

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134975/FH/2022

Date registered valid: 26 September 2022

Proposal: Erection of a single storey side extension to form additional living accommodation

Address: 9 Hadley Avenue, Manchester, M13 0UU

Ward(s): Rusholme Ward

Applicant: Mr Jehanzaib Awan, 9 Hadley Avenue, Manchester, M13 0UU

Agent (if any): Mr Ahmed Choudhry, Nada Architects, 169 Kingsway, Manchester, M19 2ND

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

Date of recommendation: 15 November 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 10 October 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 September 2022

Expired: 20 October 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 9 Hadley Avenue within the south Manchester ward of Rusholme. The property relates to a semi-detached, red brick, two storey dwellinghouse located within the cul-de-sac of Hadley Avenue. Amenity space to the front of the property relates to an extensive driveway and lawn area, measuring 113.6 square metres. Amenity space to the rear is accessed by timber gates to the side of the property and consists of a lawn area, flagged area, a large store, and an additional shed.

Description of development

The submitted application seeks planning permission for the erection of a single storey side extension to form additional living accommodation. The proposal would have approximate dimensions of Height: 2.1 (to the eaves)/ 3.4 (to the highest point) x Length: 7.6 x Width: 2.8 metres and would align with the length of the host property. The extension would be sited 0.6 metres from the shared boundary with no.7 Hadley Avenue. The proposal would create a bedroom and an en-suite and would involve the insertion of a window within the front elevation and a further window within the side elevation. Materials to be used, to match the host property, include pantile roof covering, facing brickwork and UPVC windows.

Planning history

No planning history exists for this property. During the site visit, the store located to the rear of the property was flagged for concern, of whether it would have constituted Permitted Development. Enforcement history exists for the site (ref: ENF/14990/20), where the case was closed as the proposal complied with Permitted Development rights.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

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 a single storey side extension to form additional living accommodation. 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.

Residential/Visual Amenity

The proposal would be sited against the shared boundary with no.7 Hadley Avenue. Since no.7 and no.9 Hadley Avenue are not positioned parallel to one another within the plots, the side extension would be felt along the entirety of the shared boundary, as opposed to sitting in-between both of the properties. However, as the proposal is only single storey and would be sited 0.6 metres from the shared boundary, the extension would not be considered to create an overbearing impact. The neighbour's property benefits from an expansive rear amenity space, measuring 179.2 square metres, and as such even with the extension, a sense of openness would be retained.

One window is to be inserted in the side elevation facing the immediate neighbour, however as the proposal is single storey, the window would not give rise to any overlooking/privacy implications. To further increase the privacy for the applicant, the en-suite window should 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, a condition to this effect would be placed on any approval granted. The window is presented within the plans as being top-opening only. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent and for the window to be top-opening. Due to the orientation of the properties, the proposal would not give rise to any overshadowing or loss of light implications.

The proposal would be seen in the streetscene, as the existing timber fence would be removed as a result of the proposal. As the extension would be single storey and would be set back by 15.9 metres from the front boundary line of the site, it would not create any adverse visual/residential implications to the neighbours along Hadley Avenue.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Materials to be used in the proposal would match the host property and as such would be considered sympathetic to the existing dwellinghouse. The materials are therefore acceptable and a materials condition would be attached to any approval granted.

It is noted that a similar single storey side extension could have been obtained through the route of Permitted Development. The proposal is considered appropriate in its form; is typical of other extensions within the wider area and would not create an overbearing feature within the streetscene. The proposal is not considered excessively large or bulky, pursuant to Policy DC1.2 of the UDP. Therefore, the design and appearance of the extension is considered acceptable.

Car parking

Ample off street car parking is provided on site and would be unaffected by the proposal.

Bin storage

At the time of the site visit, bins were stored along the side of the property, where the extension is to be erected. Due to the size of the bins, the agent was asked to provide details of a bin

store to accommodate the bins, since they would be difficult to be moved along the side of the extension.

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 and have requested further information relating to the site.

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 20 September 2022.
- Drawing- Proposed- GA Site Plan & Elevations & Floor Plan, numbered (02)001 PL1, stamped as received by the City Council as Local Planning Authority on 14 November 2022.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 20 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) Before first occupation, the en-suite window as shown on the approved 'Drawing- Proposed- GA Site Plan & Elevations & Floor Plan, numbered (02)001 PL1', stamped as received by the City Council as Local Planning Authority on 14 November 2022, 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.

In addition, the en-suite window shall be top-opening and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the 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 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.

5) 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.

6) The development hereby approved shall be carried out in accordance with 'Drawing- Proposed- GA Site Plan & Elevations & Floor Plan, numbered (02)001 PL1', stamped as received by the City Council as Local Planning Authority on 14 November 2022, in relation to a 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

11 Hadley Avenue, Manchester, M13 0UU
8A Hadley Avenue, Manchester, M13 0UU
8 Hadley Avenue, Manchester, M13 0UU
12 Hadley Avenue, Manchester, M13 0UU
15 Whitburn Avenue, Manchester, M13 0UR
7 Hadley Avenue, Manchester, M13 0UU
10 Hadley Avenue, Manchester, M13 0UU
19 Whitburn Avenue, Manchester, M13 0UR
17 Whitburn Avenue, Manchester, M13 0UR

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA