

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134362/FH/2022

Date registered valid: 13 July 2022

Proposal: Erection of a single storey side and rear extension to provide additional living accommodation.

Address: 449 Abbey Hey Lane, Manchester, M18 8RR

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Yasar Mehmood, 449 Abbey Hey Lane, Manchester, M18 8RR

Agent (if any): Mr Mohammed Khan, Ash 4 Homes Pure Offices Ltd, Brooks Drive, Cheadle Royal Business Park, Cheadle, SK8 3TD

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21 February 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26 July 2022

Standard consultations:

Printed: 19 July 2022 Expired: 9 August 2022

Neighbour notifications

Printed: 19 July 2022 Expired: 9 August 2022

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

Description of site / building / area

The application site is located within a row of residential dwellinghouses within the Gorton & Abbey Hey ward of Manchester. The immediate street and surrounding area are predominantly characterised by 2-storey semi-detached houses. The application dwellinghouse has a front and rear garden with a retained access adjacent to the side wall - approximately 2.3 metres wide. The depth of existing rear garden is approximately 6.4 metres. Off-street car parking is available along the front driveway. The immediate neighbouring property, no. 447 Abbey Hey Lane has an existing single storey side extension which is flush with the front building line, and which projects approximately 7.6 metres along the common shared boundary, and which encroaches and overhangs this boundary.

Description of development

The submitted application relates to a single storey side and rear extension to form additional living accommodation.

The initially submitted plan has been slightly revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 01/02/2023). Clarification has been provided in terms of the proposed storage and location of wheeled bins, and in design terms, sills and headers would be incorporated along the proposed fenestration.

The proposed "L-shape" wrap-around side and rear extension would be flush with the front building line of the original dwellinghouse. It would have a proposed width of approximately 2290mm along the front elevation, whilst retaining a small gap of approximately 75mm from the common shared boundary with no.447 Abbey Hey Lane. It would project approximately 11130mm along this boundary and come forward of the common shared boundary with no.451 Abbey Hey Lane approximately 8090mm wide, whilst retaining a small gap of approximately 130mm from this boundary. The proposed maximum rearward projection would not exceed 3300mm, and the proposed maximum height would not exceed 3565mm, whilst incorporating a combined lean-to pitched and hipped roof configuration, including 1no. window along the front elevation, 1no. window along the side elevation roof plane, 2no. windows along the rear elevation roof plane, in addition to bi-fold doors, French doors and windows along the rear elevation.

In terms of materials, it is intended to use external facing materials to match the original dwellinghouse.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. The following comments, objections or representations were received:

Comment

I am writing with regard to planning application 134362/FH/2022, 449 Abbey Hey Lane. The width of the proposed side extension stated on the plans at the front is 2290, if they intend to build the proposed extension at this width, it will overlap and encroach by at least 4 inches. Also, I am sure by law the two brick structures should have at least a 150 mm gap between them so the building remains semi-detached houses.

2. Environmental Health

Please can the following be attached to the above:

DEMOLITION/CONSTRUCTION HOURS

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
 - Policy SP1 (Spatial Principles)
 - Policy EN1 (Design Principles and Strategic Character Areas)
 - Policy EN19 (Waste)
 - Policy T2 (Accessible areas of opportunity and need)
3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- Saved Policy DC1 (Residential Extensions) is considered relevant.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is

considered that these design principles have been satisfactorily incorporated into the development.

ISSUES

The initially submitted plan has been slightly revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 01/02/2023).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey side and rear extension) - In light of the existing context involving a built form along the common shared boundary, and due to the fact that the proposed development would be stepped away from the boundaries to retain a small gap, and the fact that the proposed extension would be single storey, and would mirror similar developments along the streetscene, it is considered that the proposal could be accommodated in this location in this instance. In addition, the proposed maximum rearward projection at 3300mm is in line with the guidance set out in saved policy DC1 regarding rearward extensions. It is however recommended that a further condition is attached requiring the proposed window along the front elevation to serve the annotated "Wet Room / WC" to be obscurely glazed. This is considered necessary to safeguard privacy. For these reasons and on balance, the proposed extension is considered to be acceptable in terms of its impact on residential amenity as there are no overbearing, overshadowing or privacy impacts.

Impact of works (design and appearance) - It is not considered that the revised proposal would unduly harm the character of the building or the general area, nor would it be prominent along the streetscene. It is also intended to match materials with that of the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Impact of works (waste management) - The existing arrangement would be affected as the existing access along the side elevation would be lost to accommodate the proposed extension. However, clarification has been provided in terms of the proposed storage and screened location for wheeled bins, (dated, 01/02/2023).

Impact of works (car parking) - The existing arrangement would be unaffected. Off-street car parking would still be maintained.

Objectors' comments - In terms of planning comments raised by the objector, these have been duly considered in the issues section above, although they would not warrant the refusal

of planning permission. The other comments raised would fall within a separate legislation and therefore cannot be considered as part of this planning application.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the revised proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2, and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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

In this instance, the initially submitted plan has been slightly revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 01/02/2023). The local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 13 July 2022.
- Location plan with application site edge in red; received by the city council as the local planning authority on 13 July 2022.
- Existing Elevations, Sheet: 03, received by the city council as the local planning authority on 13 July 2022.
- Existing & Proposed Floor Plans, Sheet: 01, Rev: 02, received by the city council as the local planning authority on 01 February 2023.
- Proposed Elevations, Sheet: 04, Rev: 02, received by the city council as the local planning authority on 01 February 2023.
- Proposed Ground Floor Plan, Sheet: 02, Rev: 02, received by the city council as the local planning authority on 01 February 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy (July 2012).

3) The external facing materials to be used on the extension hereby approved shall match those of the original dwellinghouse in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form and approved drawings.

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.

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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on: Proposed Elevations, Sheet: 04, Rev: 02, and Proposed Ground Floor Plan, Sheet: 02, Rev: 02, both received by the city council as the local planning authority on 01 February 2023.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Before first occupation of the development thereby approved, the proposed window along the front elevation to serve the annotated "Wet Room / WC" and as shown on: Proposed Elevations, Sheet: 04, Rev: 02, and Proposed Ground Floor Plan, Sheet: 02, Rev: 02, both received by the city council as the local planning authority on 01 February 2023, shall be opaquely 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 - In the interests of privacy, pursuant to policy to saved policies DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

6) Wheeled bins shall be stored in the bin store area location as shown on:
Existing & Proposed Floor Plans, Sheet: 01, Rev: 02, Proposed Elevations, Sheet: 04, Rev: 02, and Proposed Ground Floor Plan, Sheet: 02, Rev: 02, all received by the city council as the local planning authority on 01 February 2023, and only brought to the back of pavement on collection days, and this arrangement shall remain so in perpetuity, and be maintained.

Reason - In the interests of visual and residential amenity, pursuant with saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policies EN19, SP1 and DM1 of the Core Strategy (July 2012).

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informative

1) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

3 Aysgarth Avenue, Manchester, M18 8RA
447 Abbey Hey Lane, Manchester, M18 8RR
5 Aysgarth Avenue, Manchester, M18 8RA
7 Aysgarth Avenue, Manchester, M18 8RA
Flat 99, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 93, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 91, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 66, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 54, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 53, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 35, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 26, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 22, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 12, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 3, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 104, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 92, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 89, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 80, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 73, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 62, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 50, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 41, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 39, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 27, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 14, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 10, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 8, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 6, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 1, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 102, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 83, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 79, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 77, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 71, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 69, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 57, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 55, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 48, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 44, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 43, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 34, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 28, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 25, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 106, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 103, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 95, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
1 Aysgarth Avenue, Manchester, M18 8RA
445 Abbey Hey Lane, Manchester, M18 8RR
Flat 94, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX

[illegible]

Flat 19, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 17, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 21, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 7, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 67, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 64, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 61, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DX
Flat 56, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 9, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU
Flat 5, Gorton Mill House, 420 Abbey Hey Lane, Manchester, M18 8DU

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA