

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136068/FH/2023
Date registered valid: 17 January 2023
Proposal: Erection of a single storey rear extension and a two storey side extension to form additional living accommodation
Address: 12 Tirza Avenue, Manchester, M19 2JY
Ward(s): Burnage Ward

Applicant: Mr Imrul Islam
Agent (if any): Mr Mohammed Nasar Ishfaq, JAAN Architects Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 10 March 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 February 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 February 2023 Expired: 24 February 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 12 Tirza Avenue within the south Manchester ward of Burnage. The property relates to a semi-detached, two storey dwellinghouse which sits at the end of the cul-de-sac of Tirza Avenue. The application site and all the properties along the street have a distinctive look- constructed in a pre-war Dutch Mock-Tudor style, with black and white style of development with Georgian pattern small square windows set against black timber wood and white stucco, with some elements of red brick work at the lower level. The property benefits from an existing single storey side extension, detached garage and single storey rear extension. Amenity space to the front of the property consists of a large, paved driveway and amenity space to the rear consists of a paved patio and garden.

Description of development

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

The single storey rear extension would have a projection no larger than the existing single storey extension at the site and would rather infill the section between the proposed side

extension and existing extension. In its entirety, the rear extension would have approximate dimensions of Height: 3.2 x Length: 3.1 x Width: 10.8 metres.

The two storey side extension at the ground floor would have approximate dimensions of Height: 3.2 x Length: 8.5 x Width: 3.9 metres, and at first floor level would be set back from the primary elevation by 1.2 metres. As such, the first floor extension would have approximate dimensions of Height: 7.7 x Length: 7.3 x Width: 4 metres.

The proposal would create a bedroom, bathroom, enlarged kitchen/dining and enlarged living room on the ground floor and a bedroom, bathroom and store room on the first floor.

The proposal would involve the insertion of two windows within the front elevation, two windows within the side elevation and 3 windows and two sets of doors within the rear elevation of the proposal.

The materials to be used would include brick work, render and roof tiles to match the host property, doors would be white composite doors and windows would be made of white UPVC.

Planning history

079261/FH/2006/N2- First floor side extension and single storey rear extension to form additional living accommodation.
Approved- 12 June 2006.

Consultations & Notification Responses

Local residents

Local residents were consulted and two neighbour comments were received. The following point was raised as concerns for the application from both comments received:
Properties along Tirza Avenue are constructed in a pre-war Dutch Mock-Tudor style, with black and white style of development with Georgian pattern small square windows set against black timber wood and white stucco- the use of the materials proposed (mainly grey colouration) would undermine the materials used throughout the streetscene and create a stark contrast which would be perceived to be wholly inappropriate.

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.

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

Visual/ Residential Amenity

Rear extension:

The rear extension proposed would have a projection that would not differ from the projection of the single storey rear extension currently at the site. As such, no further impacts would be felt by neighbouring property no.10 Tirza Avenue. The section of the rear extension to be filled in by the proposal would be sited 4.2 metres from the southern boundary of the site, against the Hodgson Court Retirement Scheme. Due to the distance from the building position of the neighbouring site and the proposal being single storey it would not give rise to any adverse residential/ visual amenity implications to this neighbour. The insertion of an additional set of doors and windows would not give rise to any adverse privacy implications since this element of the proposal is only single storey.

Two storey side extension:

The two storey side extension would be sited where the current single storey side extension is positioned. Since the applicant site is located to the south of Tirza Avenue and is the final property on the street, there is no immediate neighbour to the side, as the Hodgson Court Retirement building would be located 28 metres from the side elevation of the proposal. As such, the additional built form would not cause any adverse harm. To protect the privacy of the applicant, the ground floor bathroom window shall be obscure glazed and shall be conditioned accordingly within the decision notice. In addition, a condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

A set back of approximately 1.2 metres would be seen from the first floor of the side extension, from the primary elevation. Although terracing implications would not arise from the application due to there not being an immediate neighbour to the south, the set back of 1.2 metres ensures the property appears subservient to the main dwellinghouse. As such, the properties looking onto the proposal at the front would not be impacted by the proposal in terms of visual/residential amenity.

Windows would be inserted within the first floor of the side extension within the rear elevation, facing properties along Burnage Lane. Due to a 11.5 metre distance between the rear of the proposal and no.43 Burnage Lane, the insertion of the windows would not give rise to any overlooking/ adverse privacy implications to the neighbour. In addition, the bathroom window within the rear elevation of the side extension shall be conditioned to be obscure glazed.

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

Design and Appearance

Rear extension:

The single storey rear extension would have a projection of 3.1 metres and as such would be compliant with Policy DC1.3, which states rearward projections should not exceed 3.65 metres. The rear extension takes form from the existing rear extension at the site and as such is considered pursuant to Policy DC1.2 of the UDP.

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. The proposal leaves an approximate 3 metre gap to the boundary to the side and has a set back at first floor level. As such, the form of the side extension complies with Policy DC1.4 of the UDP and is considered a sympathetic addition to the streetscene.

Materials:

The materials to be used within the proposal are listed previously within the report and where possible match that of the host property. This is considered appropriate and necessary to retain the character and distinct architectural qualities of Tirza Avenue. A materials condition to this effect would be attached to any approval granted. The conditioning of the materials is thought to overcome the concerns raised by the two neighbours.

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 provision would be unaffected by the proposal.

Bin storage

Bin storage 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 appropriate conditions have been placed on 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:

-Drawing- Existing & Proposed- Plans and Elevations Inc. Location Plan, stamped as received by the City Council as Local Planning Authority on 6 March 2023.

-Correspondence- Email re. Materials, stamped as received by the City Council as Local Planning Authority on 10 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 ground floor bathroom window and the first floor bathroom window within the proposal as shown on the approved 'Drawing- Existing & Proposed- Plans and Elevations Inc. Location Plan', stamped as received by the City Council as Local Planning Authority on 6 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 Correspondence- Email re. Materials 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.

Appendix 1 – List of consultees & neighbours notified

41 Burnage Lane, Manchester, M19 2HZ

[illegible]

Flat 5, Hodgson Court, 45 Burnage Lane, Manchester, M19 2HE
Flat 3, Hodgson Court, 45 Burnage Lane, Manchester, M19 2HE
Flat 1, Hodgson Court, 45 Burnage Lane, Manchester, M19 2HE
11 Tirza Avenue, Manchester, M19 2JY
10 Tirza Avenue, Manchester, M19 2JY
43 Burnage Lane, Manchester, M19 2HZ

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
Area Team Boundary - Name: SOUTH AREA