

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136081/FH/2023
Date registered valid: 27 January 2023
Proposal: Erection of single storey rear extension and single storey front porch
Address: 106 Victoria Avenue East, Manchester, M9 6HF
Ward(s): Charlestown Ward

Applicant: Mr Muhammad Nadeem Saeed
Agent (if any): Mr Rashid Mehmood I. Planning Services
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 23.03.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 February 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 7 February 2023 Expired: 28 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to 106 Victoria Avenue East a brick built semi-detached dwellinghouse with a partial white rendered finish along the first floor. The host property is located on the corner of Victoria Avenue East and Pennine Close, the property benefits from an existing single storey flat roof side extension, hard landscaping to the front and side, garden area to the rear, existing rear structure adjoining the property. Boundary treatment in the form of a brick wall and vegetation screening along the shared boundaries.

The remainder of the area is predominately residential in nature and are houses of similar style and size of the proposal site.

Description of development

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

Planning History

131460/FH/2021 Erection of a single storey rear extension to form additional living accommodation following the demolition of the existing rear extension and storage shed.
APPROVED 23.08.2021

Consultations & Notification Responses

Local residents were notified however none responded.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

-Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,

-Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

-Appropriate siting, layout, scale, form, massing, materials and detail.

-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.

Issues

Principle

The proposed single storey rear extension and front porch to a residential dwelling is considered acceptable in principle as many people prefer to extend their homes rather than move in order to meet the changing residential needs of families. Within this context the proposed extensions would appropriately fit seamlessly into the character and scale of the surrounding urban fabric. However, consideration is given to the proposal's appearance, impact on the visual amenity of the area, and impact on the neighbouring properties' residential amenity.

Residential and Visual Amenity

Single storey rear extension

The proposed single storey rear extension would have a comparable footprint to a previously approved application ref. 131460/FH/2021 and have approx. dimensions of Height 3.7m x Width 12.9m x Depth 4.2m. The extension would be sited approx. 0.3m away from the shared boundary with no.108 Victoria Avenue East. The proposed extension would be very close to the eastern boundary, however it is deemed the proposal should not create an overbearing feature alongside the existing neighbour's conservatory footprint. Given the orientation of the properties within the streetscene there is possible overshadowing implications to no.108 Victoria Avenue East's rear garden during the evening, however given the single storey nature of this extension and the existing boundary treatment in-between the two properties, it is not considered in this instance that overbearing and overshadowing impacts would be significant. No windows would be inserted along the eastern elevation and as such would not give rise to any overlooking or privacy implications.

It should be noted that the depth of the extension exceeds the recommended length outlined in the Saved UDP Policy DC1.3 (3.65 metres) however in this instance given the relatively large plot of the application site and the orientation and relationship between the host property and neighbouring dwellings it is not considered that the extensions' depth of 4.2 metres would be significant to warrant a refusal.

The proposed fenestration elements are in keeping with the existing fenestration in the property in terms of visual amenity and appear to be acceptable to the character of the property. The new windows and doors are situated along the rear elevation overlooking the rear garden (back to back distances of 7.4metres in location of previously approved scheme which is acceptable).

Front porch

It is not considered that the front porch would give rise to any significant residential or visual amenity to the neighbouring properties. The front porch would have dimensions of Height 3.m x Width 3.1m x Depth 1.4m.

The extension would be visible from within the streetscene in Victoria Avenue East, but it is considered that as the extension would be subservient to the original dwelling forming a seamless relationship with the original and would have an a similar appearance to the original dwelling which are conditioned to match any approval of the scheme and therefore does not provide additional residential or visual amenity to neighbouring properties, pursuant to policies DC1, DM1 and SP1.

Design and Appearance

It is not considered that the proposed development would unduly harm the character of the building or the general area. The roof profile constitutes a hipped roof for the rear extension and a pitched roof for the front extension and the extensions' footprint are not considered to create a bulky or disproportionate scale addition to the property. The materials of the extensions will match the existing. Although it is recommended a materials condition is attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy DM1, EN1 and SP1 and saved UDP policy DC1.

Waste Management

The proposed development would not effect the existing bin management strategy.

Conclusion

The proposal is considered acceptable in this location, in terms of design, scale and massing, allowing occupiers to adapt their homes to meet their residential needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

For the reasons above, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy.

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

Officers have worked with the applicant in a positive and proactive manner to guide the application through all the stages of the planning process and resolve any issues that arose in dealing with the application.

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 permission

Reason- Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Local Plan and drawings numbers:

Drawing: Elevations

Drawing: Floor Plan

Drawing: Location Plan

All stamped as received by the City Council as Local Planning Authority on 27 January 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 (2012).

- 3) The materials to be used on the external surfaces of the extension hereby submitted shall match those of the existing dwellinghouse, in type, size, colour and texture.

Reason- To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the 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 extension hereby approved other than those shown on the approved plans.

Reason- In the interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

125 Victoria Avenue East, Manchester, M9 6HE
123 Victoria Avenue East, Manchester, M9 6HE
104 Victoria Avenue East, Manchester, M9 6HF
2 Pennine Close, Manchester, M9 6HR
127 Victoria Avenue East, Manchester, M9 6HE
108 Victoria Avenue East, Manchester, M9 6HF
1 Pennine Close, Manchester, M9 6HR

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 - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA