

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136101/FH/2023
Date registered valid: 30 January 2023
Proposal: Erection of a part single/part two storey side and rear extension to form additional living accommodation
Address: 14 Hembury Avenue, Manchester, M19 1FH
Ward(s): Burnage Ward

Applicant: Mr Masood Mohammed
Agent (if any): Mr Nadeam Khan, NK Architectural
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 27 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 February 2023

Standard consultations:

Printed: 16 February 2023 Expired: 9 March 2023

Neighbour notifications

Printed: 14 February 2023 Expired: 7 March 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 14 Hembury Avenue within the Burnage ward of south Manchester. The property relates to a two storey, semi-detached dwellinghouse built in red brick with cream render and intricate brick detailing to the first floor of the primary elevation of the property. Amenity space to the front of the property relates to a small area of hardstanding and a single off street car parking space. Access to the amenity space to the rear of the property is available along the side of the property leading to a rear grassed garden with further areas of hardstanding. The property benefits from an existing single storey outrigger and a detached flat roof garage.

Description of development

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

The part single side extension would sit flush with the primary building line of the host property and would have approximate dimensions of Height: 3.7 x Length: 8.4 x Width: 3.2 metres. The part two storey side extension would be set back from the primary elevation of the host property

by 2 metres and as such would have approximate dimensions of Height: 7.2 x Length: 6.4 x Width: 3.2 metres.

The part single storey rear extension would extend the width of the host property and would have approximate dimensions of Height: 3.6 x Length: 4 x Width: 8.5 metres. The part two storey rear extension would sit against the shared boundary with no.12 Hembury Avenue and would have approximate dimensions of Height: 6.3 x Length: 2.5 x Width: 3.2 metres.

The proposal would create a cinema room, enlarged kitchen and dining room on the ground floor and a new bedroom and an en-suite to the first floor.

The proposal would involve the insertion of two windows within the front elevation, 3 windows and a door within the rear elevation, and two skylights within the roof plane of the part single storey rear extension.

Materials to be used would be as followed:

- Proposed Red Facing Brick (to match existing)
- Proposed Tiles (to match existing)
- Proposed White PVCu Double Glazed Windows
- White Render (to match existing).

Amended plans

The drawings originally received were unacceptable as the side extension did not offer a large enough set back at first floor level thus giving the opportunity for a terracing effect, contrary to Policy DC1.4 of the UDP. In addition, concern was raised over the new bedroom on the first floor level which has subsequently been reduced in length. The proposal was amended accordingly and the amended proposal is considered to overcome concerns raised.

Planning history

135220/FH/2022- Erection of a two storey side extension and single storey rear extension to form additional living accommodation.
Withdrawn 13 January 2023.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Highway Services

Highways were consulted on the scheme and provided the following comments:

The proposed extension is fully contained within the site's perimeter and does not impinge onto the adopted highway.

Pedestrian access will remain as existing, which is acceptable to Highways.

In-curtilage parking will remain as existing, which is acceptable to Highways.

Refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days, this is acceptable to Highways.

There are no boundary treatments noted. The applicant should be advised that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.

Detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

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).

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.

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 a part single/part two storey side and rear extension to form additional living accommodation. This is considered acceptable in principle, as many people prefer to alter 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 against the boundary with no.12 Hembury Avenue and would be sited against the neighbour's existing single storey side extension. Although the proposed part single storey side extension sited next to the neighbour would not cause any impact, the neighbour would feel the additional built form at first floor level. To ensure the proposal is not considered to produce any adverse implications, no windows would be inserted on the side elevation of the proposal, at either level. This part of the proposal would not cause any loss of light/ overshadowing implications. To elevate the reduction in space between the two properties, the proposal would be set back from the primary elevation of the host property by 2 metres.

In addition, the 2 metre set back, which has been amended from the original submission, ensures the proposal is subservient to the host property and so would not cause any harm to immediate neighbours looking onto the proposal in terms of adverse visual amenity. The insertion of two windows in the front elevation of the side extension would not give rise to any overlooking implications. 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.

Rear extension:

The rear extension would have a rearward projection of 4 metres and would be sited against the shared boundaries at ground floor level. The proposal would result in 4 metres of additional built form alongside the shared boundary with no.16 Hembury Avenue. As the proposal is single storey against the boundary and is only 4 metres, it is not considered to create an overbearing feature for the neighbour. The part two storey rear extension would be sited 5.6 metres from the shared boundary with no.16 Hembury Avenue and so would cause minimal impact to the neighbour.

No.12 Hembury Avenue would feel both the ground and first floor rear extension. The proposal would have a rearward projection which would not exceed the existing built form beyond the rear building line of no.12 Hembury Avenue and as such, although there would be additional built form against the boundary at ground floor, the neighbour benefits from a single storey rear extension and so would not feel the impact.

Plans were amended to reduce the harm to no.12 Hembury Avenue from the part two storey rear extension, as the additional built form at first floor level projecting beyond the rear building line of the host property against the boundary caused some concern. The projection of 2.5 meters at first floor level is considered to not create an overly imposing feature along the boundary with no.12 Hembury Avenue and due to the orientation of the properties within the streetscene, the neighbour should not be impacted by loss of light.

The proposal is sited adequate distance from properties to the rear along Glendale Avenue. As such, the proposal is not considered to create any adverse visual/ residential amenity implications. To protect the privacy of the applicant, the window within the en-suite should 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.

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

Design and Appearance

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. It is acknowledged that a 1.53 metre gap to the boundary cannot be provided without severely compromising the internal space of the extension, and as such the agent was requested to set back the first floor by 2 metres. Therefore, amendments to the drawings ensure the part single, part two storey side extension would be pursuant to Policy DC1.4 of the UDP and is considered to create a subservient addition to the property. As such, the design of the side extension is considered acceptable.

Rear extension:

The rear extension, at its largest point, would have a rearward projection of 4 metres. Although this exceeds the maximum projection specified through Policy DC1.3, Permitted Development rights including the Larger Homes Extension Route allow larger extensions. Given the spacious nature of the plot and the reduction to the rearward projection at first floor level of 2.5 metres, the projection of the proposal is considered acceptable.

Materials:

The materials to be used for the proposal have been listed previously within the report and would match the host property in most cases. Therefore, they 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.

Car parking

Car parking would not be impacted by the proposal.

Bin storage

Bins would be stored within the bin storage created to the front of the property. Floor plans, elevational drawings and the materials of timber feather edge board panels have been shown on the drawings. This is considered acceptable and the bin store information provided would be conditioned accordingly.

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 amendment to the proposal ensures the scheme accords with policies and reduces impact in terms of visual/ residential amenity.

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 the 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:

-Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 30 January 2023.

-Drawing- Location Plan- Site and Location Plan, numbered A105, stamped as received by the City Council as Local Planning Authority on 30 January 2023.

-Drawing- Proposed- Floor Plans, numbered A100 E, stamped as received by the City Council as Local Planning Authority on 24 March 2023.

-Drawing- Proposed- Elevations, numbered A103 E, stamped as received by the City Council as Local Planning Authority on 24 March 2023.

-Drawing- Proposed- 3D Visuals, numbered A106 F, stamped as received by the City Council as Local Planning Authority on 24 March 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 first floor en-suite window as shown on the approved 'Drawing- Proposed- Floor Plans, numbered A100 E', stamped as received by the City Council as Local Planning Authority on 24 March 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 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 A103 E' 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) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- Floor Plans, numbered A100 E', stamped as received by the City Council as Local Planning Authority on 24 March 2023 and 'Drawing- Proposed- Elevations, numbered A103 E', stamped as received by the City Council as Local Planning Authority on 24 March 2023 in relation to a secure and ventilated bin storage area. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

17 Hembury Avenue, Manchester, M19 1FH
16 Hembury Avenue, Manchester, M19 1FH
13 Hembury Avenue, Manchester, M19 1FH
15 Hembury Avenue, Manchester, M19 1FH
12 Hembury Avenue, Manchester, M19 1FH
15 Glendale Avenue, Manchester, M19 1EH
13 Glendale Avenue, Manchester, M19 1EH
11 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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA