

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134788/FH/2022

Date registered valid: 25 August 2022

Proposal: Erection of single storey side, rear and front extension to form additional living accommodation

Address: 19 Atherstone Avenue, Manchester, M8 4PE

Ward(s): Crumpsall Ward

Applicant: Mr Hussam Hussain, 19 Atherstone Avenue, Manchester, M8 4PE

Agent (if any): Mr Subhan Saleem, Saleem Architects, 70 Manchester, M25 1FN

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 October 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 6 September 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 6 September 2022

Expired: 27 September 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: No

Tree Preservation Order: No

Description of area

The application site relates to 19 Atherstone Avenue within the Crumpsall ward of north Manchester. The property is a two storey, semi-detached, dark brick property, which sits close to the turning circle connected to the cul-de-sac of Atherstone Avenue. Amenity space to the front of the property consists of a small, grassed garden and a paved driveway which extends down the side of the property. Amenity space to the rear consists of a continuation of the paved patio with a further grassed garden.

Description of development

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

The proposal would create a porch, study room, an enlarged kitchen/utility and dining room.

The single storey side extension would have approximate dimensions of Height: 3.8 x Length: 11.6 x Width: 2.7 metres and would be sited extremely close to the neighbouring property no.21 Atherstone Avenue. The single storey rear extension would have approximate dimensions of Height: 2.4 x Length: 4 x Width: 8.1 metres and would almost extend the width of the host

property. The front extension would have approximate dimensions of Height: 3.8 x Length: 1.4 x Width: 1.6 metres. All elements of the proposal would wrap into one another, although the rear extension would have a flat roof.

The proposal would involve the insertion of a door and window within the front elevation, a set of double doors and a window within the rear elevation, and two skylights within the flat roof of the rear extension.

Materials to be used would match the host property, apart from the rear extension which would have a flat roof.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted, and three responses were received. The comments included a range of planning and non-planning comments and are detailed below:

Planning considerations:

- Potential loss of light implications
- Adverse impacts on neighbours' ability to utilise their existing rear gardens as a result of the proposal
- Concerns that the tenant was missed from the neighbour consultation list.

Non-planning comments:

- Concerns about increasing rent and potentially disruptive neighbours with the increased size of the property
- Potential disagreements with boundary fence arrangements
- Concerns regarding the construction works extending beyond the applicant's amenity space and potential disruption caused by the construction works (dust, noise, placement of a skip within a small cul-de-sac, historic neighbour disputes related to construction)
- Tenants been under/mis-informed about the planning application and how the works would be carried out.

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).

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 seeks planning permission for the erection of single storey side, rear and front extension to form additional living accommodation. 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 extremely close to the shared boundary with no.21 Atherstone Avenue. As it would be located close to the neighbouring driveway and is only single storey, it would not create an overbearing impact to the use or the views of the neighbouring property. In addition, no windows or doors are to be inserted in this elevation and as such would not give rise to any overlooking or privacy implications. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

Rear extension:

This element of the proposal would have an approximate rearward projection of 4 metres and would be sited close to the shared boundary with both immediate neighbours. For the neighbour no.21 Atherstone Avenue, an existing rear outrigger is located to the rear of the property. As such, they would experience an additional approximate 1.9 metres close to their boundary. This neighbour has a shed located to the north east of their rear amenity space. As such, the neighbour's rear garden would not experience an overbearing impact from the proposal.

The other immediate neighbour no.17 Atherstone Avenue would experience the full 4 metres along the boundary, however due to the high boundary treatment between the two properties and the rear extension being single storey, it is not considered to create an overbearing feature along the boundary.

No privacy/overlooking implications would arise for either of the immediate neighbours since windows would be inserted within the rear elevation of the extension only. Due to the distance between the rear building line of the proposal and the rear boundary line of those properties along Maldwyn Avenue, no overlooking/ privacy implications would be created for those residents.

Due to the orientation of the properties within the streetscene, no overshadowing or loss of light implications would arise for no.17 or no. 21 Atherstone Avenue.

Front extension:

The front extension would create a new entrance at the property which also forms part of the study room. As the front extension would only extend 1.6 metres from the primary building line, it would create a small addition to the front of the property and such would not create an overbearing feature for the neighbours. Due to the ample distance from the windows to be inserted within the front extension to those neighbours' opposite, no privacy/overlooking implications would arise for the surrounding neighbours.

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

Design and Appearance

Side extension:

The side extension is not considered excessively large or bulky, pursuant to Policy DC1.2 of the UDP. A similar side extension could be erected through the route of Permitted Development.

Rear extension:

Although the rear extension exceeds the rearward projection of 3.65 metres as stated within Policy DC1.3 of the UDP, Permitted Development rights using the Larger Homes Extension Route can allow extensions up to 6-8 metres. As such, this element of the proposal, with a projection of 4 metres, is considered to produce a compromise and is therefore acceptable.

Front extension:

Similar front extensions are evident within the immediate streetscene, including no.18 Atherstone Avenue (planning ref: F17818). As such, the front extension is considered to be a sympathetic addition to the streetscene, in terms of size and form as well. This is pursuant to Policy DC1.2 of the UDP.

The proposed extension has been designed sympathetically to relate to the existing property. All the materials would match the existing property, apart from the rear extension which would have a flat roof. A materials condition to that effect would be attached to any consent granted. Therefore, the proposal has been designed to be in keeping with the character of the existing house and would not adversely affect the appearance of the existing dwelling.

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.

Neighbour objections

Neighbour objections were taken into consideration while assessing the application. Whilst non-planning comments are not considered within the assessment, the planning comments have been considered and are now discussed:

-Potential loss of light implications. Due to the orientation of the properties within the streetscene and as the proposal is single storey, the proposal is not considered to give rise to any loss of light or overshadowing implications.

-Adverse impacts on neighbours' ability to utilise their existing rear gardens as a result of the proposal. As discussed within the visual/residential amenity implications section of the report, the proposal is not considered to produce an overbearing impact to either of the immediate neighbours or would affect the use of the neighbour's rear gardens.

-Concerns that the tenant was missed from consultations. Due to the Certificate signed within the application form, the tenant was missed from the consultation but was subsequently notified.

Car parking

Although the side and front extension would be placed within the current driveway, space would still be retained for one car to be parked off street.

Bin storage

At the time of the site visit, bins were stored within the side amenity space and would be affected by the proposal. The agent specified where a covered timber bin store would be located within the plans and has provided a photo to show its appearance. This would be located within the front amenity space, close to the boundary with no. 17 Atherstone Avenue. As such, any bin store concerns were overcome.

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.

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.

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 25 August 2022.

- Drawing- Proposed- Elevation (Front)- Proposed, stamped as received by the City Council as Local Planning Authority on 25 August 2022.

- Drawing- Location Plan- The Location Plan, stamped as received by the City Council as Local Planning Authority on 25 August 2022.

- Drawing- Proposed- Plans, numbered Sheet 4 B, stamped as received by the City Council as Local Planning Authority on 14 September 2022.

- Photo, stamped as received by the City Council as Local Planning Authority on 14 September 2022.

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) 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.

4) 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- Elevation (Front)- Proposed', 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.

5) The development hereby approved shall be carried out in accordance with 'Drawing-Proposed- Plans, numbered Sheet 4 B', stamped as received by the City Council as Local Planning Authority on 14 September 2022 and 'Photo', stamped as received by the City Council as Local Planning Authority on 14 September 2022, in relation to the 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.

Appendix 1 – List of consultees & neighbours notified

22 Atherstone Avenue, Manchester, M8 4PE
20 Atherstone Avenue, Manchester, M8 4PE
18 Atherstone Avenue, Manchester, M8 4PE
17 Atherstone Avenue, Manchester, M8 4PE
22 Maldwyn Avenue, Manchester, M8 4PF
20 Maldwyn Avenue, Manchester, M8 4PF
18 Maldwyn Avenue, Manchester, M8 4PF
21 Atherstone Avenue, Manchester, M8 4PE
15 Atherstone Avenue, Manchester, M8 4PE
19 Atherstone Avenue, Manchester, M8 4PE

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 Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA