

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
117226/FH/2017	9th Aug 2017	11th Jan 2018	Old Moat Ward

**Proposal** Erection of a two storey side extension and single storey rear extension to form additional living accommodation

**Location** 30 Longton Avenue, Manchester, M20 3JN

**Applicant** Peter Riley , 30 Longton Avenue, Manchester, M20 3JN,

**Agent** Ahmed Choudhry, NADA Architects, 169 Kingsway, Burnage, Manchester, M19 2ND,

### Description

The application site relates to a traditional, two-storey, semi-detached residential dwelling house situated at the top of a Cul-de-sac on Longton Avenue in the Old Moat Ward area of Manchester. An attached garage is located on the side elevation with a single storey rear extension across the rear of the house. The site is bounded by timber fencing approximately 1.8 metres high and a brick wall on the shared boundary with the adjoining semi-detached property.

The site adjoins a triangular plot of land to the rear of Rutland Avenue and 28 Longton Avenue which is currently used as a community garden for local residents.



Existing Front



Existing Rear

In terms of its immediate surroundings, the property is neighboured by similar sized dwelling houses.

In this case, planning permission is sought for the erection of a two storey side and single storey rear extension to form additional living accommodation.

Initially, the proposal required the removal of trees along the shared boundary on land to the side of the application site, however the submission of a recent Method Statement received on the 12<sup>th</sup> December 2017 outlined that the works could be

carried out without the need to remove any trees. This has been confirmed by the arborist within the City Councils Tree Team.

## Consultations

Local Residents – In response to the original and the amended proposal, 3 letters of objection have been received from an adjoining occupier. Summary of comments as follows:

- The scheme would involve the loss of trees and will impact on the community garden at the rear of Rutland Avenue during construction and after completion
- The land is a haven for wildlife and any encroachment would not be acceptable
- Welcome a tree survey but disagree to the removal and reduction of any tree
- If the tree is removed, it will result in a loss of privacy to our house

Withington Civic Society – summary of comments as follows:

- The proposed extension would have an adverse impact on the adjacent community garden and have not submitted any mitigating factors for reducing the green infrastructure contrary to policy EN10
- The community garden is a haven for wildlife
- Concerned about the impact of the proposal on adjacent trees
- We consider a site visit by Members of the Committee before the application is considered

Rutland Avenue Residents Association - summary of comments as follows:

- The community garden is a haven for wildlife
- The proposal extends beyond the boundary of the site onto the community garden, any encroachment would not be acceptable and would be contrary to policies EN9 and EN10
- Our objections can be addressed should the applicant amend the proposal and not encroach on land beyond not in his control

Councillor Suzannah Reeves - summary of comments below:

- The scheme will involve the loss of trees
- The scheme will also impact on the community garden at the rear of Rutland Avenue during construction and after completion
- Any encroachment of the development would not be acceptable and would be contrary to policies EN9 and EN10 of the Core Strategy
- The application does not have a tree survey, one should be required to ensure that mature and developed trees are not lost by this application and development

Councillor Garry Bridges – summary of comments as follows:

- The application has raised concern due to the impact on trees in the rear garden
- Can the Method Statement be made available prior to a decision being made

Neighbourhood Team – Trees – have no objection to the removal of the trees outlined in the Tree Survey, however have since commented that there would be no tree root activity within the area of the existing garage and therefore the proposed works can be carried out without their removal subject to protective measures being put in place

## **Policy**

The following policies within the Core Strategy are considered relevant in the determination of this application:

Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ("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 DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs 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 given below:-

- 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.

Policy SP1 'Spatial Principles' which states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy EN 1 Design Principles and Strategic Character Areas - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance having regard to the strategic character area in which the development is located. Opportunities for good design to enhance the

overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The central theme to the National Planning Policy Framework (NPPF) is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraphs 6 & 7).

Paragraphs 11, 12, 13 and 14 of the NPPF outlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

#### Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- the general character of the property,
- the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- 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 the original buildings);
- they do not create an undue loss of sunlight, daylight or privacy;
- they are 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;

As set out within the issues section of this report the proposals are considered to be in accordance with the policies of the Core Strategy and the saved UDP which relate to applications to extend residential properties.

## Issues

### Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

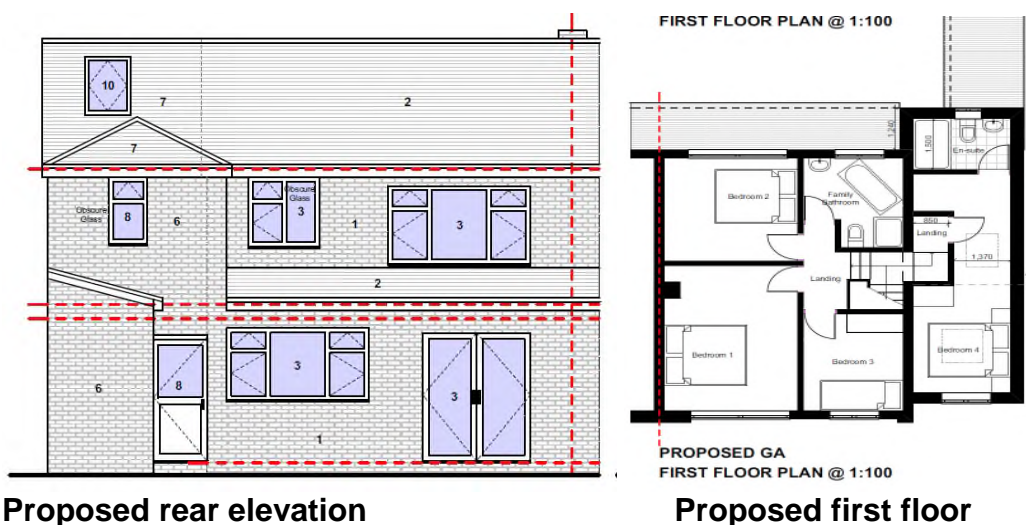
In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

### Design, Scale and Appearance

The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching materials by way of brick and tile as specified in the application form. The design is detailed as what is normally expected of such a structure and would not unduly impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.



**Proposed rear elevation**

**Proposed first floor**

The side extension would be set back from the front wall of the house by 500mm extending along the side and beyond the original back wall of the property by 1.240 metres. The height of the two storey extension would be 5.0 metres to eaves and 7.0

metres to ridge height. The height of the two storey extension which projects beyond the rear wall of the house would be 5.9 metres approximately total height.

The single storey rear element of the proposal would project rearwards by 2.750 metres along the site boundary to a width of 1.785.

The City Council raised concerns with the applicant/agent with regards to the view of the proposal within the street scene. The property is located at the end of a Cul-de-sac which forms part of a pair of semi-detached properties and which also adjoins a triangular piece of land to the side of the application site and the rear of Rutland Avenue forming a community garden. However, it was considered that although there would not be a case for terracing, it is the view of the City Council that the design of the proposal needed to show a clear visual break between the original and addition of the extension to the property. Following negotiations with the applicant/agent, an amended plans was submitted showing a setback of 500mm from the front wall of the house.

The size and footprint of the proposed extensions are comparable in size to many others found in the area, in particular the adjoining semi-detached property. It is therefore believed that the design, scale and appearance of the proposed extension are satisfactory and is considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

#### Residential Amenity

Concerns have been raised with respect to the loss of trees along the boundary on the land adjacent to the site which serves as a community garden for local residents. Following the recent submission of a Method Statement and comments from the City Council's Arborist Team, it has been confirmed that the proposal can be built without the requirement of the removal of any trees along the shared boundary. Due to there being an existing garage on the side of the property there would not be any tree root activity within this location that could be damaged. Further information and issues with regards to the trees are addressed later in the report.

With respect to any impact in terms of overlooking or loss of privacy should there be any loss of trees, the applicant is not proposing to include any windows on the side elevation and therefore it is considered that there would be no overlooking or loss of privacy as a result of building the side extension. Given the distance to surrounding properties and the relationship of the application site to the community garden, it is considered that there would not be any detrimental impact in terms of loss of residential amenity which would have an undue impact upon the living conditions of the neighbouring occupiers.

The applicant amended the submitted scheme to set back the front element of the proposal by 500mm and to increase the projection to the side beyond the rear wall by 1.240 metres at two storey.

On balance, although the extension is large, it is not unduly excessive and is comparable in terms of size and its position to others found in the immediate area. The rear extension has been sympathetically designed to take the amenity of

neighbouring occupiers into account and therefore it is felt that the proposed extension can be acceptably accommodated at the application property.

### Visual Amenity

It is perhaps the front elevation of a dwelling house that makes the most important contribution to the appearance of the street-scene. The property is located at the end of a Cul-de-Sac adjoining land to the north which forms community gardens for local residents. As the site does not adjoin any other properties within this location there is not a clear case of terracing and therefore the necessary set back from the front which would normally be required to reduce the potential for terracing, is not essential in this instance. Nevertheless, to provide a clear visual break from the host dwelling, a setback of 500mm from the front wall of the property has been introduced following negotiations with the applicant/agent.

The proposed extension at the front is similar to several other properties within the immediate area particularly the adjoining semi-detached property. As such, the extension would not present an unusual feature in the immediate area and due to the existence of other similar side extensions to a variety of house types in the immediate area, the size of the extension is considered acceptable within the surrounding environmental context.

To the rear, it is believed that the design of the extension is sympathetic to the architectural style of the original house with matching and reclaimed materials to be utilised. The proportions, eaves and ridge heights of the original house are maintained and therefore it is felt that the impact is acceptable.

### Trees

There have been several concerns raised in relation to the removal of trees from the adjacent site along the boundary with the application site. The application site adjoins a triangular piece of land to the rear of Rutland Avenue which forms community gardens for local residents.

Eight trees have been identified as part of the Tree Survey, as summary as follows:

T 1 Magnolia (Magnolia) a Semi mature in fair to good condition, no action required.  
(No action required)

T 2 Laburnum anagyroides (Laburnum) Semi mature situated on adjacent land in good to fair condition (No action required)

G 3 Stags Horn, Pyracantha & Beech saplings Semi mature situated on adjacent land in good to fair condition (No action required)

T 4 Prunus sp. (Cherry) Semi mature situated on adjacent land in good to fair condition (Crown lift western canopy by 1m to provide clearance from the proposed extension)

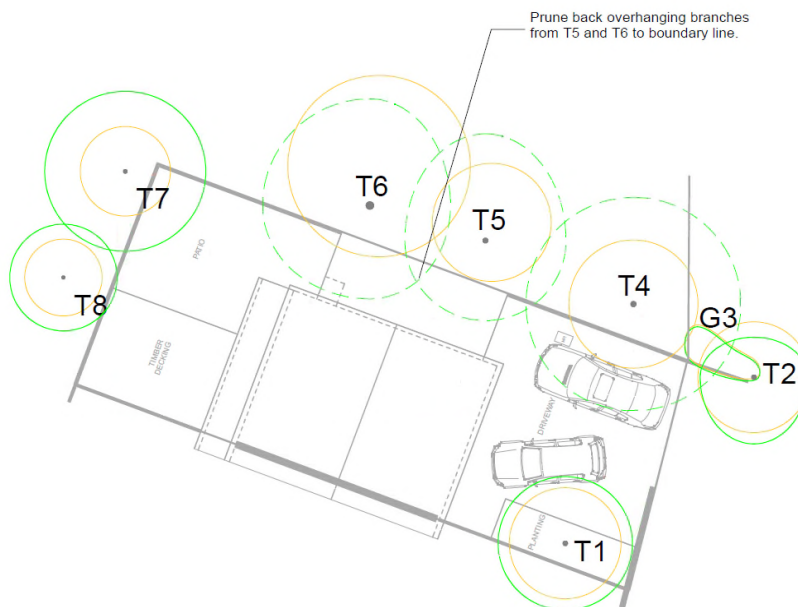
T 5 *Corylus avellana* (Hazel) Semi mature situated on adjacent land good to fair condition (Prune branches that are overhanging the proposed extension back to the site boundary)

T 6 *Salix caprea* (Goat Willow) Semi mature situated on adjacent land in fair condition (Prune branches that are overhanging the proposed extension back to the site boundary.)

T 7 *Magnolia* (Magnolia) Semi mature situated on adjacent land in good to fair (No action required)

T 8 *Sorbus aucuparia* (Rowan) Semi mature (No action required)

## TREE WORKS



Due to the nature of concerns raised and following negotiations with the applicant/agent, although the initial submission provided a Tree Survey outlining the removal of two trees, a Method Statement has been submitted which outlines the protective measures which would be put into place to ensure that the trees are not removed or damaged during construction. The City Council's Tree Team have confirmed that although some pruning works would be necessary to carry out the construction of the extension, that there is not currently any tree root activity within the extension area and therefore should be no damage to tree roots.

The protection measures outlined in the Method Statement are as follows:

- The formative pruning of trees **T4**, **T5** and **T6** will be required to provide clearance for the proposed extension.
- A temporary protective fencing barrier must be put in place prior to any demolition or construction activity.



- All-weather notices stating “CONSTRUCTION EXCLUSION ZONE – NO ACCESS” should be fixed to the barrier to ensure that all construction personnel are aware and adhere to the limitations that apply to the protected area.
- Tree protection works will not be undertaken until the temporary tree protection barrier is sufficiently installed and has been inspected by the local planning authority or qualified Arboriculturist, the same for the removal of the protection barrier
- Inspection by Local Planning Authority to follow completion of development for removal of tree protection measures
- If any roots are exposed during excavations, these should be immediately wrapped or covered in damp hessian to prevent desiccation and to protect from rapid temperature changes
- It is recommended that photographic documentations is taken during this process

Therefore, subject to an appropriate condition requiring the protection measures during construction, it is considered that the pruning work proposed is acceptable.

#### Refuse Storage

The proposed development does not impact on the refuse storage arrangements for the property; the bins are currently stored in the garage/store at the side of the property.

#### Parking

The existing car parking arrangements are unaffected by this proposal, a driveway is still retained at the front of the property with a garage to the side. The proposed general arrangement site plan indicates that two off road car parking spaces would be available on the front driveway.

#### Positive and proactive working

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. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/agent to reach a satisfactory resolution.

**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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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**

Positive and proactive working - 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. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/agent to reach a satisfactory resolution.

### **Reason for recommendation**

#### **Conditions to be attached to the decision**

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:

Stamped received on 1st December 2017 numbered (01)001 Rev PL2 Existing and Proposed Site plans and floor plans

Stamped received on 1st December 2017 numbered (02)001 Rev PL2 Existing and Proposed Elevations

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 building 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) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

### **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 117226/FH/2017 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

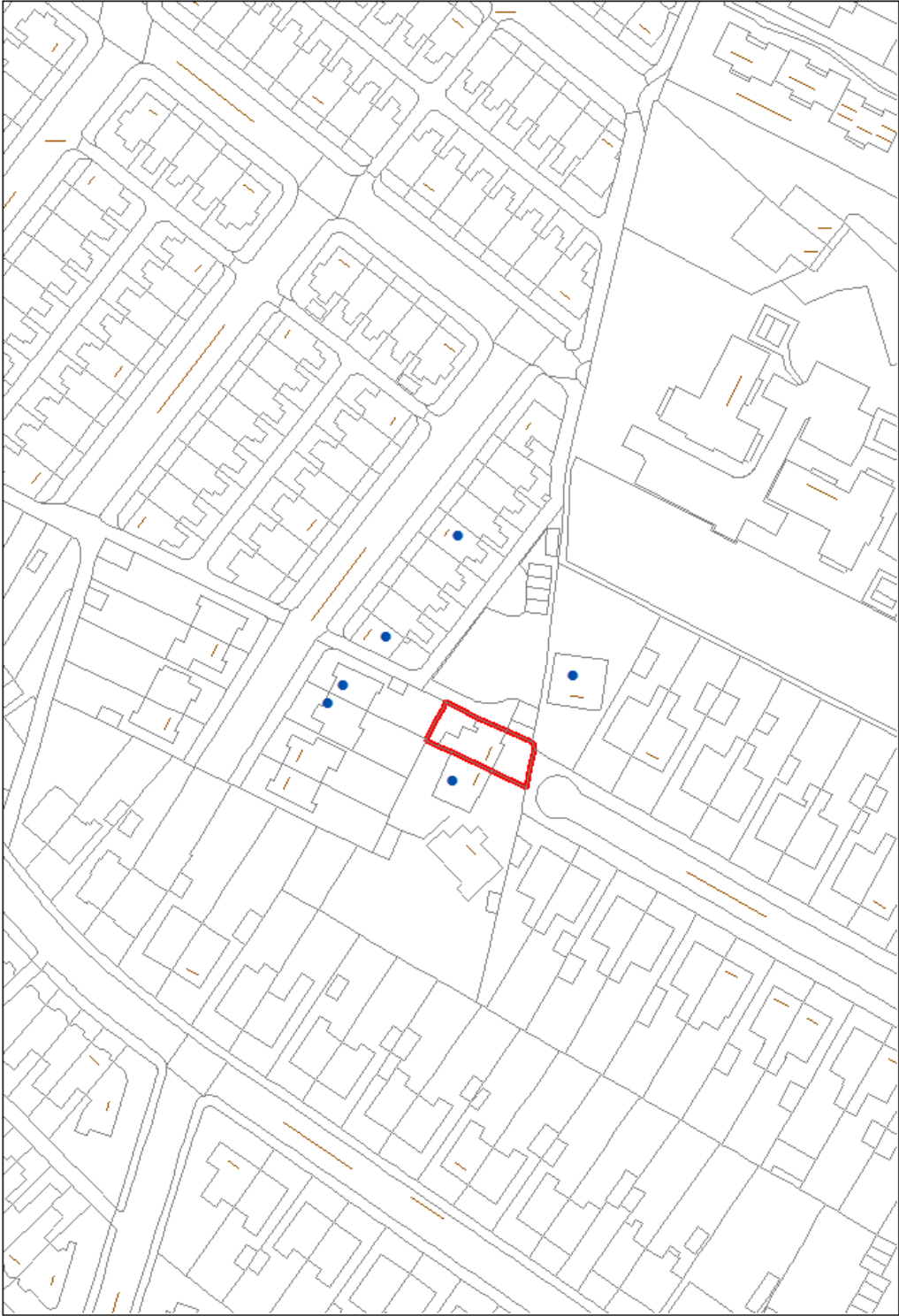
**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

A map showing the neighbours notified of the application is attached at the end of the report.

**Representations were received from the following third parties:**

55 Burton Road, Withington, Manchester, M20 1HB

**Relevant Contact Officer :** Tracie Simpson  
**Telephone number :** 0161 234 4537  
**Email :** t.simpson@manchester.gov.uk



 Application site boundary  Neighbour notification  
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