

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135421/FH/2022

Date registered valid: 14 April 2023

Proposal: Erection of a part single/part two storey side extension, two storey rear extension together with a hip to gable roof conversion

Address: 27 Glendale Avenue, Manchester, M19 1EH

Ward(s): Burnage Ward

Applicant: Mr Shaban Hussain

Agent (if any): Mr Jawad Hashmat

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

Recommendation: Refuse

Date of recommendation: 05 June 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 May 2023

Standard consultations: Printed: 25 April 2023 Expired: 16 May 2023

Neighbour notifications: Printed: 25 April 2023 Expired: 16 May 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 semi-detached C3 dwellinghouse of redbrick and white render with a red concrete tile hipped roof. The property features white uPVC windows, including a ground floor bay to the front, a front porch, paved driveway, carport / canopy to the side, single storey rear outrigger, detached outbuilding and paved rear garden.



Figure 1. Principal elevation of property.



Figure 2. View along the side of the property.



Figure 3. Shared boundary with No.29 Glendale Avenue.



Figure 4. Shared boundary with No.29 Glendale Avenue.



Figure 5. Rear view of property.



Figure 6. Shared boundary with No.25 Glendale Avenue.



Figure 7. Rear garden.

Description of area

Glendale Avenue is a residential cul-de-sac situated within the Burnage ward of Manchester, close to Cringle Playing Fields, Cringle Park, and Levenshulme High School. The area is primarily residential in terms of its character, consisting of detached and semi-detached residential properties and benefits from its proximity to outdoor green / amenity spaces.

Description of development

The applicant is seeking permission for the erection of a part-single / part-two storey side extension, two-storey rear extension together with a hip-to-gable roof extension in order to provide additional living accommodation.

Consultations & Notification Responses

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

Flood Risk Management – had no objection to the proposal, however requested that the following informative condition be attached if the application were to be approved:

- *As per the FRA, the proposed extension is within Flood Zone 2, floor levels should be set no lower than existing floor levels of the existing property.*
- *The site is within Flood Zone 2. The applicant is encouraged to consider signing up for Environment Agency Flood Warnings - <https://www.gov.uk/sign-up-for-flood-warnings>*
- *The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.*
- *MCC records highlights an underground culverted ordinary watercourse (Willow Brook) is located within close proximity to the site (approximately 23m north of the site), while our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.*

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

For reasons to be outlined below, it is considered that the proposal conflicts 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.



Figure 8. Submitted proposed plans and elevations.

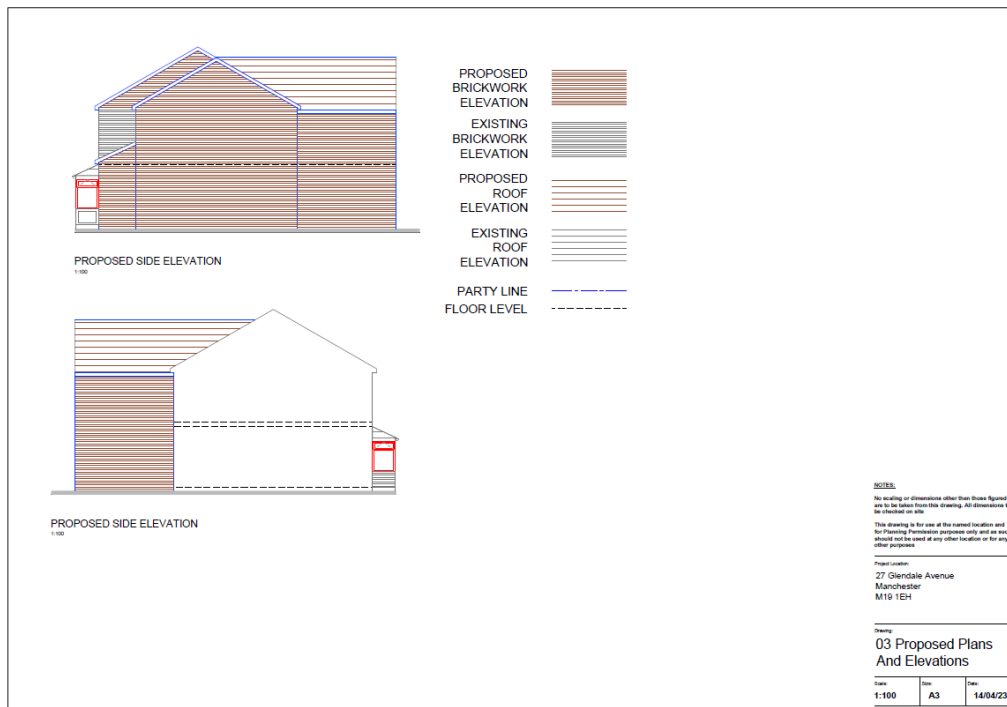


Figure 9. Submitted proposed elevations.

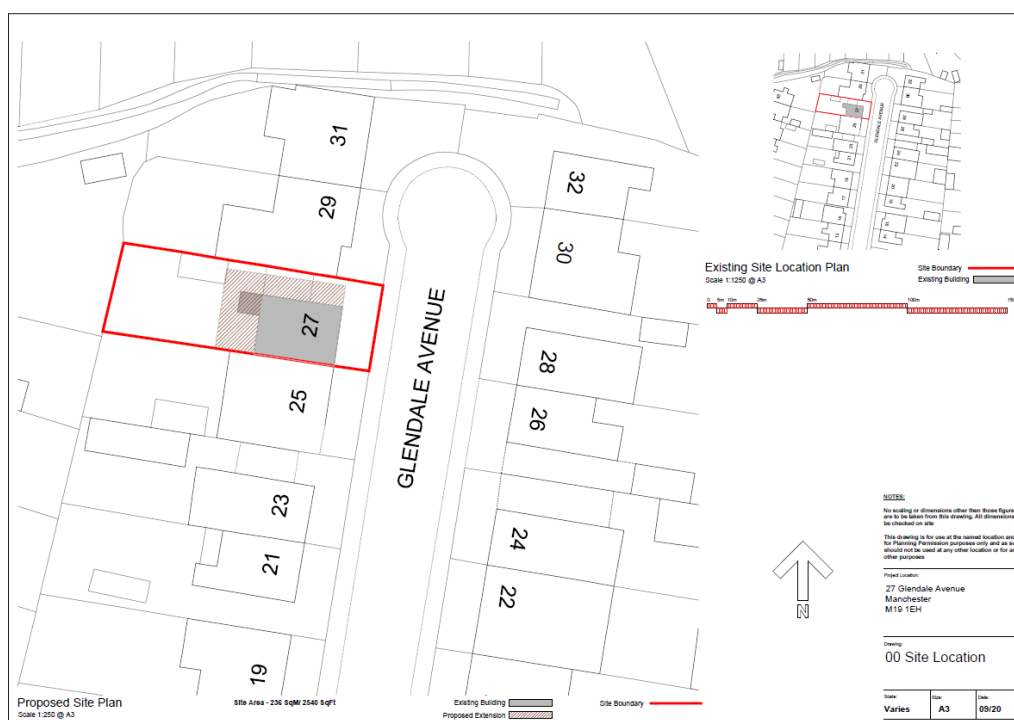


Figure 10. Submitted site plan.

Principle – the principle of allowing residents to extend and develop their homes to provide enlarged or improved living accommodation is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property or upon the visual and residential amenity of neighbouring occupiers.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of amenity that would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Siting, scale, and massing – the part-single / part-two storey side extension and two-storey rear extension would wrap around the northern and western elevations of the property, spanning its full width.

At ground floor level, the extension would project 3.999m rearwards, with a total length / depth of 12.015m, sideward projection of 2.948m, width of 8.458m, mono pitch roof height of 3.521m and eaves height of 2.593m. It would be sited just off the boundary shared with No.25 Glendale Avenue, leaving a gap of 0.149m and would maintain a gap of 0.528m to the shared boundary with No.29 Glendale Avenue. At first-floor level, the extension would also project 3.999m rearwards, with a total length / depth of 10.508m and, as such, would be set back from the principal elevation of the property by 1.507m. Its sideward projection would be 2.948m and it would have a total width of 8.458m, which would match the corresponding ground floor dimensions. The extension would feature dual pitch roof forms at both its side and rear, measuring to 6.987m in height with an eaves height of 4.792m. The extension would therefore be set 0.859m below the existing roof ridge with eaves at the same height as the existing.

The hip-to-gable roof conversion would be sited along the northern edge of the property's roof measuring to 8.016m in length / depth, 3.941m in width and 2.445m in height, which would be subservient to the dimensions of the existing roof as well as being similar in appearance to other properties with gabled roofs in the area.

Thus, whilst the siting, scale, and massing of the hip-to-gable roof conversion is deemed acceptable, the part-single / part-two storey side extension and two-storey rear extension is not as it is believed that this portion of the proposal would have an unduly harmful impact upon the visual and residential amenity of neighbouring occupiers. This is predominantly due to the first-floor element of the rear extension spanning the full width of the property in combination with its lengthy rearward projection, which exceeds the limit stipulated within policy DC1 of the UDP (of 3.65m). It is believed that, due to its excessive scale and inappropriate siting along the shared boundary, the proposal would introduce an overbearing presence into the area, which would detrimentally affect the levels of amenity that are currently enjoyed, limiting the visual outlook of neighbouring occupiers and impacting their levels of light.

The applicant and their agent were notified of these concerns, however, chose not to submit a revised scheme. In their email correspondence, the applicant and their agent lobbied to retain the proposed scale and layout of the two-storey rear extension, drawing attention to the fact that both No.227 Mauldeth Road and No.231 Mauldeth Road possess full-width two-storey rear extensions. However, it should be noted that the developments present at No.227 Mauldeth Road have not been built in accordance with any of the previously approved plans (see figures included below) and, as such, they are unauthorised and cannot be compared to the current application. Moreover, though No.231 Mauldeth Road does possess a two-storey rear extension spanning the property's full width, this extension features a much smaller rearward projection (with approved projections measuring to 1.619m and 1.493m) than the one proposed at No.27 Glendale Avenue and is therefore not a comparable example.

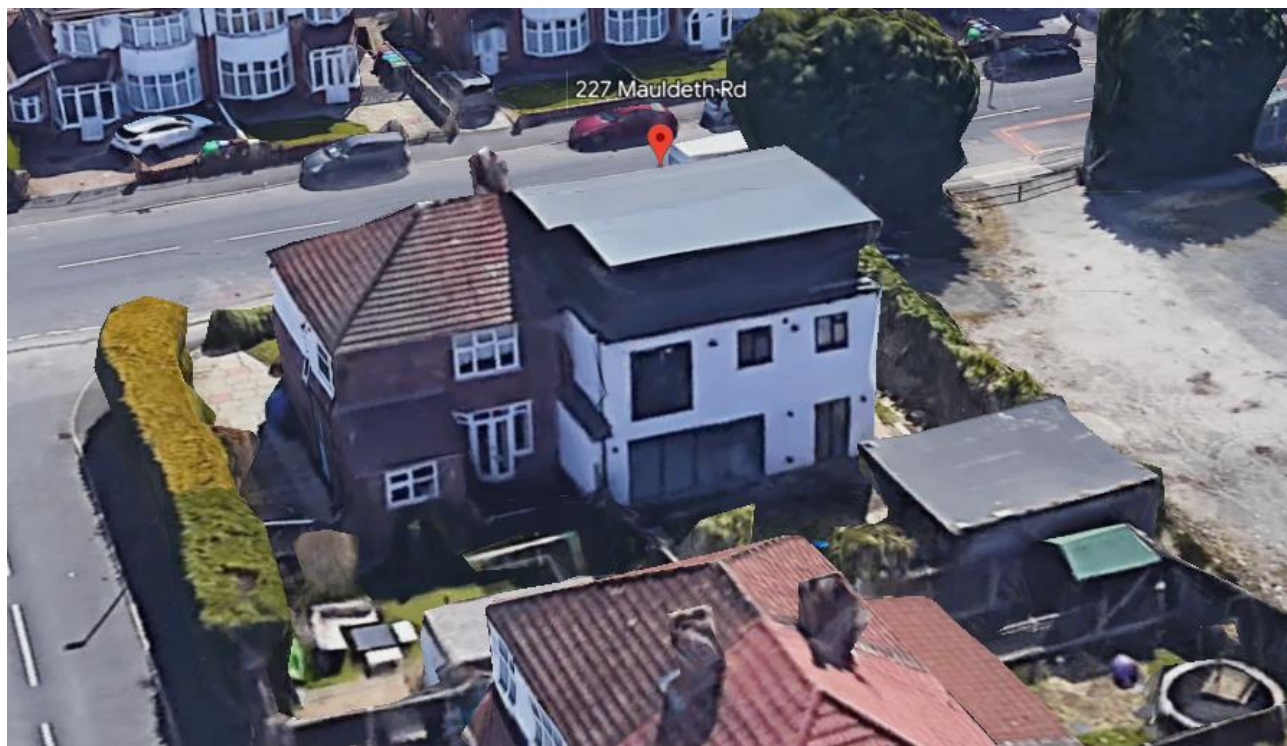


Figure 11. No.227 Mauldeth Road, as seen from Google Earth.



Figure 12. Approved plans for No.227 Mauldeth Road, under planning permission 101459/FH/2013/S2, noting the 1.619m rearward projection at first-floor level.

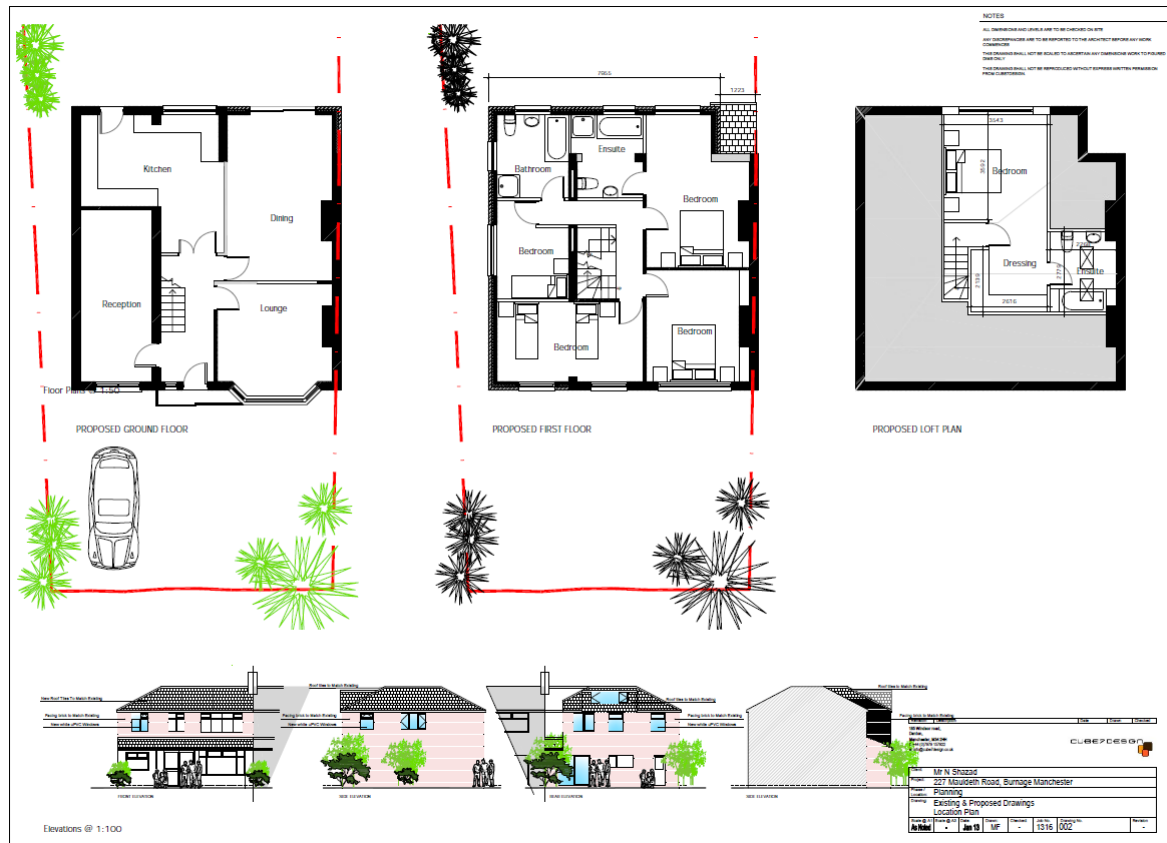


Figure 13. Approved plans for No.227 Mauldeth Road, under planning permission 104529/FH/2013/S2, noting the 1.619m rearward projection at first-floor level and 1.223m gap to the shared boundary.

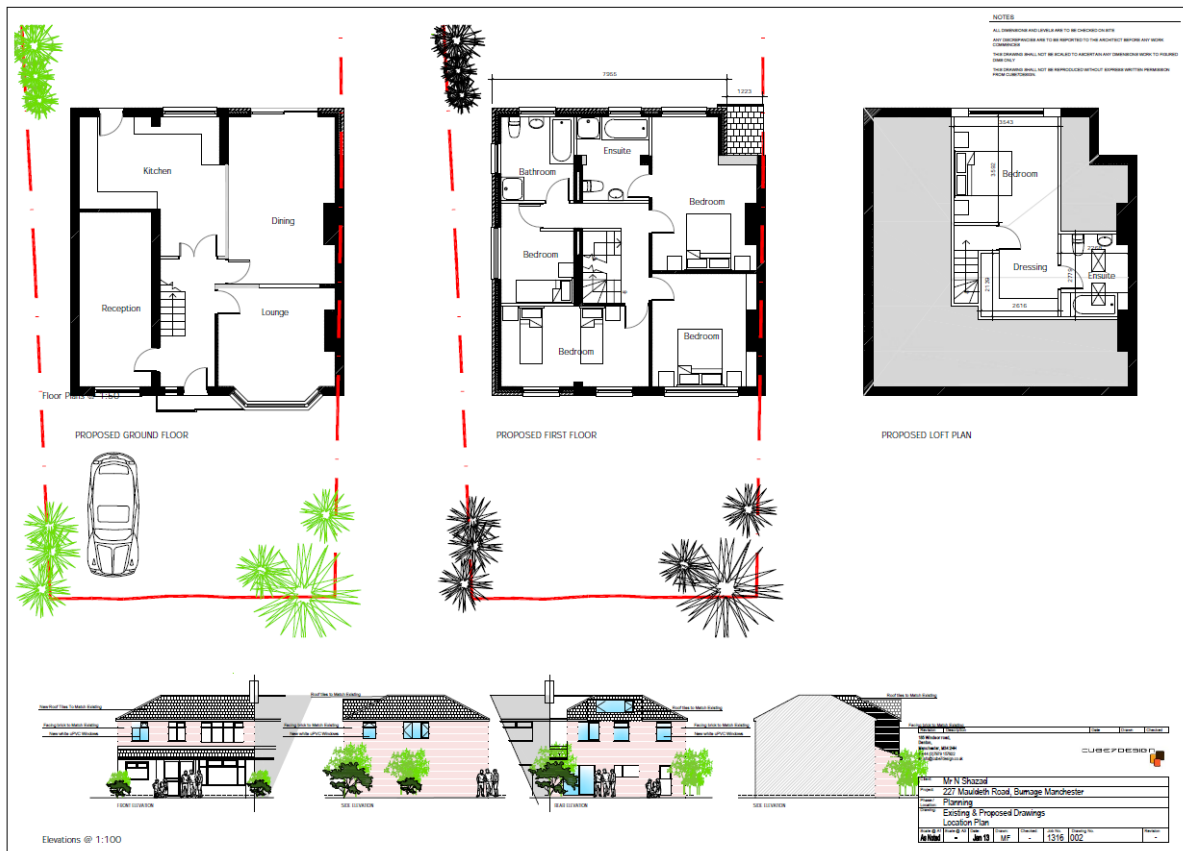


Figure 14. Approved plans for No.227 Mauldeth Road, under planning permission 114611/FH/2016, noting the 1.619m rearward projection at first-floor level and 1.223m gap to the shared boundary.



Figure 15. No.231 Mauldeth Road, as seen from Google Earth.

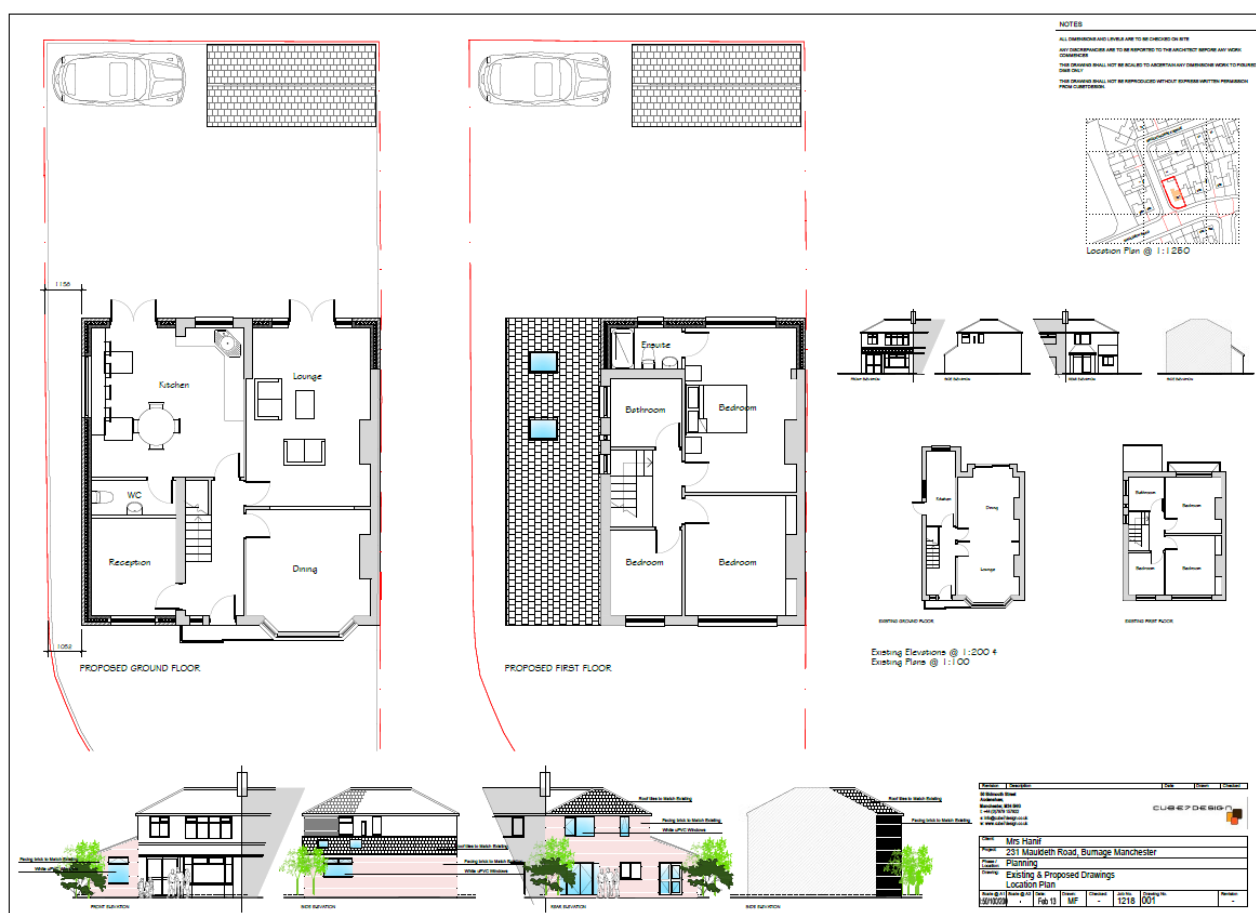


Figure 16. Approved plans for No.231 Mauldeth Road, under planning permission 101845/FH/2013/S2, noting the 1.619m rearward projection at first-floor level.

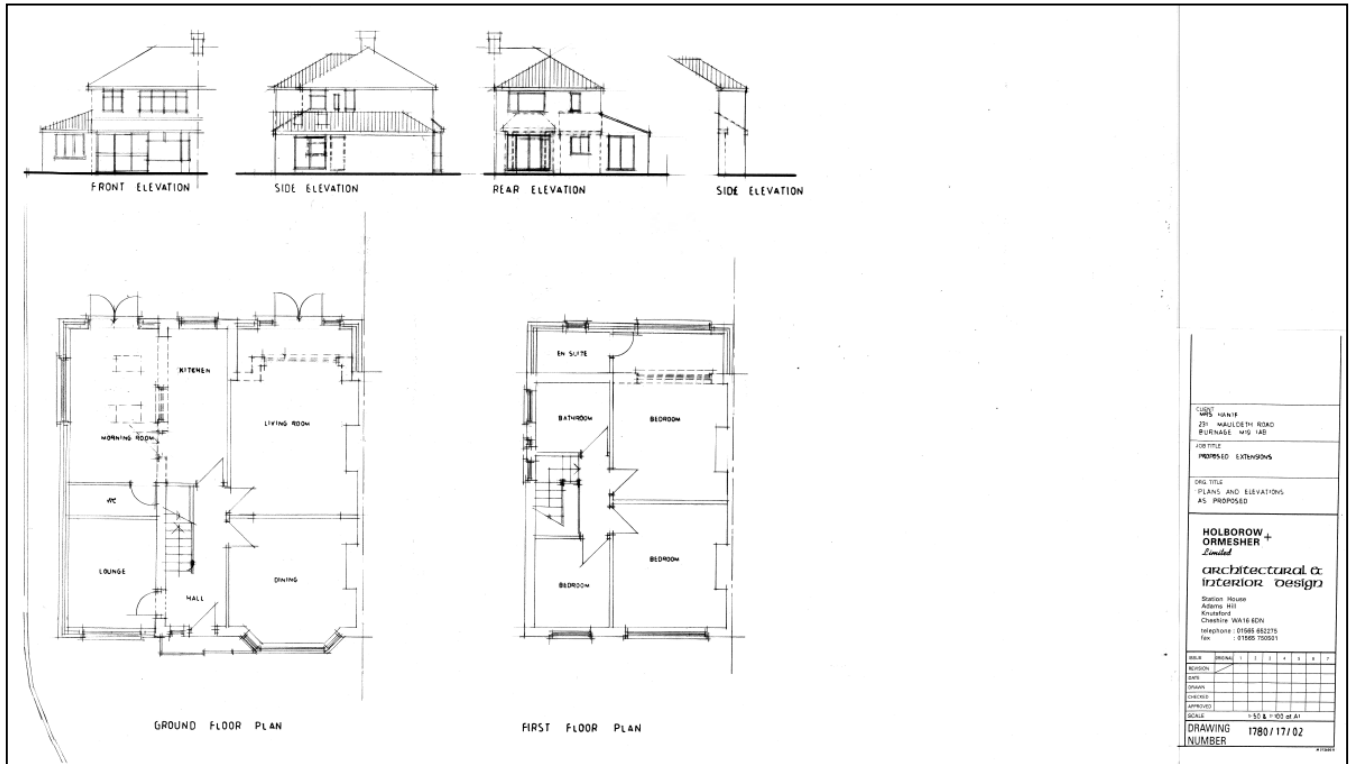


Figure 17. Approved plans for No.231 Mauldeth Road, under planning permission 116743/FH/2017, noting the 1.493m rearward projection at first-floor level.

It should also be noted that there is no precedent for full-width two-storey rear extensions along Glendale Avenue. Indeed, the extensions present at No.29, No.26, No.19, No.17, No.16, No.15, No.14, and No.7 all feature gaps to the boundary shared with the adjoining semi at first-floor level. Moreover, whilst No.22 and No.24 do feature full-width two-storey rears, these extensions were implemented under joint planning permission (108366/FO/2015/S2) and therefore cannot be compared to the current application for No.27 Glendale Avenue.



Figure 18. Properties with two-storey rear extensions along Glendale Avenue (with gaps to the shared boundary with the adjoining semi at first-floor level visible), as seen on Google Earth.



Figure 19. Properties with two-storey rear extensions along Glendale Avenue (with gaps to the shared boundary with the adjoining semi at first-floor level visible), as seen on Google Earth.

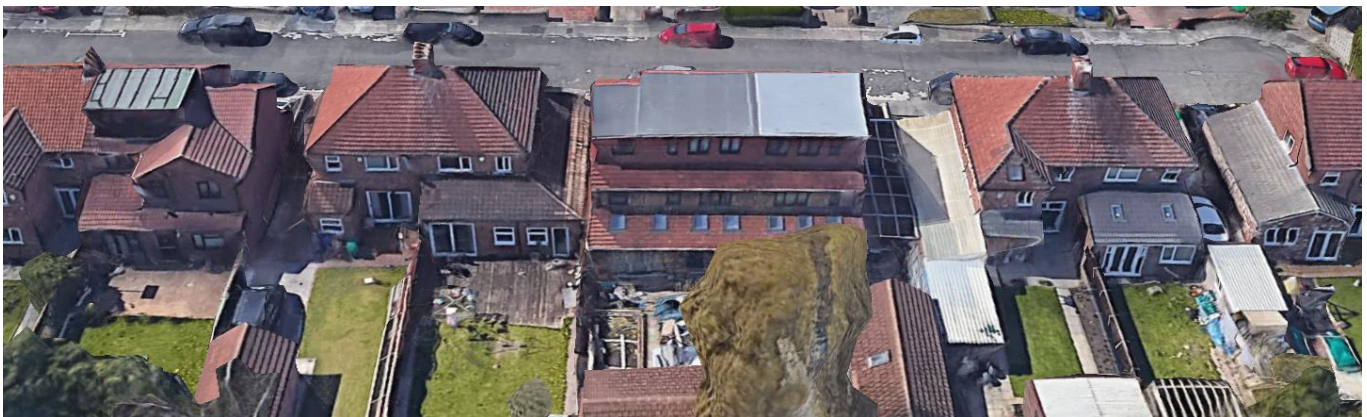


Figure 20. Properties with two-storey rear extensions along Glendale Avenue, with No.22 and No.24 visible (approved under joint application 108366/FO/2015/S2), as seen on Google Earth.

The proposal is therefore considered unacceptable as it conflicts with the principles set out for residential extensions in policy DC1 of the UDP and DM1 and SP1 of the Core Strategy.

Appearance and visual amenity – the proposed developments would be built of redbrick, red roof tiles, and white uPVC windows to match the existing. Along its front elevation, the extension would feature one window at ground floor level and one window at first floor level. Its side elevations would be blank, whilst its rear elevation would feature one inward-opening door and three windows at ground floor level and three windows at first floor level. The proposal would also feature a mono pitch roof form to the front of its ground floor element as well as dual pitch roof forms to its two-storey side and rear elements.

Whilst there are elements of the proposal's design which are considered acceptable, such as its use of matching materials, arguably the unacceptable features of its design override this, thus warranting the refusal of this application. The dual pitch roof form proposed at the rear is believed to be an inappropriate design choice as it would not be subservient to the current appearance of the host dwellinghouse, nor would it be in-keeping with the appearance of other two-storey rear extensions present in this area, which primarily feature hipped roof forms.

The side extension's 1.507m setback at first-floor level is also deemed inadequate as it is believed that this setback, together with the limited retained gap to the boundary of 0.528m, would not ensure visual subservience to the host dwellinghouse, would produce an unsatisfactory visual relationship with the neighbouring property and would not be in-keeping with the appearance of other two-storey side extensions present in this area, which primarily

feature setbacks of at least 2m. This aspect of the proposal would therefore be contrary to policy DC1 of the UDP which states that, when considering proposals for two-storey side extensions, the Council will seek to ensure that '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' and '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'. Policy DC1.4 also states that 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'; a further stipulation which this proposal does not meet.

It is due to these components, that the design of the proposal is believed to have a detrimental effect on the character and appearance of the host dwellinghouse both as a structure in its own right as well as its role and positioning within the street scene. The proposal's impact upon the overall visual amenity of the area is therefore considered unacceptable as its inappropriate rear roof form and inadequate first floor setback would result in the erection of a visually incongruous and obtrusive structure which would not be sympathetic to the host dwellinghouse or its surrounding area. The proposal therefore conflicts with Core Strategy policies DM1 and EN1 and policy DC1 of the UDP.

Residential amenity – sited to the south of No.29 Glendale Road, the excessive rearward projection of the proposal would mean that the extension would have the potential to cause an undue loss of light for neighbouring occupiers, particularly given its minimal gap to the shared boundary (0.528m) as well as its notable projection beyond the rear elevation of No.29 (by approximately 2m). By spanning the full width of the property, the proposal would also introduce an overbearing presence for those residing at No.25 Glendale Avenue. Indeed, its inappropriate siting along the shared boundary would result in neighbouring occupiers experiencing a marked reduction in their visual outlook, most notably from their first-floor rear windows.

Thus, given the proposal's mass and bulk in combination with its inappropriate siting along the shared boundary, it is considered that the proposal would cause undue harm to the residential amenity of neighbouring occupiers, contrary to policy DC1 of the UDP, and policies DM1 and SP1 of the Core Strategy.

Waste storage – implementation of the proposal would result in the property's refuse bins having to be stored at the front of the property as the 0.528m gap maintained along the side of the property would not allow bins to be passed through. Storage of bins to the front of the property would detrimentally impact the appearance of the street scene and, as such, a bin store was requested to mitigate these concerns. However, the applicant and their agent chose not to submit a revised scheme.

The proposal therefore conflicts with policies EN19 and DM1 of the Core Strategy as it would detract from the current visual amenity of the area.

Parking – implementation of the proposal would result in the loss of the existing driveway and the property's car parking space. This would result in an increase in on-street parking, which conflicts with Highways guidance. The applicant and their agent were notified of these concerns, and a greater setback at ground floor level was requested in order to retain one car parking space. The applicant and their agent chose not to submit a revised scheme.

Conclusion – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale and massing and resultant negative impact upon the visual and residential amenity of neighbouring occupiers, waste storage and parking arrangements as well as the overall appearance of the street scene. The applicant and their agent were informed

of the above concerns and a number of amendments were requested in order to ensure the proposal's acceptability and viability. Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the street scene, the visual and residential amenity of neighbouring occupiers and the current waste storage and parking arrangements, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council. The applicant was notified of the above concerns and has chosen to proceed with the original proposal.

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: Refuse

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application and a satisfactory resolution has not been reached.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposal by reason of its inappropriate rear roof form, inadequate first-floor setback and lack of a bin store; would introduce detrimental visual elements to the street scene, forming a visually incongruous and obtrusive structure which would not be sympathetic to the appearance of the host dwellinghouse or its surrounding area, to the detriment of visual amenity and, as such, is contrary to saved policies DC1.1, DC1.2 and DC1.3 of the Unitary Development Plan for the City of Manchester, policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

2) The proposal, by reason of its scale, siting and relationship to the shared common boundary with No.29 Glendale Avenue, fails to provide an adequate setback at first floor, thus introducing an unsatisfactory visual relationship between the properties as well as leading to a potential terracing effect and detracting from the character of the original property and the street scene

and is therefore contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester , the National Planning Policy Framework and policies DM1 and SP1 of the Manchester Core Strategy Development Plan Document.

3) The proposal, by reason of its proximity to the shared boundaries, together with its scale, massing and bulk is considered to have an overbearing impact upon the occupiers of the neighbouring properties No.25 and No.29 Glendale Avenue, causing a loss of light and outlook to the detriment of residential amenity. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1 and the guidance within the National Planning Policy Framework.

4) The proposal, by reason of its lack of a ground floor setback would lead to a reduction in the property's driveway space, resulting in the loss of on-site carparking and giving rise to an increase in the levels of on-street parking to the detriment of the amenities and convenience of nearby residents and other road users. As such, the proposal is contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

30 Glendale Avenue, Manchester, M19 1FF
28 Hembury Avenue, Manchester, M19 1FH
26 Hembury Avenue, Manchester, M19 1FH
28 Glendale Avenue, Manchester, M19 1FF
26 Glendale Avenue, Manchester, M19 1FF
29 Glendale Avenue, Manchester, M19 1EH
25 Glendale Avenue, Manchester, M19 1EH

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA