

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128686/FO/2020

Date registered valid: 23 February 2021

Proposal: Erection of a part single, part three storey rear extension, rear dormer and a part single, part two storey side extension with associated elevational alterations to provide additional retail storage and living accommodation at first and second floors

Address: 24-26 Lloyd Street South, Manchester, M14 7HY

Ward(s): Whalley Range Ward

Applicant: Mr A Haque 24-26 Lloyd Street South, Manchester, M14 7HY

Agent (if any): Mr Dean King NK Architectural Services Office 3 1st Floor, 227 Finney Lane, Heald Green, Stockport, SK8 3PX

Case officer: Dave Morris
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Recommendation: Refuse

Date of recommendation: 20.04.2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: None undertake due to Covid 19 Pandemic. Site photos provided by applicant and online resources reviewed.

Standard consultations:

Printed: 5 March 2021 Expired: 26 March 2021

Neighbour notifications

Printed: 5 March 2021 Expired: 26 March 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

This application relates to two units forming a double commercial unit at ground floor level with a five bed HMO at ground and first floor level. There is what appears to be an original single storey lean to across the rear of the property and a first floor extension above part of the extension. There is a large rear yard that abuts the side gable of 2 Edith Avenue. There is a large shed within the yard.

The submitted drawings show the accommodation being on the ground floor the commercial unit with a cold store, two wc's accessed from the rear yard, a separate communal kitchen and lounge accessed from the yard and leading to two flights of stairs. There is also a bedroom on the ground floor the window to which has a security shutter. Each flight of stairs leads to two bedrooms and a bathroom at first floor level. There are in total five bedrooms and two bathrooms.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The property subject of this application is located on the northwest corner of the junction of Lloyd Street South and Edith Avenue. It is the end property of a residential terrace. There are residential properties on Edith Avenue and the side gable of residential properties on Lloyd Street south facing the site to the south across Edith Avenue. Facing the site across Lloyd Street South is the side gable of residential properties on Lowthorpe Street. The area is predominantly residential in character.

Description of development

Consent is sought to erect a part single part two storey part three storey rear extension following the demolition of the existing lean to, first floor extension and shed. The single storey extension would have a flat roof and be located adjacent to the northern boundary of the yard. It would project approximately 6.9 metres leaving a narrow strip of land to the gable of 2 Edith Avenue. The extension would be approximately 4.5 metres wide. There would be a set of double doors accessing the rear yard. The part two, part three storey extension projects approximately 3.3 metres, at ground floor level it occupies the remaining width of the property and at first and second floor levels oversail the proposed ground floor extension by approximately 2.3 metres. The second floor would have a combined mono pitch an flats roof and link in to a flat roofed dormer on the rear roof slope of the original building. A new window would be inserted in the apex of the gable in the Edith Avenue elevation. In addition this elevation would contain a new door to the living accommodation and a first floor window. In the rear elevation there would be two new windows at first floor level and one at second floor level together with a single window in the dormer. An existing window in the rear of the main building would be re sized. Two roof lights would be added to the front elevation.

The extended property would comprise on the ground floor the enlarged commercial unit with a store and wc and an entrance hall/stairs to the living accommodation. The first floor would comprise three bedrooms each with its own shower room/wc and a kitchen/lounge. The second floor would comprise two bedrooms each with its own shower room/wc.

There are segregated refuse storage arrangement for the commercial and residential uses in the retained rear yard area.

Consultations & Notification Responses

Local residents/businesses

No representations received.

Environmental Health

Concern is expressed that the refuse/recycling capacity would be insufficient if the property is used as a HMO.

Greater Manchester Police Design for Security.

No objection in principle. Recommendations made in respect of measure to improve security.

Policy

Core Strategy

The relevant Core Strategy policies are SP1, DM1 and H11

Policy SP1 sets down the spatial criteria to be considered in determining application in the City. A principle objective is the creation of neighbourhoods of choice.

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

Policy H11 says that extensions to HMO's in areas where there is a high concentration of such accommodation will not be acceptable where they will result in an increase in occupancy.

Issues

Principle

The proposed development would result in the erection of a substantial extension which would facilitate an increase in the size of an existing flat in multiple occupation. This raises a number of issues which are addressed in the following sections.

HMO

The property is not within an area of high concentration as shown on diagram 9.6 attached to policy H11, however, it is adjacent to such an area. Whilst the submitted drawings show no increase in the number of bedrooms between the existing and proposed layouts, the new scheme incorporates significantly larger rooms ranging in size from 13 square metres to 30 square metres, which would be of a size comparable to a one bed one person flat. Concern is expressed that the large size of the rooms provides the potential for the internal reconfiguration of the rooms to create additional bedrooms.

Scale

In terms of the scale of the extension it is considered that the proposed ground floor extension is not excessive, whilst the second floor at approximately 3.3 metres projection is also considered acceptable, however the introduction of second floor extension to what is a two storey building results in the scale of the extension being overly large and bulky and out of scale with the host property. On balance it is considered that the scale of the extension is excessive and not subservient to the host property. This excessive bulk is exacerbated as it then attaches to the proposed rear dormer.

Design

The design of the proposed development is driven by the amount of accommodation to be created. It is a mix of pitched and flats roofs, a dormer and a second floor extension. As such it lacks cohesion. That the rear of the property is particularly exposed both from the public domain and from properties on Edith Avenue, it is considered that the design of the proposed extensions would appear overlarge and incongruous.

Character of the area

As mentioned the rear elevation is particularly visible from both the public domain and surrounding properties. It is considered that the bulk of the proposed extension is out of character with the area and that due to the prominence of the proposed development it would appear incongruous and detract from the areas character.

Residential amenity

The intensive use of properties as houses(flats) in multiple occupation can impact on the amenity of an area. The additional comings and goings associated with large numbers of people being resident at an address to the additional visitors this can generate. That there would be scope to create additional bedrooms within the enlarged property would exacerbate the impact that increasing number of residents will have on the amenity of the area. As mentioned this property is adjacent to an area where there is a high concentration of accommodation in

multiple occupation and the potential enlargement of this HMO could make the area less desirable for families in a part of the City where there is demand for family housing.

Refuse

Environmental Health have expressed concern that there may not be sufficient capacity for refuse and re cycling for the use of the property as a HMO, however, there is additional space within the rear yard that could be utilised although reducing any amenity space for the occupiers of the residential accommodation.

Conclusion

On balance it is considered that the proposed development could potentially result in the intensification of the use of the property as a Housing Multiple occupation and that this would adversely impact on the character of this area. This impact would be exacerbated by the impact that the excessively bulky extension would have on the amenity and character of the area.

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 would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. The concerns of the local planning authority with the proposals have been communicated to the applicants agent. In this instance there are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) The proposed extensions to an existing flat in multiple occupation would facilitate an increase in occupancy of this small flat in Multiple Occupation which would have a detrimental impact on the sustainability and character of the area and would therefore be contrary to the

provisions of policies SP1,H11 and DM1 of the Core Strategy of the Local Development Framework.

2) The proposed extensions by reason of their scale and design would form an over dominant and intrusive feature to the detriment t of the visual amenity and character of the area. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

2 Edith Avenue, Manchester, M14 7HU
2 Lowthorpe Street, Manchester, M14 7WP
1 Edith Avenue, Manchester, M14 7HU
22 Lloyd Street South, Manchester, M14 7HY
28 Lloyd Street South, Manchester, M14 7HT

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