

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132190/FH/2021

Date registered valid: 10 November 2021

Proposal: Retrospective application for conversion of existing garage to residential accommodation, and erection of first floor side extension and single storey front extension

Address: 2 Underwood Close, Manchester, M18 8UY

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Kestas Petrikaitis 2 Underwood Close, Manchester, M18 8UY

Agent (if any): Mr R Anwar RA Design & Project Management Ltd Suite 4 The White House, 42-44 Chorley New Road, Bolton, BL1 4AP

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 March 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 16 November 2021

Expired: 7 December 2021

Neighbour notifications

Printed: 5 January 2022

Expired: 19 January 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:

Tree Preservation Order:

This application relates to a two-storey semi-detached property in a mostly residential area within the Gorton and Abbey Hey ward of Manchester. Number 2 Underwood Close sits on a roughly triangular shaped plot, with garden area to three sides. There is parking for at least two vehicles within curtilage to the front of the property. There are boundary treatments in the form of fencing between the properties, and a low decorative wall to the frontage of the property.

The property originally had a flat roof garage to the side of the property, and, is the last on the road before it turns the corner onto Falmer Close. There is an established building line that runs along Falmer Close, but the side garage does not sit in front of that building line. The area is predominantly residential in nature, and comprises of properties of either semi-detached or detached in design, that occupy similar footprints to that of the proposal site.

There is an existing planning permission, on the site, for the conversion of the garage to residential accommodation with a first floor side extension, above the garage. and a single storey front extension to existing porch (122697/FH/2019 - Approved 4 April 2019).

At that time, it was proposed to convert the existing single storey garage to create additional living accommodation in the form of a kitchen dining room and, erect a first floor extension above, to provide an additional bedroom. This first floor extension was proposed on a reduced footprint, compared to the ground floor garage, with it being set in from the south western boundary along the elevation at the junction with Falmer Close. It was also pulled back from the rear elevation on its boundary with 5 Falmer Close. The roof line was also set at a lower height

than the existing ridge. The existing garage door was to be replaced with a window to the front elevation, of the same design and proportions as the existing window that currently serves the lounge in the front elevation of the existing property. There was also a small window proposed in the rear elevation at first floor in the new extension. This would be a sealed unit, and would be obscurely glazed, serving as a secondary window for lighting purposes only.

There was previously an open sided canopied porch to the front of the property, and it was intended, as part of the approved development, to increase the size of the porch, and make the walls solid in construction.

The materials to be used would match those of the existing property.

The works have now been carried out, but the upper floor side extension has not been built fully in accordance with the approved plans, as follows:

- The extension has a slightly smaller set-back, from the front elevation of the house, compared to the existing approval. Previously this appeared to be a set-back of approximately one brick length and it now appears to be half a brick length.
- Previously the side extension projected approximately 3.35 metres, from the side of main house, and, as built, it projects approximately 3.65 metres.

In addition the front porch has been constructed with a width of 2.7 metres and a projection, from the front of the house, of 2.2 metres. The width is as previously indicated, but the previously approved projection, from the front of the house, was just 1.5 metres.

Consultations & Notification Responses

Local residents - No comments received.

Highway Services - Makes the following comments:

The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway.

Pedestrian access will remain as existing, which is acceptable to Highways.

In-curtilage parking will remain as existing, which is acceptable to Highways.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Strategic Area and Citywide Support Manager - They would reiterate comments, on new application, but no new comments on current application. They did reference a potential gas membrane condition, but this was not included, as a condition of the previous permission, and as the current application proposes no major new groundworks, they accept that a gas membrane condition is not needed.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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

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

It states that 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 visibly 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.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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. paragraph 127).

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 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 DM 1 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 States that, 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Principle

Whilst this is a retrospective application for conversion of existing garage to residential accommodation, and erection of first floor side extension and single storey front extension, the principle of a conversion of the garage to residential accommodation with a first floor side extension, above the garage, and a single storey front extension to existing porch was established as part of the earlier approval ref: 122697/FH/2019 granted consent on 4 April 2019.

Residential and Visual Amenity

Retrospective consent is sought to retain a single storey pitched roof front extension to form a porch (which would be 2.2m in depth and 2.7m in width), together with a first floor side extension to form an additional bedroom and ensuite bathroom. The upper floor extension to be retained (3.7m in width and 6m in depth).

In terms of changes to the previously approved scheme the set-back at the front façade, from the originally approved scheme is negligible, and the property has a brick pier type structure, which projects slightly from the edge of the front of the house, so the small set-back provided, actually appears larger than it is. It is considered that this modification does not represent a significant change in the visual impact of the development.

In relation to the upper floor side extension, this does project further, from the side of the house, than the approved extension, by approximately 0.3 metres. The dwelling is a corner property at the junction of Underwood Close and Falmer Close and is set back from the junction due to the siting of a sub station. As such the property is highly visible in the streetscene due to the open nature at the junction in visual terms, and therefore the partly built the upper floor side extension is visually prominent. However, it remains the case that the first still sits behind the building lines established by properties on Underwood Close and Falmer Close. Also it would be approximately 20 metres from the corner of the application site, at the junction of those 2 roads. In these circumstances, whilst this addition is not the preferred option, for the development of the site, it is not considered that its visual impact is so damaging, that a refusal is warranted.

At the front of the property the footprint of the porch has been increased by almost 50%, from 4.05 square metres to 5.94 square metres. However, the property though has a very large front garden, that can easily accommodate a porch of this size, and a gap of 6 metres is maintained, to the front boundary of the property. On this basis, the design and siting of the porch to be retained is considered to be acceptable.

The window in the rear elevation would serve an ensuite bathroom . Due to the proximity to the shared boundary with no.5 Falmer Close , it is however, recommended that an obscure glazing condition be attached to any approval , to ensure the privacy of both the occupiers and adjacent occupiers.

Landfill Gas

The site lies within 250 metres of a landfill site. However , as the only ground works associated with the development at ground level relate to the retention of a small front porch ,a gas membrane condition is not proposed to be attached to any approval in this instance.

Off Street car parking

The retained development would lead to the loss of an off street parking space . However, the property benefits from a deep front garden , and as such two off street parking spaces can be maintained to the front of the dwellhouse.

Refuse storage

Plans indicates a1.1m gap between the side of the pre-existing garage and the side boundary. The proposed retained development would not change this arrangement , which would enable bins to be stored at the rear of the property.

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. Discussions have taken place with the applicant prior to the submission of the application, particularly in respect of the changes made to the previous permission.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development hereby approved shall be carried out in accordance with drawing number - A 101, stamped as received by the City Council, as Local Planning Authority, on 10 November 2021 and drawing number RAD/2535/21/1/RevB, stamped as received by the City Council, as Local Planning Authority, on 3 March 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.

2) The materials to be used in the construction of the extension hereby approved, including bricks and roof tiles, together with the method of coursing and pointing, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

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 drawing numbered RAD/2535/21/1/RevB, stamped as received by the City Council, as Local Planning Authority, on 3 March 2022 unless planning permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouses, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation the ensuite window in the rear elevation at first floor, of the proposed upper floor side extension shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall be of a sealed non opening unit, up to a height of at least 1.7 metres, and shall remain so in perpetuity.

Reason - In the interest of residential amenity in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding/scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

6 Underwood Close, Manchester, M18 8UY
9 Underwood Close, Manchester, M18 8UY
7 Underwood Close, Manchester, M18 8UY
3 Underwood Close, Manchester, M18 8UY
7 Falmer Close, Manchester, M18 8XJ
4 Underwood Close, Manchester, M18 8UY
11 Underwood Close, Manchester, M18 8UY
5 Underwood Close, Manchester, M18 8UY
1 Underwood Close, Manchester, M18 8UY
5 Falmer Close, Manchester, M18 8XJ

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 - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2