

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137335/FH/2023

Date registered valid: 19 June 2023

Proposal: Erection of part single/part two storey side and single storey rear extension to form additional living accommodation.

Address: 26 Deepdale Avenue, Manchester, M20 1BF

Ward(s): Old Moat Ward

Applicant: Mr Mohamed Nazari

Agent (if any): Mr Saadoun Jawad S Jawad

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **22 August 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 July 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 June 2023 Expired: 19 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 26 Deepdale Avenue within the south Manchester ward of Old Moat. The application site relates to an end terraced, red brick, two storey dwellinghouse which sits within a triangular plot. As such, the property benefits from the majority of the associated amenity space to the front and side of the property which consists of a driveway and garden area. A smaller amenity space is sited to the rear of the property, close to the pinch point of the plot, which at the time of the site visit consisted of hardstanding with multiple outbuildings. Properties from both Mauldeth Road West and Deighton Avenue look onto the rear amenity space, with the front of no.4 Deighton Avenue looking onto the front and side amenity space of the applicant property.

Description of development

The submitted application seeks planning permission for the erection of part single/part two storey side and single storey rear extension to form additional living accommodation.

The single storey side extension would be set back from the primary elevation of the host property by 0.5 metres and the form of the extension would follow the diagonal boundary line separating the applicant property with the neighbouring property's land. The part single storey

side extension, at the largest point, would have approximate dimensions of Height: 2.8 x Length: 6.4 x Width: 4 metres. The part two storey side extension would have a smaller footprint than the single storey element. At the largest point, it would have approximate dimensions of Height: 6.2 x Length: 5 x Width: 3.9 metres.

The single storey rear extension would have a length of 4.2 metres against the boundary with no.25 Deepdale Avenue which after a width of 3.9 metres would reduce in length to 1.7 metres. This reflects the constrained amenity space to the rear of the property. At the largest point, this element of the proposal would have approximate dimensions of Height: 3.7 x Length: 4.2 x Width: 6.4 metres.

On the ground floor, the proposal would create a kitchen, living room and an enlarged study room. On the first floor, the proposal would create a bedroom and en-suite.

The proposal would involve the insertion of two windows within the primary elevation, a door and three windows within the rear elevation.

Materials to be used for the proposal would match those of the host property.

Amended plans

Plans have been amended following concerns with the original scheme. The scheme originally included a first floor rear extension and no set back of the side extension from the primary elevation of the host property. As such, the original design was considered to create an overbearing feature for the surrounding residents and the side extension would not create a subservient addition in the streetscene to the detriment of visual amenity. Several windows were removed from the original plan to not give rise to adverse privacy implications to the surrounding neighbours. The plans currently assessed within this report are considered to overcome concerns raised.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Flood Risk Management Team

The Flood Risk Management Team were consulted on the above application and provided the following comments:

The following information has been considered:

- Planning Portal uploads 19 June to 16 July

The proposed development is in Flood Zone 2 and an Environment Agency Flood Warning Area.

No FRA has been uploaded to PA in support of the planning application.

We recommend the following Condition:

Condition 1: No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.
- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.
- Identification of any historic flood events on site or within close proximity to the site.
- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.
- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- Any supporting plans and drawings.
- See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

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.

Policy EN14 (Flood Risk) – New developments should minimise the risk of flooding to people, property and the environment, without increasing the risk elsewhere.

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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 part single/part two storey side and single storey rear extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and adapt 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Part single/ part two storey side extension:

The side extension would be visible from the streetscene and surrounding neighbours. At the closest point, the extension would be sited 700mm from the shared boundary and 3.7 metres at the furthest point. Although the proposal could not cause a terracing impact due to it being an end terraced property, the proposal is considered to create a subservient addition to the property. The properties along this part of Deepdale Avenue have a distinct form and character with both end terraces protruding further forwards than the rest of the terrace. As such, a set back of 0.5 metres is considered adequate to show the extension as a subservient addition to the property and not as an additional property to the existing terrace. As such, this element of the proposal is not considered to create any adverse visual/ residential amenity implications.

The additional built form of the side extension would be primarily felt by neighbouring property, no.4 Deighton Avenue. The primary elevation of the neighbour's property would look onto part of the extension. However, given the first floor element of the extension has a smaller footprint

and does not result in built form as close to the boundary, as the ground floor does, the level of built form in close proximity is not considered to create an overbearing feature for the neighbour. Due to the orientation of the properties, no loss of light/ overshadowing would arise for the neighbouring property. At first floor level, an en-suite window would look onto no.4 Deighton Avenue and further properties along Mauldeth Road West. To protect the privacy of the applicant, the window would be conditioned within the decision notice as being obscure glazed. In addition, a condition would be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Single storey rear extension:

The originally proposed first floor rear extension to create a study room was considered unacceptable- it would produce an overbearing feature, as it would bring the rear building line closer to other properties creating an obtrusive feature with opportunities for privacy implications to the surrounding neighbours. By removing the first floor rear extension element, the harm to the neighbours is mitigated.

The ground floor extension would be sited against the shared boundary with no.25 Deepdale Avenue and would have a projection of 4.2 metres. Due to the orientation of the properties, the built form against the neighbour's boundary would not give rise to any overshadowing. No privacy implications would occur. The projection of the extension is considered to be proportionate and not create an overbearing feature for the neighbours.

As the projection is single storey level, the proposal is not considered to create an obtrusive feature to those properties along Mauldeth Road West.

The built form to the rear of the property would also be felt by no.4 Deighton Avenue. At the closest point, a 0.7 metre gap would be retained to the boundary. As the rear extension would extend only 1.7 metres to the closest point with the neighbouring property, harm is thought to be minimal. Any loss of light as a result of the rear extension would be minimal and no windows would be inserted in the side elevation of the rear extension, thus not giving rise to any overlooking implications.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity, and any harm has been mitigated within the revised drawings presented.

Design and Appearance

Part single/ part two storey side extension:

DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. In this instance since the property is end terraced, the two storey side extension could not create a terracing impact. However, the extension could create the feel of another property within the existing terrace. At the closest point, the extension would be sited 700mm from the shared boundary and 3.7 metres to the widest point. Given this, the set back of the side extension at both ground and first floor level ensures the proposal would be seen as a subservient addition to the property. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP.

Single storey rear extension:

At the largest point, the rear extension would have a projection of 4.2 metres. Although the rear projection would not be pursuant to the maximum projection specified within Policy DC1.4 of the UDP, Permitted Development rights, including the Larger Homes Extension route allow

extensions longer in length. As such, the 4.2 metre projection is considered acceptable. In addition, as the form of the rear extension follows the form of the site and respects the boundary with the neighbouring property (no.4 Deighton Avenue), this element of the proposal is considered acceptable.

Materials:

The materials would match the host property. As such, the materials are considered sympathetic and appropriate. A materials condition to that effect would be attached to any consent granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Flood Risk Assessment

As the site is within flood zone 2 MCC Flood Risk Team require a flood risk assessment pre-commencement condition to be placed on any approval granted. The condition was sent to the agent for review on 21 August 2023 and confirmed by the agent on 22 August 2023.

Car Parking

The off street car parking provision would still remain as a result of the proposal.

Bin Storage

Bin storage provision would be unaffected by the proposal.

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.

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 a revised scheme has been submitted which is considered to overcome issues raised. Appropriate conditions have been attached to any approval granted.

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 19 June 2023.

-Drawing- Proposed- Plans and Elevations, numbered HS2304-02 REV B, stamped as received by the City Council as Local Planning Authority on 16 July 2023.

-Drawing- Site Plan, numbered HS2304-04 REV A, stamped as received by the City Council as Local Planning Authority on 16 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, the window within the proposed en-suite as shown on the approved 'Drawing- Proposed- Plans and Elevations, numbered HS2304-02 REV B', stamped as received by the City Council as Local Planning Authority on 16 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.

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.

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 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.

6) No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.
- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). **Note this should include publicly available maps where applicable.**
- Identification of any historic flood events on site or within close proximity to the site.
- The estimated flood level for your development (the estimated flood level is a river flood level with a 1 in 100 or greater annual probability, plus an allowance for climate change). The estimated flood level may be obtained freely from the Environment Agency.
- Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design
- Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
- Any supporting plans and drawings.

Reason- To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

Appendix 1 – List of consultees & neighbours notified

17 Deepdale Avenue, Manchester, M20 1BF
15 Deepdale Avenue, Manchester, M20 1BF
4 Deighton Avenue, Manchester, M20 1BY
2 Deighton Avenue, Manchester, M20 1BY
25 Deepdale Avenue, Manchester, M20 1BF
16 Deepdale Avenue, Manchester, M20 1BF
14 Deepdale Avenue, Manchester, M20 1BF
202 Mauldeth Road West, Manchester, M20 1BA
200 Mauldeth Road West, Manchester, M20 1BA

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