

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 132940/FH/2022

**Date registered valid:** 15 February 2022

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

**Address:** 429 Victoria Avenue, Manchester, M9 8PJ

**Ward(s):** Higher Blackley Ward

**Applicant:** Mr Beradin Bicako, 429 Victoria Avenue, Manchester, M9 8PJ

**Agent (if any):** Mr Sohail Musa, SMS architecture, 59 Croston Street, Bolton, BL3 4BB

**Case officer:** Adam Mitchell  
Tel: 0161 234 4165  
Email: adam.mitchell@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 22.07.2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Standard consultations:**

No consultations have been printed and sent.

**Neighbour notifications**

Printed: 17 February 2022 Expired: 10 March 2022

Printed: 16 May 2022 Expired: 23 May 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:**

**Tree Preservation Order:**

## **Description of Site/Area**

The application site relates to a semi-detached, two storey, red brick property located within a predominately residential area within the Higher Blackley ward of North Manchester. The property features amenity space to the front, driveway to the side and a spacious rear garden with a large garage.

The remainder of the area is predominately residential in nature and are houses of similar style and design of the proposal site.

## **Description of development**

The application seeks consent for the erection of a two storey side extension to form additional living accommodation. The agent was advised early on in the planning application surrounding concerns relating to the subservience of the proposed extension to the original dwelling.

Following negotiation, the proposal has been revised in the interest of subservience. Clarification has been provided in relation to the two storey side extension's footprint, lessening the scale and introducing a greater setback along the ground floor to prevent terracing and adding subservience to the proposal. The revised drawings are consistent and accords with DC1 of the Saved Unitary Development Plan (Email dated 11 July 2022 and attached revised plans).

Drawing: Plans and Elevations ref. B-02

The two storey side extension accommodates on the ground floor a bathroom, utility room and open plan kitchen along the ground floor including one front, one side and one rear elevation window. On the first floor the extension accommodates an additional two bedrooms and bathroom alongside one front and side window. The proposed extension will introduce a 1.5metre setback along the first floor from the principal elevation. The extension will cover the full depth of the original dwelling becoming flush with the original rear elevation, a tiled hipped roof would make up the extension's roof profile, with a height of the eaves of 5.5m and maximum height of 7.5m . The width of the extension will measure approx. 2.7m along the front elevation and 1.5m along the rear elevation. The extension will be sited approx. 0.9m away from the shared boundary with 431 Victoria Avenue.

### **Consultations & Notification Responses**

Local residents were notified however none responded.

### **Policy**

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

**The National Planning Policy Framework** sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: 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.

### **Unitary Development Plan Saved Policies**

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) 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

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

### **Core Strategy**

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

## **Principle**

The proposed development is a two storey side extension to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order 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.

## **Issues**

### **Residential and Visual Amenity**

Revised drawings were received 11 July 2022, the plans include a greater setback dimension along the first floor that addresses the concerns relating to the subservience of the extension. On balance the revised two storey side extension is deemed acceptable in terms of residential and visual amenity upon the existing property and surrounding properties due to the positioning and dimensions of the property and orientation of the property. These elements all contribute in generating subservience to the main dwelling preventing any overbearing or intrusive impacts on neighbouring residents. It is granted that marginal overshadowing impacts during the morning period may be present along 431 Victoria Avenue's boundary however this is deemed minimal and insignificant to merit a refusal.

Furthermore, neighbouring property 431 Victoria Avenue have erected a part single part two storey side extension (102045/FH/2013/N1) and so the proposed development will be typical of an extension within the residential area.

The proposed two storey side extension has one window located on the first floor side elevation, this will be obscured glazed in order to prevent intrusive sight lines into 431 Victoria Avenue and maintain privacy levels. Additionally, fenestration elements are situated along the front and rear elevations overlooking the driveway and rear garden. The proposed openings do not pose overdue intrusive sight lines issues into adjoining properties, maintaining privacy levels for neighbouring occupiers. A condition shall be applied to any approval regarding no further windows along the proposal.

The proposed extension would be visible from within the streetscene in Victoria Avenue, but it is considered that as the extension is set back from the front of the main dwelling, the proposed extension would be subservient to the existing house and would have an acceptable appearance. It should also be noted that the approval has been conditioned so that it would be built in materials to match the existing house. For these reasons, it is considered that the proposed extension would not adversely affect visual amenity within the area.

Overall, the proposed extensions are considered to be subservient to the existing property and creates a sympathetic approach to the street character therefore, this proposal does not create any significant impacts in terms of visual or residential amenity within the character of the general area and is considered acceptable against the principles set within Saved DC1 and SP1 and DM1 of the Core Strategy.

## **Design and Appearance**

It is not considered that the proposed development would unduly harm the character of the building or the general area. The materials would match the existing, although it is recommended a materials condition is attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

### **Height, Scale and Massing**

The height of the proposed extension appropriately relates to the height parameters of the existing building. The height of the proposed two-storey extension has tied in with the existing building. It is considered that the proposed extension responds well to the dimensions, design and siting of the neighbouring properties. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

On this account, it is considered the development would be consistent with the aspirations of saved UDP Policy DC1 and Core Strategy Policy DM1, proposed developments must provide a positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

### **Waste Management**

There is sufficient land to the rear of the property to store the bins without causing any additional residential amenity.

### **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:** Approval

### **Article 35 Declaration**

Officers have worked with the agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in the dealing with the application.

**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 date of three years beginning with the date of 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 documents and drawings:

Drawing: Plans and Elevations ref. B-02 Stamped as received by the City Council as the Local Planning Authority on 11 July 2022

Drawing: Location Plan ref. 00, Stamped as received by the City Council as the Local Planning Authority on 15 February 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 match those of the existing 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.

- 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings : Plans and Elevations ref. B-02 Stamped as received by the City Council as the Local Planning Authority on 11 July 2022.

Reason- In the interest of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for City of Manchester.

- 5) The windows in the western side elevation ( boundary to number 431 Victoria 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 and in accordance with Policy H2.2 of the Unitary Development Plan for the City of Manchester.

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

431 Victoria Avenue, Blackley, Manchester, M9 8PJ  
427 Victoria Avenue, Blackley, Manchester, M9 8PJ  
458 Victoria Avenue, Blackley, Manchester, M9 0PL  
23 Ledsham Avenue, Manchester, M9 8PH  
462 Victoria Avenue, Blackley, Manchester, M9 0PL  
460 Victoria Avenue, Blackley, Manchester, M9 0PL  
456 Victoria Avenue, Blackley, Manchester, M9 0PL  
27 Ledsham Avenue, Manchester, M9 8PH  
25 Ledsham Avenue, Manchester, M9 8PH  
21 Ledsham Avenue, Manchester, M9 8PH  
19 Ledsham Avenue, Manchester, M9 8PH

## **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  
Area Team Boundary - Name: NORTH1