

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134991/FH/2022
Date registered valid: 3 December 2022
Proposal: Erection of a part single part two storey rear; together with the erection of a single storey garage/outbuilding in rear garden
Address: 35 Athol Road, Manchester, M16 8QW
Ward(s): Whalley Range Ward

Applicant: Dr Fanika Awan
Agent (if any): Mr Amjad Tahir, AFR Studio Ltd
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE
Date of recommendation: 25.01.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 January 2023

Standard consultations:

Printed: 16 December 2022 Expired: 6 January 2023

Neighbour notifications

Printed: 16 December 2022 Expired: 6 January 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 relates to a two storey semi-detached dwellinghouse of red brick with a hipped roof. The property features bay windows to the front with an existing single storey outrigger to the rear. The plot includes a driveway to the front and a long garden to the rear. Additionally, a private road runs adjacent to the eastern boundary allowing access into the rear gardens along Athol Road.

Athol Road is residential in nature and located within the Whalley Range ward off Alexandra Road South, between the Fallowfield Loop and Wilbraham Road. The area benefits from its proximity to several major bus routes and Hough End playing fields.

Description of development

The application seeks planning permission for the erection of a part single part two storey rear extension to form additional living accommodation together with the erection of a single storey outbuilding in the rear garden. The proposal has been amended since the original submission to remove a side facing fenestration element on the northern elevation, preventing significant overlooking implications to neighbouring properties.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Highways Comments: Had no objections the extension element of the proposal however did seek further clarification regarding the garage/outbuilding requesting an electrical charging point become available, as well as additional information in relation to the swept path demonstrating vehicle access to the garage. Additional information was supplied by the applicant dated 25.01.2023 and Highways have deemed this is acceptable for this application site.

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:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) 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.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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

Policy DC1.4 indicates that 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.

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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Issues

Principle

The proposed extension is for a part single part two storey rear; together with a single storey rear garage/outbuilding to a residential dwelling, this is considered acceptable as many people prefer to extend their home rather than move in order 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 neighbouring's properties' residential amenity.

Residential and Visual Amenity

Part single part two storey rear extension

The proposed rear extension would have approx. dimensions of Height 5.9m x Width 6.2m x Depth 3.6m. The first-floor element would be set-in (3 metres) from the shared boundary with no. 33 Athol Road. Given the set-in dimension of the extension it is not considered to form an overbearing feature along the shared boundaries, it should be noted that neighbouring properties would experience built form along the boundary line from the ground floor element, however, given the single storey nature of the extension and that the depth complies with saved UDP Policy 1.3 for rearward projections it is deemed acceptable in this instance.

Additionally, the neighbours may experience some overshadowing implications during the evening sun, however given the set-in dimension of the first floor element, the existing boundary treatment and extensions of their own it is considered that any additional overshadowing would not be significant to warrant a refusal.

The non-adjoining neighbouring property no. 37 Athol Road currently has a part single part two storey rear extension (application ref. 065518/FH/SOUTH1/02) and given that the host's extension will retain a distance to the boundary line and the neighbour's extension of their own it is not considered to lead to significant overshadowing or overbearing feature and therefore it is deemed that the proposal is acceptable.

The proposed rear extension has been revised since the original submission removing a first floor side facing elevation, therefore the remaining fenestration elements are situated along the rear elevation overlooking the rear garden. . The proposed openings do not pose overdue intrusive sight lines issues into adjoining properties, maintaining privacy levels for neighbouring occupiers.

Single storey outbuilding

The proposed single storey outbuilding has approx. dimensions of Height 3.5m x Width 7.2m x Depth 5.9m and be situated along the rear boundary and run alongside the shared boundaries with no.33 and 37 Athol Road. The proposed outbuilding will be utilised as a garage for one car parking space and a storage room.

It should be noted that the neighbouring properties have similar outbuildings situated within their rear garden and is a commonplace feature within the wider streetscene. It is not considered that the extension would lead to an overbearing feature given the comparable footprint of neighbouring extensions and it will be hidden from the streetscene and thus limiting any additional residential or visual amenity implications.

Fenestration elements are proposed along the front elevation overlooking the applicant's rear garden and a garage shutter door along the rear allowing access from the private alleyway. It is considered that no significant overlooking or loss of privacy implications would be present for neighbouring occupiers.

Overall, the proposed extensions are considered to be subservient to the existing property and creates a sympathetic approach to the street character therefore, this proposal does not create any significant impacts in terms of visual or residential amenity within the character of the general area and is considered acceptable against the principles set within Saved DC1 and SP1 and DM1 of the Core Strategy.

Height, Scale and Massing

The height of the proposed extension appropriately relates to the height parameters of the existing building. The height of the proposed part single part two storey rear extension has tied in with the existing building. The proposal includes an acceptable footprint of the extensions that is deemed to be appropriate for the application site, and it is considered that the proposed extension responds well to the dimensions, design and siting of the neighbouring properties.

The proposed single storey rear outbuilding will be sited along the rear elevation of the application curtilage, further the proposed extensions meets the requirements within the General Permitted Development Order.

The materials of the extension will match the existing and a condition to match will be applied to any approval. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

On this account, it is considered the development would be consistent with the aspirations of saved UDP Policy DC1 and Core Strategy Policy DM1, proposed developments must provide a positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

Waste Management

The proposal would leave a sufficient gap to the shared boundary to allow for transport of refuse bins to the garden.

Car Parking and Highways Comments

The proposal involves the creation of one off-street car parking space within the outbuilding development. Highways original comments had initial concerns regarding the ability to safely enter and exit the garage and required additional information through a swept path to ensure the vehicle could safely enter and exit the garage. Highways deemed the additional information sufficient and had no other concerns with the application.

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 agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in the 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 date of three years beginning with the date of 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 documents and drawings:

Drawing: Rear Side Plan ref. A-06 stamped as received by the City Council as Local Planning Authority on 26 January 2023

Drawing: Rear Elevation ref. A-08 stamped as received by the City Council as Local Planning Authority on 03 December 2022

Drawing: Floor Plans ref. A-05

Drawing: Elevations ref. A-07

All stamped as received by the City Council as Local Planning Authority on 10 January 2023

Drawing: Location Plan ref. A-01

Drawing: Building Layout Plan ref. A-04

All stamped as received by the City Council as Local Planning Authority on 10 November 2022

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

- 3) The materials to be used on the external surfaces of the extension hereby permitted 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 drawings :

Drawing: Rear Side Plan ref. A-06

All stamped as received by the City Council as Local Planning Authority on 03 December 2023

Drawing: Floor Plans ref. A-05

All stamped as received by the City Council as Local Planning Authority on 10 January 2023

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

Appendix 1 – List of consultees & neighbours notified

Highway Services

17 Athol Road, Manchester, M16 8QW

19 Athol Road, Manchester, M16 8QW

Vida Range Stadium, Whalley Range High School, Wilbraham Road, Manchester, M16 8GW

43 Athol Road, Manchester, M16 8QW

41 Athol Road, Manchester, M16 8QW

39 Athol Road, Manchester, M16 8QW

37 Athol Road, Manchester, M16 8QW

33 Athol Road, Manchester, M16 8QW

31 Athol Road, Manchester, M16 8QW

29 Athol Road, Manchester, M16 8QW

27 Athol Road, Manchester, M16 8QW

25 Athol Road, Manchester, M16 8QW

23 Athol Road, Manchester, M16 8QW

21 Athol Road, Manchester, M16 8QW

15 Athol Road, Manchester, M16 8QW

13 Athol Road, Manchester, M16 8QW

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) -

Area Team Boundary - Name: SOUTH AREA