

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135263/FH/2022

Date registered valid: 24 October 2022

Proposal: Erection of single storey rear extension following demolition of part of existing rear element

Address: 40 Glen Avenue, Manchester, M9 4EE

Ward(s): Harpurhey Ward

Applicant: Mr Shabir Alam Mohammad, 40 Glen Avenue, Manchester, M9 4EE

Agent (if any): Mr - Hatami 12 Winsham Grove, Birmingham, B21 0QH

Case officer: Katie Raw
Tel: 0161 234 4164
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Recommendation: Approve

Date of recommendation: **13 December 2022**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 11 November 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 November 2022 Expired: 24 November 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 40 Glen Avenue within the north Manchester ward of Harpurhey. The property relates to a two storey, red brick, semi-detached dwellinghouse. Amenity space to the front of the property consists of a small, paved area leading to the front road bounded by a low brick wall with railings above and amenity space to the rear consists of an extensive garden, measuring approximately 200 square metres. To the rear of the property a single storey outrigger is located and a further part of the outrigger had been demolished at the time of the site visit. The site photos show how the proposed works had already started on site prior to the application being submitted. The agent confirmed via email on 16 November 2022 that work had been paused on the site until a planning decision has been received.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension following demolition of part of existing rear element. The existing kitchen for the site would become a utility room and the existing utility room would be demolished to make space for the new kitchen. As such, the proposal would have approximate dimensions of Height: 2.5 (to the eaves)/ 3.9 (to the highest point) x Length: 7.2 x Width: 3.2 metres and would be sited extremely close to the shared boundary with no.42 Glen Avenue. The proposal would involve

the insertion of two windows within the side elevation facing into the applicant's amenity space and one window within the rear elevation.

Materials to be used would match that of the host property and would include facing brick, roof tiles and white UPVC windows.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted and the immediate adjoining neighbour responded with an objection. The resident raised concerns over the proposed length of the extension and the elevation of the side wall- being much higher and longer in length. This neighbour expressed concerns of how the proposal would impact the use of the objector's garden, due to potential loss of light and overshadowing impacts.

Although not a planning consideration, the neighbour raised concerns at the removal of the shared hedge.

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 is for the erection of single storey rear extension following demolition of part of existing rear element. 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

The extension would be sited against the shared boundary with no.42 Glen Avenue. The neighbour would already be used to a level of built form along the boundary but would experience an additional approx. 1.2 metres of built form along the boundary. Although it is acknowledged that the applicant property has a lengthy existing outrigger from the existing rear building line, this appears typical of the immediate neighbours surrounding the applicant property. No.42 Glen Avenue would still retain a large amount of shared boundary without built form against it and as such, the extension is not considered to create an overbearing feature. Due to the orientation of the proposal, no adverse impacts in terms of loss of light or overshadowing or privacy or overlooking implications would be experienced by no.42 Glen Avenue.

The proposal would see the insertion of two windows within the side elevation of the extension, looking onto the applicant's amenity space and across to no.38 Glen Avenue. As the windows would be sited 3.9 metres from the shared boundary, the proposal is only single storey and the two properties are separated by a tall hedge, it would not create any overlooking or privacy implications to the immediate area. A condition would be attached to any approval granted restricting the insertion of windows and doors beyond those approved by this consent. No loss of light or overshadowing implications would arise as a result of the proposal due to the dense hedge separating the two properties.

No properties to the rear would be impacted by the proposal due to the applicant's extensive rear amenity space which leads to Westleigh Street.

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

Design and Appearance

The materials to be used throughout the proposal would match that of the host property and are considered acceptable. A materials condition to this effect would be attached to any approval granted.

The proposal would have a rearward projection of approx. 7.2 metres. It is acknowledged that this projection would exceed the maximum projection specified within Policy DC1.3 of the UDP with a maximum projection of 3.65 metres. However, since the UDP, Permitted Development rights including the Larger Homes Extension Route would allow extensions of up to 6-8 metres. Considering the length applied for is below the maximum length prescribed through Permitted Development rights and considering the extension would be sited in the extensive rear amenity space, the length is considered to be acceptable in this instance. The extension would be hidden from the streetscene and would not create an overbearing feature in terms of design, pursuant to Policy DC1 of the UDP.

Neighbour objection

Local residents were consulted and the immediate adjoining neighbour responded with an objection. Due to the justification given above, it is considered that the proposal would not cause an adverse impact in terms of residential/visual amenity. Although it is acknowledged that the height of the proposal would be approx. 1 metre taller, it is not considered overly large to create adverse overshadowing impacts to the immediate neighbour.

Car parking

Car parking would be unaffected by the proposal.

Bin storage

Bin storage arrangements 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. Although the large length of the proposal is noted, in this instance it is considered acceptable given the siting and arrangement of the applicant's plot.

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 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 24 October 2022.

-Drawing- Existing & Proposed- Site & Location Plans, numbered 0035-001 REV A, stamped as received by the City Council as Local Planning Authority on 24 October 2022.

-Drawing- Existing & Proposed- Plans & Elevations, numbered 0035-002 REV A, stamped as received by the City Council as Local Planning Authority on 24 October 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 used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

14 Westleigh Street, Manchester, M9 4EF
38 Glen Avenue, Manchester, M9 4EE
16 Westleigh Street, Manchester, M9 4EF
42 Glen Avenue, Manchester, M9 4EE

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