

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132984/FH/2022
Date registered valid: 23 February 2022
Proposal: Erection of two storey rear extension to form additional living accommodation
Address: 3 Clee Avenue, Manchester, M13 0UN
Ward(s): Rusholme Ward
Applicant: Mr Saifur Rahman, 3 Clee Avenue, Manchester, M13 0UN
Agent (if any):
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 29 September 2022



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 14 April 2022
Standard consultations: No consultations have been printed and sent.
Neighbour notifications: Printed: 1 March 2022 Expired: 22 March 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
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of site/building

The application site is a 2-storey red brick, interwar semi-detached dwelling situated on the northern side of Clee Avenue in the Rusholme ward. The property has front and rear gardens and access to the rear from a side path. The original hipped slate roof has been recovered in a Marley Modern equivalent, with red ridge tiles.

The site has an extant consent for a 4-metre single storey rear extension and 3.5 metre first floor rear extension with a 1.3 metre gap to No.1 (Ref: 128055/FH/2020).



Description of area

The site is within a cul-de-sac north of Old Hall Lane on a medium-density estate of similar interwar housing. At the rear of the site is a gated alley that is bounded each side by mature vegetation.

Description of development

Erection of two storey rear extension to form additional living accommodation.

The proposal seeks the determination of the local planning authority for extensions at the rear.

Originally, both extensions at ground and first floor proposed to span the full width of the house and extend out from the original rear elevation by 6 metres. Windows were proposed on all three extended elevations at both ground and first floor. The applicant was advised that the proposal was not acceptable and to make amendments to avoid adverse impacts on residential amenity.

The revised drawings show a reduction in the depth of the rear first floor to 3.5 metres and a reduction of additional first-floor side windows. The remaining windows serve a landing and bathroom which have limited potential for intrusive overlooking.

It was also recommended that the first-floor rear extension roof was amended from a gable to a hip to further mitigate overshadowing impacts. The agent declined to make this amendment on the grounds that the additional roof space was needed.

The extended accommodation provides a ground floor living room, utility room and shower, whilst the first floor proposes 2no. additional bedrooms, WC, and extensions to bedroom 3 and original bathroom.

Consultations & Notification Responses

A total of 6no. neighbours were notified of the proposal. No comments were received.

Policy

National Planning Policy Framework (2021)

The NPPF Sets out the Government's Planning policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development and that the planning system should perform:

An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;

A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and

An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Unitary Development Plan (1995)

The following saved policies within the UDP have material weight in the assessment of the proposal:

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 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.

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
- e) extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance)

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

Making it easier for jobs to be created in cities, towns and villages;
 Moving from a net loss of biodiversity to achieving net gains for nature;
 Replacing poor design with better design;
 Improving the conditions in which people live, work, travel and take leisure, and
 Widening the choice of high-quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies 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 including:

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 or income.
 Protect and enhance the built and natural environment
 Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 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:

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.

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.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

Flood risk and drainage.

Existing or proposed hazardous installations.

Principle

The above planning policy framework makes provision for householders in Manchester to extend their homes to meet changing household needs. This is subject to satisfactory impacts on the residential and visual amenities resulting from the proposal.

In this case, amendments have been made at various stages to reduce the impact of the proposal on neighbouring occupiers to a scheme that is now considered acceptable.

Residential Amenity

The original proposal was for a 6-metre extension over both storeys that spanned the full width of the rear elevation which is north-facing. The amended scheme retains the ground floor at 6 metres but has reduced the first floor to 3.5 metres which is within saved UDP policy guidelines. It extends part way across the rear elevation leaving a gap to the adjoining property (No.1) of 1.3 metres. This is similar to the gap in approved application 128055.

The depth and off-set from the adjoining property are considered to be acceptable with little impact on residential amenity due to loss of light or appearing overbearing. Windows are proposed at ground and first floor on the side elevation facing the intervening fence between rear gardens, which mitigates intrusive overlooking opportunities. First floor windows have been reduced in number to a landing and 2no. bathroom windows which are acceptable for this scheme.

Visual Amenity

The extensions are typical of domestic extensions with the first floor being adequately subservient. No comments were received on notification of the application with regards to the depth of the ground floor extension which could otherwise be built under the applicants' Permitted Development allowance. There is no visibility of the extension within the street scene.

It is however proposed to be built in materials to match the existing for which a condition is appended at the end of this report.

Bins

Bins storage is not affected by the proposal as there is space to the side of the property for the movement of bins from the rear to the front which accords with Core Strategy policy EN19.

Parking

Off road car parking is not affected by this proposal. Space to the front driveway would still be available following any approval of the proposal.

Conclusion

The proposal as amended is considered to be acceptable in this location in terms of its siting, design, height, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of neighbouring occupiers. The proposal therefore accords with saved UDP policy DC1 and policies SP1 and DM1 of the Core Strategy.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to the conditions below and for the reasons outlined in the delegated report. The application was subject to amendments to remove detrimental impacts on neighbouring occupiers due to the originally proposed 6-metre depth rear extension over both storeys which was not supported. The extension has been reduced in depth at the rear and a number of first floor side windows have been removed to reduce the opportunities for intrusive overlooking.

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 received on the 21st of February 2022 or as stated:

Application Form

Location Plan

Proposed Plans and Elevations received by email on the 19th of June 2022 and 28th of September 2022

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity pursuant to policy DM1 of the Manchester Core Strategy and saved UDP policy DC1.

4) The ground and first floor shower room and bathroom windows on the side elevation facing 5 Clee Avenue, 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 residential properties from overlooking or perceived overlooking in accordance with policy DM1 of the Core Strategy and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

1 Clee Avenue, Manchester, M13 0UN
6 Clee Avenue, Manchester, M13 0UN
5 Clee Avenue, Manchester, M13 0UN
4 Clee Avenue, Manchester, M13 0UN
15 Roker Avenue, Manchester, M13 0TP
13 Roker Avenue, Manchester, M13 0TP

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: SOUTH