

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 131110/FO/2021  
**Date registered valid:** 26 July 2021  
**Proposal:** Erection of a two storey dwellinghouse.  
**Address:** Land To The Side Of 15 Craigmere Avenue, Manchester, M20 2YQ  
**Ward(s):** Didsbury West Ward

**Applicant:** Mr Hassan Ibrahim, 15 Craigmere Avenue, Manchester, M20 2YQ  
**Agent (if any):** Mr Saghir Hussain, Create It Studio Architects, Universal Square,  
Devonshire Street North, Manchester, M12 6JH  
**Case officer:** David Lawless  
Tel: 0161 234 4543  
Email: david.lawless@manchester.gov.uk

**Recommendation:** Refuse  
**Date of recommendation:** 21/1/22

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## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

### **Standard consultations:**

Printed: 27 October 2021 Expired: 17 November 2021

### **Neighbour notifications**

Printed: 27 October 2021 Expired: 10 November 2021

### **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/area**

This application relates to the garden area to the side of no. 15 Craigmores Avenue, which is predominantly hardsurfaced and used for the parking of cars.

15 Craigmores Avenue is a traditional Interwar semi-detached dwelling seen on social housing estates throughout south Manchester. It is 2 storeys in height, constructed from brick (which is currently painted) and topped by a hipped roof of slate.

The area is predominantly residential in nature.

**Listed building:** no

**Conservation area:** no

**Tree Preservation Order:** no

## **Description of development**

The applicant is proposing to erect a two storey extension to no. 15 Craigmores Avenue to create a three bedroomed end-terraced dwelling. A car parking space to the front of the property is proposed and a bin store would be sited at the side of the property.

Originally the proposal included a dormer but the drawings have been amended to omit it.

## **Consultations & Notification Responses**

**Local Residents** – Four letters of objection have been received, the comments are summarised below:

- The new property would be very close to the neighbouring property on Micklehurst Avenue, this would be very intrusive, lead to overlooking and as a result a reduction in privacy.
- The footprint of the proposed house is much bigger than the existing properties, it would be in front of the other houses and would not be in keeping with them.

- Craigmores Avenue and Micklehurst Avenue are already congested with parked cars. While the development does have one space proposed this would not be enough and additional cars would have to be parked on the road. At present they are parked at the side of no. 15 Craigmores Avenue.
- The area consists of similarly proportioned properties with gardens with space between properties which allow space and light through. This would be compromised by the building of a new property in the garden of an existing property.
- Will the proposed drives be able to accommodate parking without obstruction on the footway?
- The proposal would add to further traffic congestion in the area.

**West Didsbury Residents Association** – Object to the proposal on the following grounds:

- The proposal represents overdevelopment.
- The development would result in unacceptable reduction in 15 Craigmores existing facilities in the following respects: inadequate off-road parking space loss of existing storage space for recycling bins.
- Within the context of this particular locality, the proposed new house would be at odds with its neighbours by virtue of size and situation.
- The configuration could potentially diminish road safety by impairing lines of sight.

**Ward Councillors** – Cllrs Hilal and Leech object to the proposal on the following grounds:

Cllr Leech:

- No bin store proposed for the remodelled 15 Craigmores Avenue, and there is no way of getting bins from the back garden to the street.
- It is very questionable whether a car can fit onto the new drive of 15 Craigmores, and even if it can, it will be impossible for anyone to get anywhere near to the porch front door.
- The new house will look overly large compared to the existing house, and number 13. It will be out of keeping with the other nearby houses.
- The frontage onto Micklehurst Avenue appears to be ahead of the building line. This should not be permitted.
- There were trees in the garden of number 15, which have been wilfully cut down to then claim that there are no trees proposed to be felled. This is exceptionally misleading, and any permission should include robust replanting (which would require a reduction in the footprint of the building).

Cllr Hilal:

- The impact of an extra dwelling, with possibly one or 2 extra vehicles, will have a detrimental effect on an area which is already congested with parked cars as only one parking space is planned for the property.

**United Utilities Water PLC** – In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

**Highway Services** – Have made the following comments:

- Given that the proposed development is resultant in one additional dwelling, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.
- There are 2 car parking spaces located within the site's curtilage. Each dwelling has one car parking space. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway. A new pedestrian entrance to the new dwelling is in place off Micklehurst Avenue and is acceptable.
- It is required, in line with MCC Residential Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available.
- In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. It is requested that secure and sheltered cycle parking is installed at the property.
- A new porch is proposed at the front of no. 15 Craigmere Avenue and extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway. It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. All gated accesses provide inward opening gates and do not impact on the adopted footway or highway. This arrangement is acceptable to Highways.
- Designated bin store has been accommodated for the dwelling at the east boundary of the site with kerbside collection noted from Micklehurst Avenue. Bins will be taken to/from the bin store to the collection point on Micklehurst Avenue via the pedestrian's access. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway. It should be ensured that no. 15 can take bin to/from the property to the collection point on Craigmere Avenue with the installation of the new driveway.
- A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

**Environmental Health** – Suggests the imposition of two conditions in respect of air quality and refuse storage.

## **Policies**

**The National Planning Policy Framework (NPPF)** – The NPPF 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.

Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

**Core Strategy Development Plan Document** – 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – 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 and protect and enhance the built and natural environment.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy EN 1, *Design Principles and Strategic Character Areas* – This policy 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. 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.

Policy EN 8, *Adaption to Climate Change* – This policy requires that developments are adaptable to climate change in terms of design, layout, siting and function of buildings and external spaces.

Policy EN 16, *Air Quality* – The Council will seek to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers will be expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself, including from Combined Heat and Power and biomass plant.

Policy EN 19, *Waste* – States that developers will be required to submit a waste management plan to demonstrate how the waste management needs of the end user will be met.

Policy DM1, *Development Management* – This policy 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, odours, litter, vermin, birds, 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.
- Flood risk and drainage.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

**The Manchester Green and Blue Infrastructure Strategy (G&BIS)** – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

**Manchester Residential Quality Guidance 2016** – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016).

The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester.

To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

**Guide to Development in Manchester Supplementary Planning Guidance** – Recognises the importance of an area 's character in setting the context for new development; New development should add to and enhance the area's distinct sense of place; Each new development should be designed having full regard to its context and the character of the area; Seeks to ensure high quality development through good and inclusive design; Buildings should front onto streets; Site boundaries and treatment should contribute to the street scene; There should be a clear definition between public and private space; The impact of car parking areas should be minimised; New developments will be expected to meet designing out crime principles; The impact of development on the global environment should be reduced.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings.

## **Issues**

**Principle of the Proposal** – Whilst the area is residential in nature, the principle of erecting a dwellinghouse on this site is not acceptable, having regards to the size.

**Character of the Area** – The predominant character of the area is one of dwellinghouses that follow a recognised building line and a distinct pattern of development that includes dwellinghouses set back at junctions.

As can be seen below (annotated by the numerous red circles), dwellinghouses are set back from the road perpendicular to them in order to create a sense of openness. It is considered that erecting a dwellinghouse in the location proposed (annotated by the white star) would erode this sense of openness. It is for this reason that it is considered the proposal is contrary to the pattern of development in the area and would have a detrimental impact upon the character of the neighbourhood in which it sits.



**Residential Amenity** – The first-floor windows in the rear elevation of the proposed dwellinghouse would face no. 1 Micklehurst Avenue and would only be sited between 1 and 2.6 metres away from the common boundary with that property. Given this, it is considered that the proposal would lead to the overlooking of the amenity space associated with no. 1 Micklehurst Avenue, resulting in a loss of privacy, much to the detriment of the levels of residential amenity enjoyed by the occupants of that property.

It is also considered that being sited so close to the common boundary, the proposed dwelling would have an overbearing impact on no. 1 Micklehurst Avenue, which is due north of the application site and that this relationship would lead to undue overshadowing. Again, this would be detrimental to existing levels of residential amenity.

While it is not considered that the comings and goings of future residents would not give rise to undue disturbance, for the reasons outlined above, it is considered that the proposal would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of no. 1 Micklehurst Avenue.

**Siting** – The front and side elevations of the proposed dwellinghouse conform with the building lines evident on Craigmores Avenue and Micklehurst Avenue. The proposed porch does project beyond the building line, but this is no different to other properties in the area.

However, as the siting of the proposed dwellinghouse in this location conflicts with the recognised pattern of development in the neighbourhood and results in a building that would both overlook and overshadow the neighbouring property, the siting of the proposal is not considered acceptable.

**Visual Amenity** – Given the siting of the proposal and its conflict with the recognised pattern of development, it is considered that the proposal would form an incongruous feature in the streetscene and as a result would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

**Amenity Space** – Due to the shape of the site and the siting of the proposed building there is little room for the provision of private amenity space. While there is amenity space to the front and side of the property, the only private amenity space on offer would be a small triangular lawned area at the rear. This is considered insufficient for the future occupants.

**Design** – Overall the design of the proposed building, apart from the inclusion of bi-folding doors in the front elevation, has been informed by the neighbouring properties. Notwithstanding that, it is not considered that this alone would overcome the issue of concerns, i.e. the siting of the proposal and the resultant detrimental impact upon existing levels of residential and visual amenity.

**Bin Storage** – The bin store provision for the proposed dwellinghouse is considered acceptable. The applicant has failed to show any bin store provision for no. 15 Craigmores Avenue but it is acknowledged that this could be rectified by the imposition of a suitably worded condition.

**Pedestrian and Highway Safety** – It is not considered that the dwelling would significantly increase the level of traffic within the vicinity of the site so as to prove detrimental to the levels of pedestrian and highway safety enjoyed along Craigmores Avenue and Micklehurst Avenue.

**Car Parking** – One parking space is proposed for both the proposed and existing property, any existing additional vehicles associated with either property would have to park on-street. As this is a similar arrangement to that seen throughout this estate, the level of parking is considered acceptable in this instance.

### **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:** Refuse

### **Article 35 Declaration**

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document, the Manchester Residential Quality Guidance and the guidance contained within the National Planning Policy Framework and National Design Guide.

The applicant was advised that the provision of residential accommodation in this location would not be appropriate as it was out of character with the historic pattern of development and would form an incongruous feature in the streetscene. As the nature of the proposal was considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

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

1) The proposed development, by reason of its design and siting, would be out of character with the historic pattern of development in the area and result in an incongruous feature in the streetscene. It would therefore be detrimental to existing levels of visual amenity enjoyed on Craigmere Avenue and Micklehurst Avenue and contrary to Policies SP1 and DM1 in the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework and National Design Guide.

2) The proposed development, by reason of its siting, would have an overbearing impact and lead to the overlooking and overshadowing of the neighbouring property and would as a result have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of no. 1 Micklehurst Avenue, contrary to Policy DM1 in the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework and National Design Guide.

3) The proposed development, due to its design and siting, would provide inadequate levels of private amenity space which would lead to the creation of poor living standards. As a result, the proposal would be contrary to the guidance contained within the Manchester Residential Quality Guidance, the National Planning Policy Framework, the National Design Guide and policy DM1 in the Manchester Core Strategy.

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

West Didsbury Residents Association  
Environmental Health

Highway Services

United Utilities Water PLC

1 Micklehurst Avenue, Manchester, M20 2XR  
2 Micklehurst Avenue, Manchester, M20 2XR  
4 Southdene Avenue, Manchester, M20 2XW  
2 Southdene Avenue, Manchester, M20 2XW  
8 Craigmores Avenue, Manchester, M20 2ZL  
3 Southdene Avenue, Manchester, M20 2XW  
1 Southdene Avenue, Manchester, M20 2XW  
10 Craigmores Avenue, Manchester, M20 2XL  
12 Craigmores Avenue, Manchester, M20 2XL  
17 Craigmores Avenue, Manchester, M20 2XL  
19 Craigmores Avenue, Manchester, M20 2XL  
13 Craigmores Avenue, Manchester, M20 2YQ  
3 Micklehurst Avenue, Manchester, M20 2XR  
4 Micklehurst Avenue, Manchester, M20 2XR

## **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

Area Team Boundary - Name: SOUTH