

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131165/FH/2021

Date registered valid: 23 July 2021

Proposal: Part retrospective application for the erection of a single storey side extension to existing living room to form additional living accommodation

Address: 18 Curzon Avenue, Manchester, M14 5PU

Ward(s): Rusholme Ward

Applicant: Saeed 18 Curzon Avenue, Manchester, M14 5PU

Agent (if any): Mr Karim 58 Rectory Lane, Manchester, M25 1BL

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15 September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 September 2021

Standard consultations:

Printed: 29 July 2021 Expired: 19 August 2021

Neighbour notifications

Printed: 29 July 2021 Expired: 19 August 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This planning application relates to a distinctive semi-detached, bay fronted, pitched roof house with roof space accommodation in a residential street. The property incorporates a large 2-storey rear outrigger with integral single storey bay extension to the northern elevation. The property has a front and rear garden linked by a gated side passageway. The site does not incorporate off-street car parking.



Fig.1 – Position of the extension and view from the front garden

Description of development

The development has commenced on site since the submission of the planning application. The implemented works involve the formation of foundations that have risen marginally above ground level. The proposed extension involves the formation of a single storey rear extension that would align with the furthest point of the single storey bay and incorporated into the existing living room following the partial removal of the eastern elevation. The existing outrigger has a rearward projection of 7.16 metres. The new extension would have a depth of 3.86 metres leaving a space of 3.3 metres to the main rear wall. The new extension would have a width of 2.3 metres allow a 1 metre gap to be retained to the shared boundary with No 16. Views to the extension from the side of the property would be obscured by the position of the retained chimney breasts. The extension would have a flat roof with a maximum height of 2.7 metres. The rear elevation would incorporate a rear glazed door and a window to the southern elevation. The extension would be constructed in matching brickwork.

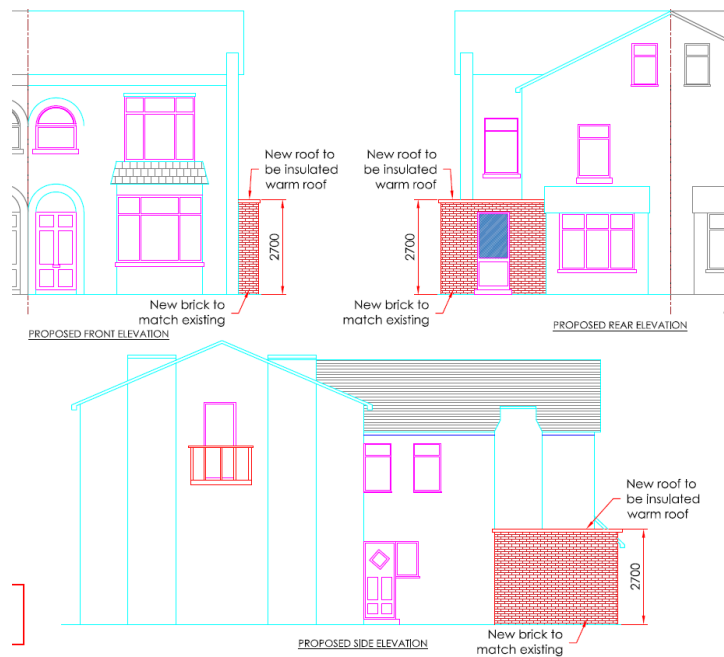


Fig. 2 – Proposed elevations

Consultations & Notification Responses

Local residents – No comments received.

Environmental Health - No objections.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless 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.

i. Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). It is not considered that the development would affect the existing circumstances and Chapter 8 would thereby be accorded with.

i. Chapter 12: Achieving well-designed places - States that 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 (paragraph 126). Paragraph 130 further states that planning decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and 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).

The proposed development has been appropriately related to the existing house would not harmfully impact upon neighbouring houses. It is considered that the quality of design has been appropriately related to the existing house without undue impact of the streetscene. The development would and thereby accord with chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following aspects of the Core Strategy are considered to be relevant:

Policy SP 1 Spatial Principles - States the key spatial principles which will guide the strategic development of Manchester to 2027. The key areas of policy SP1, pertinent to this application, are:

- i. The creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.
- ii. The development should make a positive contribution to neighbourhoods of choice including:
 - a. Creating well designed places that enhance or create character.
 - b. Making a positive contribution to the health, safety and wellbeing of residents
 - c. Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - d. Protect and enhance the built and natural environment.
 - e. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

It is considered that the development would relate appropriately to the housing in the area and improve the quality of the existing accommodation without unduly harming existing levels of residential amenity. It would thereby accord with policy SP1.

Policy EN1 (Design Principles and Strategic Character Areas) - States that, amongst other things, opportunities for good design to enhance the overall image of the City. Policy EN1 has been related to the assessment of the quality of the elevational design and its contribution to the built environment.

In this case, it is considered that the quality of the proposed design would respond positively to the existing built form and achieves a cohesive design response that relates appropriately to the character and proportions of the host building. The development would thereby accords with policy EN1.

Policy EN19 Waste - Relates to waste management and requires that consideration is given to consideration of the submitted details relating to the applicant's proposals for the provision of a waste management plan to demonstrate how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. How the sustainable waste management needs of the end user will be met.

The existing waste storage arrangements would be retained and unaffected by the development. The development would thereby continue to comply with policy EN19.

Policy T 2 Accessible areas of opportunity and need - The Council will actively manage the pattern of development and the relevant section of the policy states: that new development should provide appropriate car parking facilities, including meeting the needs of disabled people and the provision cycle parking. In this case the development would be modest and would not change the existing highways circumstances.

Policy DM 1 Development Management - Discusses a range of issues that all development should have regard to. The following specific issues are relevant to the consideration of this application:

- i. The impact of the development on the character of the surrounding area;
- ii. Effects on amenity, including privacy;
- iii. Adequacy of internal accommodation and external amenity space;
- iv. Refuse storage and collection;
- v. Vehicular access and car parking.

It is considered that the development would be appropriately related to its context in terms of design, height, scale, massing and potential impact on residential amenity. The development would also maintain the character of the original house through its proportions and composition in matching thereby securing compliance with policy DM1.

Unitary Development Plan - The following saved policies are considered to be relevant:

Policy DC1 - Residential Extensions

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 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 street-scene;
- e. The effect of the loss of any on-site car parking.

Policy 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 the original buildings);
- b. They do not create an 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 streetscene by virtue of design, use of materials or constructional details;
- d. They would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

Policy DC1.3 - Sets out the circumstances whereby, notwithstanding the generality of the above policies, the Council will not normally approve planning permission for residential extensions. The relevant aspects in this case are the extent of the extension and the potential impact on privacy.

As stated, the height, scale and proportions of the extension would be acceptable and would allow the adaptation of the property to meet changing household needs. The proposed development would thereby comply with saved policy DC1.

Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance - The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development that is wanted in Manchester. It is considered the proposed development accords with the relevant sections of the guide, particularly with regard to design and assessment of amenity.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application. This includes the identification of issues and 'problems' associated with the proposals that have required positive consideration, dialogue and negotiation to secure positive outcomes.

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. In this case, sufficient information was provided with the planning application and further negotiation was not required.

Principle – It is understood that the property is occupied as a single dwellinghouse and the existing Class C3 use would be maintained. A condition has been included, for the avoidance of doubt, to relate the use of the extension to continued Class C3 occupation. The extension would form an appropriate addition to the building and its design is considered to be acceptable for the reasons set out below. The extension is required in response to changing householder needs and, on balance is also considered to be acceptable.

Height, scale and massing – The development would be limited to a single storey extension with appropriate articulation afforded through the formation of door and window openings. The site benefits from relatively high boundary walls that would reduce the impact of the development on neighbouring properties. The height of the extension would be below the threshold for permitted development and would be below the highest point of the lean-to roof of the existing bay.

Siting – The development would align with the position of the existing bay to reflect the existing circumstance. The development would incorporate flat roof and maintain a one metre gap to the shared boundary with No16. This arrangement would reduce the potential impact on the

neighbouring property and maintain external access between the front and rear gardens. The development would not result in any significant loss of the rear garden area. The visual impact of the existing extension on the street would be marginal due to the position of retained chimney breasts and gates at the side of the house. On balance, the siting of the development is considered to be acceptable.

Design – The development would have a simple elevational form that would be appropriately articulated through the inclusion of satisfactorily positioned doorway and window. The development would be related to the existing house through the conditioned use of matching materials.

Construction – Given the scale of the development and space available within the site following the demolition of the garage, it is considered that development could be undertaken without harm to the surrounding street. An informative has been included providing advice regarding construction management.

Residential amenity – Given the scale and siting of the extension it is not considered that the development would unduly harm residential amenity. A condition has been included to prevent the insertion non-authorised windows. A separate condition secure on-going Class C3 use. The development would not, therefore, have a significant impact on residential amenity.

Waste management – The existing arrangements would be maintained.

Land conditions – No historic issues have been identified.

Conclusion – The proposed development would be meet the requirements of Council policy and therefore be appropriately related to the existing housing in the surrounding context.

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. In this case,

sufficient information was provided with the planning application and further negotiation was not required.

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 23 July 2021:

Householder planning application forms;
Site location plan with a red edge;
Existing ground floor plan;
Existing elevations;
Proposed ground floor plan;
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 for the City of Manchester.

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, EN1 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 windows shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawing referenced:

Proposed ground floor plan;
Proposed elevations
stamped as received by the City Council as local planning authority on 23 July 2021.

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

4) The development hereby approved shall be occupied in conjunction with the continued use of the existing property as a dwellinghouse (Class C3).

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

15 Kedleston Avenue, Manchester, M14 5PT
16A Curzon Avenue, Manchester, M14 5PU
14A Curzon Avenue, Manchester, M14 5PU
Flat 2, 14 Curzon Avenue, Manchester, M14 5PU
Flat 4, 14 Curzon Avenue, Manchester, M14 5PU
Flat 5, 14 Curzon Avenue, Manchester, M14 5PU

Flat 1, 14 Curzon Avenue, Manchester, M14 5PU
Flat 3, 14 Curzon Avenue, Manchester, M14 5PU
Flat 6, 14 Curzon Avenue, Manchester, M14 5PU
Flat 5, 1 Scarsdale Road, Manchester, M14 5PZ
Flat 4, 1 Scarsdale Road, Manchester, M14 5PZ
Flat 3, 1 Scarsdale Road, Manchester, M14 5PZ
Flat 2, 1 Scarsdale Road, Manchester, M14 5PZ
Flat 1, 1 Scarsdale Road, Manchester, M14 5PZ
1 Scarsdale Road, Manchester, M14 5PZ
Flat B, 15 Curzon Avenue, Manchester, M14 5PU
17 Curzon Avenue, Manchester, M14 5PU
15 Curzon Avenue, Manchester, M14 5PU
20 Curzon Avenue, Manchester, M14 5PU
Flat C, 20 Curzon Avenue, Manchester, M14 5PU
Flat B, 20 Curzon Avenue, Manchester, M14 5PU
Flat A, 20 Curzon Avenue, Manchester, M14 5PU
Flat C, 15 Curzon Avenue, Manchester, M14 5PU
Flat A, 15 Curzon Avenue, Manchester, M14 5PU
19 Curzon Avenue, Manchester, M14 5PU
16 Curzon Avenue, Manchester, M14 5PU
13 Kedleston Avenue, Manchester, M14 5PT

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH2