

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133134/FH/2022

Date registered valid: 1 April 2022

Proposal: Erection of a part single/part two storey rear extension and a rear dormer extension

Address: 88 Carlton Avenue, Manchester, M14 7NL

Ward(s): Moss Side Ward

Applicant: Ms E Hill C/o Agent

Agent (if any): Mr G Addy Planners & Architects 443 Streatham High Road, London, SW16 3PH

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 April 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 6 April 2022 Expired: 27 April 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

This application relates to a two storey end terrace property. It is located on the north side of the Avenue adjacent to the head of the cul de sac. The property sits at the back of footpath with no defensible space at the front. At the rear there is an existing small single storey extension and a yard. The gable of the property abuts the alleyway.



The accommodation comprises on the ground floor, an entrance hall, dining room, lounge, kitchen and an unspecified room that may be an extension of the circulation space as the hall, dining room and kitchen all open onto it. At first floor level are three bedrooms and a bathroom.

The applicant has confirmed that the current use of the property is C3.

Planning History

In April 2021 planning permission, reference 128590/FO/2020, for the change of use of 88 Carlton Avenue to two self-contained flats, erection of a part single/part two storey rear extension and a rear dormer extension was quashed by the High Court on the basis that the City Council had issued an improperly constituted decision notice.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This part of Carlton Avenue is a cul-de-sac. There is no turning head and there is a 2 metre wall across to top of the avenue. There is a gated alley that runs along the gable and rear of the property. To the north across the alley are the rear elevations of terraced properties on Claremont road. The remainder of the terrace is to the east of the property. There are terraced houses facing the site across Carlton Avenue and to the west beyond the wall is the side elevation of a house on Amani Street. The adjoining property has a full width dormer in the rear roof slope and a single storey rear extension across part of the rear elevation.

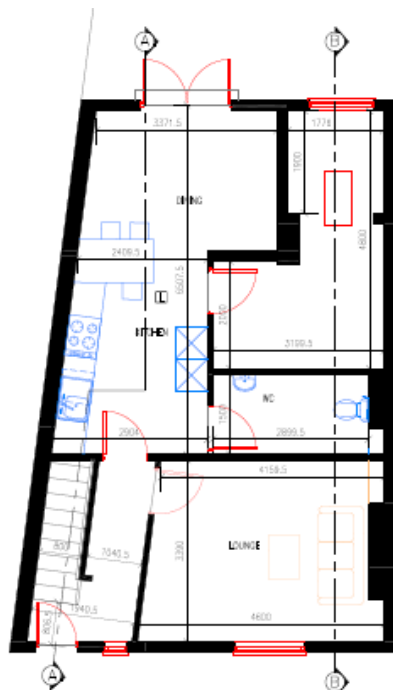
Description of development

Consent is sought to erect a part single part two storey rear extension projecting 2.9 metres from the rear face of the main body of the property. The first floor extension would extend from the side alley to a point 2.2 metres from the adjoining property. The single storey extension would have a flat roof with a roof light, whilst the first floor would have a hipped roof. The extension would be constructed of matching brick and have a tile roof. Other than the roof light all windows would be in the rear elevation. A set of French doors and a window at ground floor level and a single window at first floor level. The proposed extension would leave an approximately 3 metre deep rear yard.

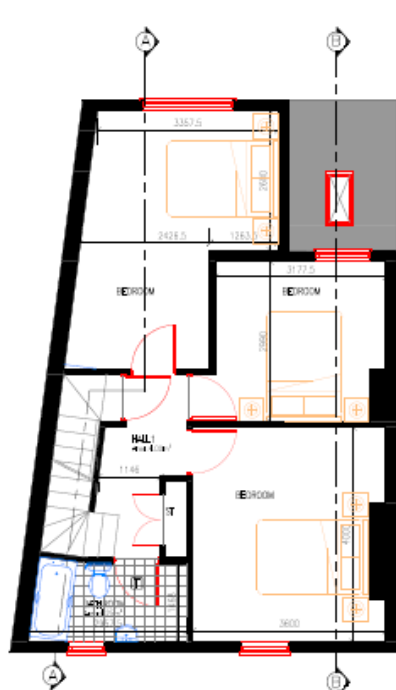
In addition it is proposed the install a flat roofed dormer on the rear roof slope. The dormer would be set in from the sides of the property and the eaves and extend up to the ridge level. The former would have two windows in the rear elevation and by finished with hung tiles. In addition the would be a roof light in the dormer roof and one in the front roof slope.

The submitted drawings show the enlarged property having a lounge, kitchen/living area, wc and an unspecified room on the ground floor, three bedrooms and a bathroom on the first floor and a bedroom with en suite on the second floor.

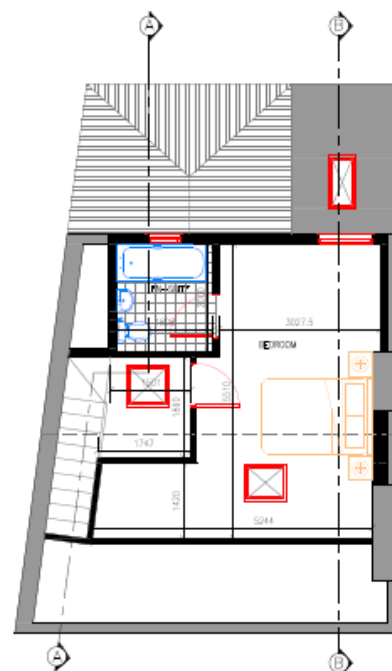
The applicant has confirmed that the property is in C3 use. The application does not seek a change of use.



PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR

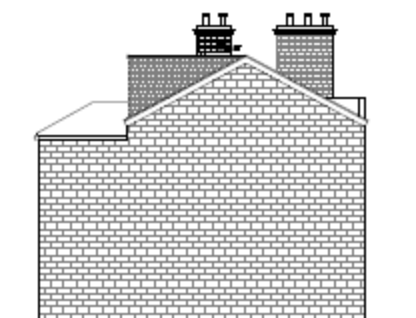


PROPOSED SECOND FLOOR

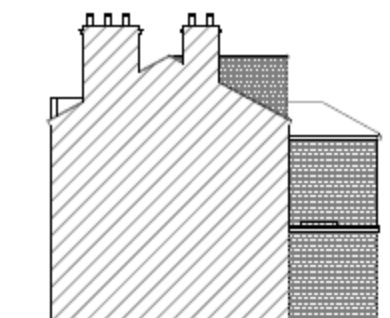


PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION

Consultations & Notification Responses

Local Residents

No representations received.

Policy

Core Strategy

The relevant Core Strategy policy is DM1

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved Unitary Development Plan policy is DC1

Policy DC1 sets down the principles to be considered in determining applications for residential extensions. The policy seeks to protect the amenity of residents and the character of the area.

Issues

Principle

The previous application which was quashed included a similar though smaller rear extension, in determining the application the Council raised no issue with the extensions only the use.

This property is, according to the applicant, in C3 use and the application needs to be determined on that basis. On that basis the principle of extending a property to meet changing needs accords with policy DC1.

Use

The applicant has confirmed that the property is in C3 use and to change to a HMO Class C4 would as a consequence of the Council's Article 4 Direction require consent. Similarly, to convert the property to flats would also require consent. An appropriate condition is proposed in respect of changes to class C4.

Scale

The proposed extensions at both ground and first floor project approximately 2.9 metres which is within the limits set down in policy DC1. The eaves height would match the main building whilst the ridge would be lower than that of the roof. On balance therefore the scale of the rear extension is considered to be acceptable.

The proposed dormer would, if not attached to the roof of the extension, meet the requirements for permitted development in that it is set into the roof.

Design

There are no issues with the design of either the extension or the dormer which both use materials found on the host property.

Residential amenity

All the principle windows in the proposed extension and dormer face the rear of the property. The ground floor window and doors are screened by the existing yard wall and raise no privacy issues. The first floor window would be 5.7 metres from the rear garden boundary of the building opposite and 18 metres from its rear elevation. It is not considered given the number of windows, one and the distances involved that privacy would be significantly impacted upon. With regard to the dormer, the two windows, one of which is the en-suite are 8.7 metres from the rear garden boundary of the opposing property and 21 metres from its rear elevation. Despite the elevated position of the dormer it is not considered given the distances involved that there would be a significant loss of privacy.

In terms of overbearing impact the first floor extension is sufficiently far from any properties not to have an impact. The ground floor extension would result in a ground floor rear window in the adjacent property being sandwiched in a canyon between the proposed extension and that property's own rear extension. However, as the proposed extension only projects 2.9 metres and the window is north facing and therefore never in receipt of direct sunlight it is considered that any overbearing impact would not be significant.

Amenity Space

At 3 metres long the remaining yard area is not over large, however, when taking into account the existing lean to the amount of amenity space available would only be approximately 5 square metres less than is available now. This is not considered significant, particularly as refuse is stored in communal bins stored in the alley to the rear.

Conclusion

It is considered that the proposed extension and dormer accord with the Council's policies and would not result in significant harm being caused.

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 issues arising from the consideration of this application.

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

1) The development must be begun not later than the expiration 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:

AR-01 received 7 March 2022

AR-02 received 7 March 2022

AR-03 received 1 April 2022

AR04 received 1 April 2022

SE-01 received 7 March 2021

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 development hereby approved shall be constructed using materials that match those used in the original building in terms of size, colour and texture as specified on the approved drawings and application forms.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) 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 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

91 Carlton Avenue, Manchester, M14 7NL
87 Carlton Avenue, Manchester, M14 7NL
12 Amani Street, Manchester, M14 7TL
312B Claremont Road, Manchester, M14 7WJ
312C Claremont Road, Manchester, M14 7WJ
11 Amani Street, Manchester, M14 7TL
89 Carlton Avenue, Manchester, M14 7NL
86 Carlton Avenue, Manchester, M14 7NL
316 Claremont Road, Manchester, M14 7WJ
314 Claremont Road, Manchester, M14 7WJ

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH