

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134848/FH/2022

Date registered valid: 2 September 2022

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

Address: 8 Jurby Avenue, Manchester, M9 6NG

Ward(s): Higher Blackley Ward

Applicant: Miss Keeley Smith 8 Jurby Avenue, Manchester, M9 6NG

Agent (if any): Miss Keeley Smith Manchester City Council Unit 11 Hendham Vale Industrial Park, Manchester, M8 0AD

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

Recommendation: Approve

Date of recommendation: **21 October 2022**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 September 2022

Standard consultations:

Printed: 6 September 2022

Expired: 27 September 2022

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 8 Jurby Avenue within the Higher Blackley ward of north Manchester. The property relates to an end-terraced, two storey, red brick dwellinghouse with white paint detailing within the ground floor front and rear elevation. The property sits close to the new bungalows along Jurby Avenue. Amenity space to the front of the property consists of a large driveway and a path leads to the rear of the property, which consists of a flagged patio and a grassed garden. Two storage sheds are located to the rear of the property.

Description of development

The submitted application seeks planning permission for erection of single storey rear extension to form additional living accommodation. The proposal would create a lobby and a new bedroom for a disabled user and at its largest point would have approximate dimensions of Height: 3.1 x Length: 5.4 x Width: 4.1 metres. The proposal would involve the insertion of a window within the rear elevation, a window within the side elevation and a door within the side elevation of the lobby area. Two skylights would be inserted in the lobby roof plane to provide additional light to the living room. Materials to be used, to match existing, include brick, concrete tiles and uPVC double glazed windows and composite doors.

Pre-app advice

Pre-app was requested for the proposal and the following comments were provided on 22 August 2022:

- Support for the application in principle, given it is for a disabled user and we do not receive any objections, subject to seeing the final details within the formal planning application.
- Potential removal of the 'lobby' section between the two rooms
- How disabled user accesses first floor bathroom
- Property sits within a landfill site
- Provide site setting out plan for formal planning submission.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Environmental Health

Environmental Health were consulted on the application and had no comments to make.

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).

DC1.5 The council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

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 erection of single storey rear 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.

Visual /Residential Amenity

The proposed extension would have a rearward projection of 5.4 metres and would be sited against the boundary with no.6 Jurby Avenue. It is acknowledged that this would extend a considerable amount along the shared boundary but would leave 4.9 metres before reaching the rear boundary line. As the proposal is only single storey and since the proposal would increase the quality of life for the disabled user as outlined within Policy DC1.5 of the UDP, in this instance the additional built form along the boundary is considered acceptable. No windows are to be inserted within the elevation facing no.6 Jurby Avenue and as such would not give rise to any overlooking or overshadowing implications. No.6 Jurby Avenue may experience some loss of light or overshadowing but as the proposal is single storey, the impact should not be overwhelming.

The proposal would be sited approximately 5.7 metres from the shared boundary with the other immediate neighbour no.10 Jurby Avenue. Due to no.10 Jurby Avenue having a different built form of a bungalow with a larger footprint, the proposal would extend approximately 1.5 metres beyond the neighbour's rear building line. As such, given the distance and the small length, the proposal would not be considered to create an overbearing feature for the neighbour. One window would be inserted within the side elevation facing onto no.10 Jurby Avenue, however since the proposal is only single storey and would be sited a considerable distance from the shared boundary, it would not give rise to any overlooking or privacy implications. No negative loss of light or overshadowing implications would occur for no.10 Jurby Avenue.

Being sited considerable distance (5.6 metres) from the rear boundary line, the proposal or the window to be inserted within the rear elevation would not create any negative adverse implications to the properties to the rear.

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

Design and Appearance

The proposed rear extension has been designed sympathetically to relate to the existing property. The extension would be made of materials to match the existing property. A condition to that effect would be attached to any consent granted.

In terms of the scale and form, the extension projects 5.4 metres from the rear building line of the host property. As such, the rearward projection extends the length prescribed within Policy DC1.3 of the UDP which states a 3.65 metre limit. However, since the creation of the UDP, the Larger Homes Extension Route under Permitted Development allows extensions with rearward projections of up to 6 metres. As such, the proposal is considered a compromise between the two routes for approval. In addition, the extension would benefit the needs of a disabled user residing at the property. Therefore, on balance any impacts in relation to design would be outweighed by the need for a better quality of life for a disabled user in this instance, pursuant to Policy DC1.5 of the UDP.

Pre-app concerns

At pre-app several points were raised to the agent. During the formal application, the agent was asked whether it was possible to remove the proposed lobby area to reduce the overall length of the extension. The agent explained the additional space was needed to provide light into the living room and considering the proposal has a rearward projection of under 6 metres, it was considered acceptable to keep the lobby within the proposal.

Bin storage

At the time of the site visit, bins were stored within the side amenity space. As such, provision would be unaffected by the proposal.

Car parking

Off street car parking would be unaffected by this 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, while benefitting the needs of the disabled resident.

Note – the air source heat pump identified on the ground floor plans would be permitted development and would be replacing an existing air source heat pump to the rear elevation.

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 by requesting further information relating to the scheme.

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:

- Application for Planning Permission, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Elevation- Front, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Elevation- Rear, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Elevation- Side, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Floor Plan- First Floor, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Floor Plan- Ground Floor, stamped as received by the City Council as Local Planning Authority on 2 September 2022.
- Drawing- Proposed- Site Setting out Plan, stamped as received by the City Council as Local Planning Authority on 3 October 2022.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 2 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 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

Environmental Health

123 Plant Hill Road, Manchester, M9 6WQ
119 Plant Hill Road, Manchester, M9 6WQ
6 Jurby Avenue, Manchester, M9 6NG
9 Jurby Avenue, Manchester, M9 6NQ
12 Jurby Avenue, Manchester, M9 6NG
10 Jurby Avenue, Manchester, M9 6NG
125 Plant Hill Road, Manchester, M9 6WQ
121 Plant Hill Road, Manchester, M9 6WQ

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA