

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137391/FH/2023
Date registered valid: 26 June 2023
Proposal: Erection of single storey side and rear extension to form additional living accommodation
Address: 5 Allesley Drive, Manchester, M7 4YE
Ward(s): Cheetham Ward

Applicant: Mr Faisal Riaz
Agent (if any): Philip Goddard Square Deal Architectural Services
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 17 August 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 July 2023

Standard consultations:

Printed: 18 July 2023 Expired: 8 August 2023

Neighbour notifications

Printed: 3 July 2023 Expired: 24 July 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 application site relates to 5 Allesley Drive within the north Manchester ward of Cheetham. The application site relates to a semi-detached, red brick, two storey, modern built dwellinghouse, with a Scouts Hut sited to the south east of the site. Amenity space to the front of the property consists of steps leading up to the main entrance of the site, with further amenity space to the side of the property in the form of a paved driveway. The property benefits from further amenity space to the rear of the site in the form of a paved and grassed garden. At the time of the site visit, an outbuilding was sited to the rear boundary of the site.

Description of development

The submitted application seeks planning permission for the erection of single storey side and rear extension to form additional living accommodation. The proposal would create a wraparound extension.

The side extension would have approximate dimensions of Height: 4.2 x Length: 7.2 x Width: 2.4 metres. The rear extension would have approximate dimensions of Height: 3.5 x Length: 3 x Width: 6.6 metres. The proposal would create an office/bedroom, a WC/shower room, a utility/lobby and a new kitchen. The proposal would involve the insertion of a window within the

front elevation, a high level louvre obscure glazed window, a window and sliding doors within the rear elevation, and three skylights within the rear roof plane.

Materials to be used within the proposal would match that of the host property, except the black velux windows to be inserted.

Amended plans

During the course of the application, confirmation was provided regarding the storage of the bins. The window within the side elevation was also altered to ensure the window did not open out onto the neighbouring land.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no response was received.

Environmental Health

Environmental Health were consulted and requested a condition be placed on any approval granted relating to the submission and approval of a proprietary gas membrane to be installed , in order to alleviate any possibility of landfill gas ingress to the building.

Highway Services

Highways have advised that the proposal does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

There is currently on-site car parking at the side of the property and access is gained via an existing dropped kerb crossing. The single storey extension will be partially located across the existing driveway and therefore the car park spaces will reduce from 2 spaces to 1. It is noted that there are no parking restrictions around the surrounding site. Highways have no concerns regarding vehicular build up on- street.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and

any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a

supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey side and rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Side extension:

The side extension would be sited alongside the south east boundary of the site, against the shared boundary with the community hall. As the hall is not used for residential purposes, the erection of the extension against this boundary would have limited impact on the hall. As such, no overbearing impact would occur. The proposal involves the insertion of a high level obscure glazed louvre window to be inserted in the side elevation of the side extension. During the course of the application, a window was proposed in this elevation and the question was raised whether when opened the window would encroach onto the neighbour's land. Although a louvre style window is not common in the immediate streetscene, given it would be hidden by its location and from the property's boundary wall, it is not considered to give rise to any adverse

amenity implications. In terms of security, given the proposal would not result in a gap between the side extension and side boundary, this style of window is considered acceptable. The window would be conditioned to be at a high level and obscure glazed within the decision notice of any approval granted.

The side extension would be seen in the context of the streetscene. However, given the proposal would be single storey and align with the existing primary building line of the host property, it would be considered a subservient addition to the property and would not give rise to any adverse implications.

Rear extension:

The rear extension would be sited alongside the shared boundary with no.3 Allesley Drive. Given the extension would have a projection of 3 metres which could be achieved through the route of Permitted Development, any overshadowing caused to the neighbour would be considered minimal. No adverse privacy implications would occur to this neighbour.

The neighbouring community hall to the south east of the proposed development, due to its built form would not be adversely impacted by the rear extension.

Adequate space would be retained to the rear of the property to not give rise to any adverse implications to surrounding neighbours.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

Side extension:

As the proposal would be single storey only, this element of the proposal is considered to be subservient to the existing dwellinghouse, pursuant to Policy DC1.2 of the UDP. A similar side extension could have been erected through Permitted Development criteria.

Rear extension:

The projection of the rear extension- 3 metres- is pursuant to both Policy DC1.3 of the UDP and Permitted Development rights. The extension is considered to be acceptable in terms of size and form, given the spacious rear amenity space

Materials:

Materials to be used within the extension would match those within the host property, except the use of black skylights. The materials comprising the proposed extension would enable it to be viewed as a sympathetic addition to the property and wider streetscene. This is considered acceptable and would be conditioned accordingly.

Gas Membrane

Due to grounds conditions in proximity to the site, a condition granted relating to the submission and approval of a proprietary gas membrane to be installed, in order to alleviate any possibility of landfill gas ingress to the building is proposed. In view that this condition would have a pre-commencement requirements, a formal request for the attachment of this condition was made to the planning agent.

A formal request was made in writing to the agent on 7 July 2023; however, no response was received, and the timeframe for the agent/applicant to object to the attachment of this condition have passed.

Car Parking

The majority of the side driveway would be lost as a result of the proposal. Highways were consulted on the application and were happy that the partial loss of the driveway would not give rise to any adverse implications to vehicular build up on- street. As such, the erection of the side extension is considered acceptable in terms of car parking provision.

Refuse Storage

As shown within the location and site plan, the bins would be stored within the rear garden and would be taken through a gate within the rear amenity space, through a communal car park with connection with the properties and onto Barrow Hill Road for collection. This is considered acceptable.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and appropriate conditions to the approval have also been attached.

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:

-Drawing- Proposed- Elevations, numbered PL4B, stamped as received by the City Council as Local Planning Authority on 30 July 2023.

-Drawing- Existing & Proposed- GF and Roof Plan, numbered PL2B, stamped as received by the City Council as Local Planning Authority on 30 July 2023.

-Drawing- Location Plan- Location and Site Plan, numbered PL1B, stamped as received by the City Council as Local Planning Authority on 30 July 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Before first occupation of the extension hereby approved, the window within the side elevation of the side extension as shown on the approved 'Drawing- Proposed- Elevations, numbered PL4B', stamped as received by the City Council as Local Planning Authority on 30 July 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.

This window shall be high level (louvre window) 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 Manchester Core Strategy.

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 openings, including windows and doors, shall be inserted within the elevations

of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the 'Drawing- Proposed- Elevations, numbered PL4B', specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - The development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services

3 Allesley Drive, Manchester, M7 4YE
Scout Hut, Allesley Drive, Manchester, M7 4YE
6 Allesley Drive, Manchester, M7 4YE
75 Barrow Hill Road, Manchester, M8 8DB
73 Barrow Hill Road, Manchester, M8 8DB
4 Allesley Drive, Manchester, M7 4YE
2 Allesley Drive, Manchester, M7 4YE
1 Allesley Drive, Manchester, M7 4YE

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA