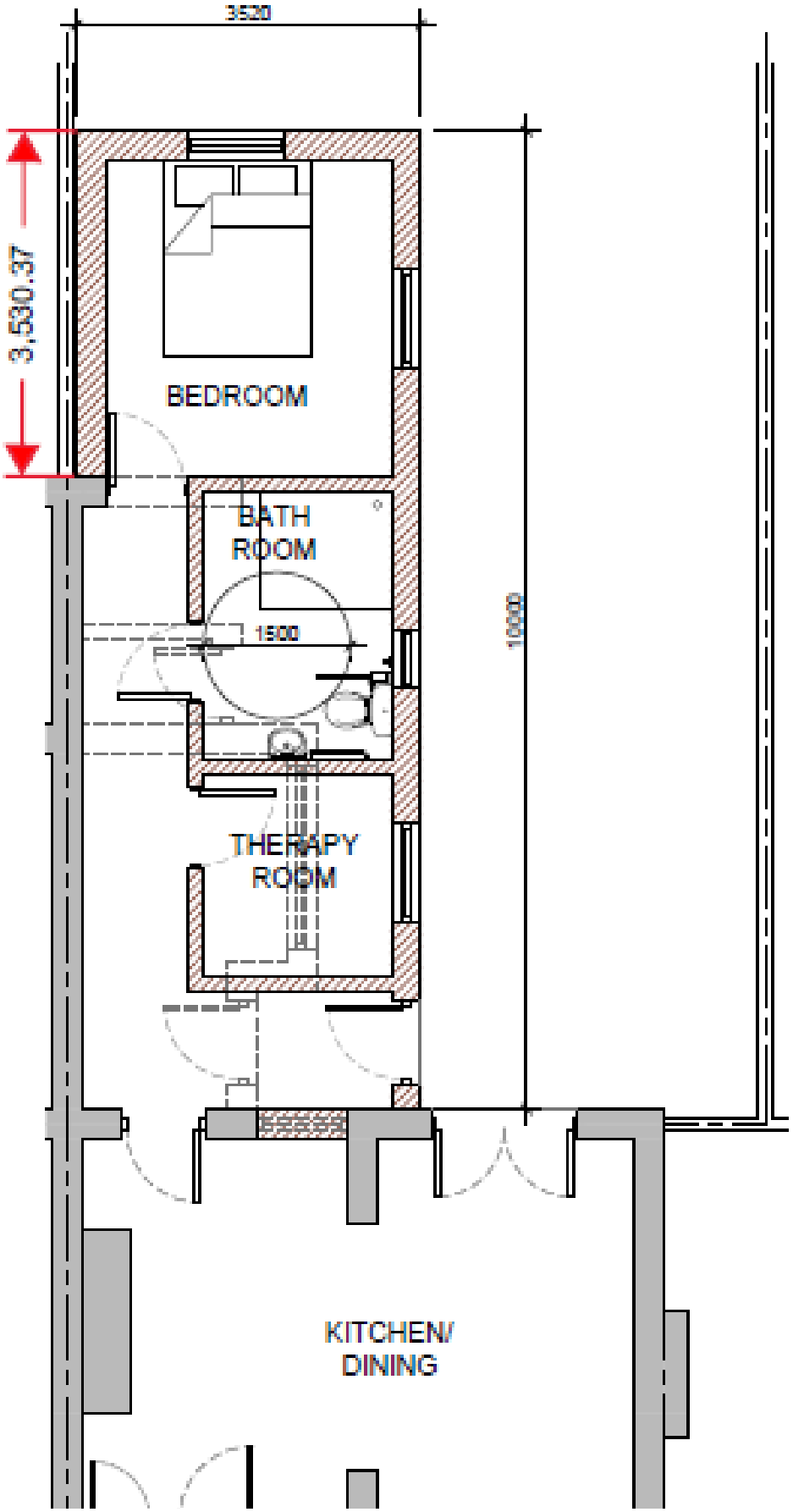


Image 2 Proposed Ground Floor Plan of Extension



Photograph 3– Rear of property as viewed from garden.

Car Parking and Refuse Storage – There would be no changes to the existing car parking and refuse storage arrangements should the application be approved.

Other matters – Concerns have been raised due to possible problems arising from construction, which for residential extension tend to be relatively short term, however these are not material planning considerations as matters such as noise, dust, construction vehicles and hours of working are covered by separate legislation.

There is a tree as can be seen in the photograph 3, which appears to be within the garden of no.46 Glen Avenue. At present the tree is not protected by a Tree Preservation Order nor does it benefit from the protection of a conservation area.

Therefore, should the applicant seek to prune or the owner seek to remove the tree then they are able to do so.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the NPPF.

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:

03 Proposed Building Rev C dated 05/23 and 04 Proposed Elevations Rev C dated 05/23

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 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.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

20 Westleigh Street, Manchester, M9 4EF
18 Westleigh Street, Manchester, M9 4EF
50 Glen Avenue, Manchester, M9 4EE
48 Glen Avenue, Manchester, M9 4EE
16 Westleigh Street, Manchester, M9 4EF
46 Glen Avenue, Manchester, M9 4EE
40 Glen Avenue, Manchester, M9 4EE
23 Westleigh Street, Manchester, M9 4EF
42 Glen Avenue, Manchester, M9 4EE

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
Area Team Boundary - Name: NORTH AREA