

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 134185/FH/2022

**Date registered valid:** 27 June 2022

**Proposal:** Erection of two storey side extension and single storey rear extension to provide additional living accommodation

**Address:** 41 Avon Road, Manchester, M19 1HW

**Ward(s):** Burnage Ward

**Applicant:** Mr Muhammad Hashmi 41 Avon Road, Manchester, M19 1HW

**Agent (if any):** Mr Jaswant Dhillon JD Architectural 2 Havisham Close, Birchwood, Warrington, WA3 7NB

**Case officer:** Robert Tyrer  
Tel: 0161 234 4068  
Email: [robert.tyrer@manchester.gov.uk](mailto:robert.tyrer@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 15 August 2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 5 August 2022

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 7 July 2022      Expired: 28 July 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**



**The application site relates to a two storey semi-detached dwellinghouse with a hipped roof located on the corner of Avon Road and Avon Gardens.**

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

## **Description of area**

Avon Road and surrounding area is residential in nature comprising of similar size and designed dwellinghouses close to areas of green open space.

## **Description of development**

The applicant is seeking planning permission to erect a two storey side extension and single storey rear extension to provide additional living accommodation

## **Consultations & Notification Responses**

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

## **Issues**

### Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

The relevant UDP policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

### National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

130. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design<sup>52</sup>, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

**Planning History Summary** – There has only been one previous application at the site for a similar development which was withdrawn under planning reference: 133412/FH/2022

**The Principle** – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of

design in new developments which provides a good standard of amenity of all existing and future occupiers.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

**Residential and Visual Amenity** – At ground floor the proposed single storey rear extension would have a rearward projection of 3 metres, which if approved would be within the tolerances of saved UDP policy DC1 guidance. The rear extension would have a lean to roof with a maximum height of 3.3 metres and an eaves height of 2.48 metres. The proposed windows will have into the rear garden and therefore the modest size of the extension together with the window orientation will not result in overlooking or overshadowing on the neighbouring properties in particular the adjoining semi-detached dwellinghouse.

Side extensions are naturally least likely to cause such problems as overlooking or overshadowing. It was noted that No.2 Avon Gardens only has a door at the side and no windows to habitable rooms are present. Likewise, there are no windows proposed on the two storey side extension at the neighbouring address approved under planning reference: 125053/FH/2019, should the neighbour decided to build the side extension.

At the side the extension would appear subservient to the main dwellinghouse as the ridge roof will be lower than the main dwellinghouse and the width would be less than the existing dwellinghouse. There are no concerns with potential or actual terracing due to its corner location, even if No.2 Avon Gardens were to complete their side extension.

The proposal would have a positive impact upon the street scene and would contribute to vitality of the street. This approach is encouraged by the Council's Residential Quality Guidance (RQDG) documents as well as saved UDP policy DC1, where the RQDG states that: "New development should investigate and reference its historical context; interpreting materials, styles and detailing in a contemporary context that can reinforce local distinctiveness and a sense of place" (page 43), whilst saved UDP policy DC1 guides that development is "not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details". In this case the applicant has chosen a traditional design to match with the existing dwellinghouse.

Final details of materials will be controlled by condition to ensure that the materials are similar to those used on the existing dwellinghouse.

At the front a small extension is proposed to extend the porch by 56 centimetres forward of the bay window. It was noted on site that works had begun on a much larger porch which appeared incongruous in the street scene by its size and choice of materials when compared to other porch areas within the vicinity of the site. These concerns were relayed to the applicant via their appointed agent. The proposed porch drawings are relatively minor and would have a similar impact to those experienced by the original porch prior to its demolition.

**Car Parking** – Car Parking would be unaffected by the proposal as the driveway would still leave space for one vehicle to be stored off road. Furthermore, there are no restrictions on the public highway.

**Refuse Storage** – Bins are still capable of being stored at the side and rear of the property.

**Conclusion** - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

## **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 applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about the commencement of works to the applicant during the course of the planning application. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

## **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:

007, 016, 017 and 105 received by the City Council as Local Planning Authority, on the 27 June 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted shall be similar in appearance to those used during the construction of the original 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.

## **Appendix 1 – List of consultees & neighbours notified**

43 Avon Road, Manchester, M19 1HW  
44 Avon Road, Manchester, M19 1HA  
2 Avon Gardens, Manchester, M19 1FZ  
52 Avon Road, Manchester, M19 1HA  
50 Avon Road, Manchester, M19 1HA  
39 Avon Road, Manchester, M19 1HW  
48 Avon Road, Manchester, M19 1HA  
46 Avon Road, Manchester, M19 1HA  
1 Avon Gardens, Manchester, M19 1FZ

## **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  
Area Team Boundary - Name: SOUTH AREA