

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133969/FH/2022

Date registered valid: 6 June 2022

Proposal: Erection of two storey side and rear extension to form additional living accommodation

Address: 78 Brynton Road, Manchester, M13 0UY

Ward(s): Rusholme Ward

Applicant: Mr Muhammod Monjur Ahmed 78 Brynton Road, Manchester, M13 0UY

Agent (if any): Mr Rashid Mehmood I. Planning Services 2A Cook Street, Bury, BL9 0RP

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 August 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20.06.2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications Printed: 10 June 2022 Expired: 1 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The application site is an inter-war semi-detached dwelling on a corner plot with gardens to the front, side, and rear, the front and side gardens being paved, and extensive lawn area at the rear. The property is of red brick and grey pan tile hipped roof construction. There is a 5.6 metre gap to the side boundary with Heston Avenue and a rear garden measuring 13.62 metres long x 12 metres wide.

Parking is accommodated on the front garden area via vehicular gates on the corner, or on street where there are dedicated parking areas along the length of Brynton Avenue.

Description of area

The surrounding area is residential comprising of a similar housing typology.

Description of development

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

The application was delayed whilst the Council considered the merits of the proposal particularly with regards to the scale of development along the side boundary. During consideration of the application and review of the site history, it was confirmed that consent has previously been issued in 2014 and expired for the development now proposed. Details are set out below.

Consultations & Notification Responses

Neighbour notifications – 6no. neighbours were notified of the proposal. No comments were received.

Site History

105976/FH/2014/S1 - Erection of two-storey side and rear extension to form additional living accommodation

Approved – 23.07.2014

105417/FH/2014/S1 - Erection two storey side extension to form additional living accommodation

Refused – 05.06.2014

Policy

National Planning Policy Framework

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. It states 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

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 bio-diversity 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.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy")

The Core Strategy was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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.

Unitary Development Plan

The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy 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.

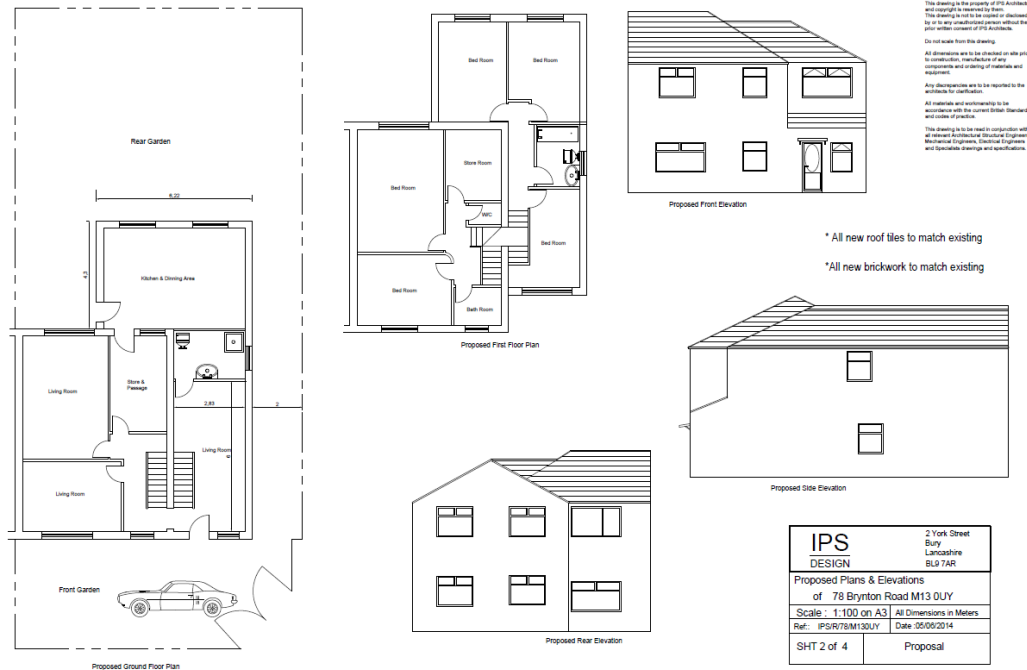
DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- 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).

Issues

Principle

The application is for acceptable extensions to a residential property to provide additional living accommodation for which provision is made primarily through saved UDP policy DC1. A previous consent has elapsed on the site (105976/FH/2014 – shown below) which granted approval for similarly scaled extensions. The principle of the proposal is therefore acceptable, subject to the impacts on residential and visual amenity.



Residential Amenity

The application proposal has been previously assessed as having acceptable impacts on residential amenity. Both the ground and first floor rear extensions have a 4-metre rear projection and are sited on the outside of the semi leaving a gap of 3.2 metres to No.80, the adjoining property which is south of the site. This is adequate to avoid any overbearing impacts whilst the orientation and relationship guarantees no overshadowing. Windows proposed at first floor on the rear elevation overlook the gable elevation of No.1 Heston Avenue that is 18.54 metres away. This is sufficient to avoid any intrusive overlooking. Side windows are proposed at ground and first floor which overlook Heston Avenue with no residential amenity implications.

Visual Amenity

The extensions are sited to make the best use of the gap at the side and internal constraints, to provide an extended lounge and kitchen and 3 additional bedrooms. The building line of No.78 stands forward of houses on Heston Avenue so the 3.1-metre-wide side extension will obscure views of these houses on approach. This will be mitigated to some extent by retention of a 2-metre gap to the side boundary, thus keeping a sense of the openness around the dwellings that is apparent on all four corners in the street. As a result, the character of the street scene will not be adversely affected to any extent to warrant a refusal.

The proposal is set back at first floor by 1.5 metres and the roof ridge set down by 411mm; these measures being adequate to achieve a sense of subservience and avoid the extensions appearing overly large and bulky. At the rear, the first-floor roof profile has been changed from a gable to a hip since the 2014 approval. This helps to reduce the appearance of the rearward extension which is just over the guidance within saved UDP policy DC1.3. Within the context of the large rear garden, the extensions appear proportionate to the plot and not as an over-

development of the site. Sufficient amenity garden space would be retained around the extensions following any approval.

The extensions are within a traditional design language that relate appropriately to the original dwelling. Eaves and window headers and cills line through and the materials are proposed to match the existing. This will help the extension to assimilate with the original to the benefit of the street scene.

Parking / Bin Storage

Parking can continue to be taken from the front garden area as at present, whilst the 2-metre gap to the side boundary is sufficient to enable bins to be stored off the front elevation, to the benefit of the street scene.

Given all of the above the proposal is considered to be in accordance with saved UDP policy DC1 and policies DM1 and SP1 of the Core Strategy and the NPPF.

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 appropriate conditions and for the reasons outlined in the delegated report. The neighbour consultation did not result in any objections and the application has been determined in accordance with the development plan.

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 6th of June 2022 as follows;

Application Form

Location Plan

Existing Floor Plans and Elevations Sheet 1 of 2

Proposed Floor Plans and Elevations Sheet 2 of 2

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to saved UDP policy DC1 'Residential Extensions' and policies DM1 'Development Management' and SP1 'Spatial Principles' of the Manchester Core Strategy.

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 policies EN3 and DM1 of the Manchester Core Strategy and saved policy DC1 of the UDP.

4) The first-floor bathroom windows on the front and side elevations shown on drawing 2 of 2, shall be obscure glazed to a specification no less than Level 5 on 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 adopted Core Strategy Development Plan Document for the City of Manchester and saved UDP policy DC1.

Appendix 1 – List of consultees & neighbours notified

76 Brynton Road, Manchester, M13 0UY
75 Brynton Road, Manchester, M13 0UX
80 Brynton Road, Manchester, M13 0UY
77 Brynton Road, Manchester, M13 0UX
2 Heston Avenue, Manchester, M13 0UW
1 Heston Avenue, Manchester, M13 0UW

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