

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128765/FO/2020

Date registered valid: 2 December 2020

Proposal: Elevational alterations including enlargement of rear windows, alterations to side and front windows incorporation of ground floor rear bay window and stepped access in association with the refurbishment of the existing 3 no. apartments

Address: 6 Oak Avenue, Manchester, M21 8BB

Ward(s): Chorlton Park Ward

Applicant: Mr Stuart Wall SBW Old Acres, Over Peover, Manchester

Agent (if any): Mr Simon James Simon James Arq Ltd Flat 1 , 346 Barlow Moor Road, Manchester, M21 8AY

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 February 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 January 2021 Expired: 31 January 2021 (re-consultation)

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

The property that is the subject of this application is identified as 6 Oak Avenue. It is located within the Chorlton Park ward of the City. The proposal relates to a part two, part three storey semi-detached Villa property, currently let in three 2-bedroom self-contained flats.

The basement is vacant however, as part of the refurbishment and reconfiguration of the three flats, the basement will be used in association with flat 1 to create larger living space in the form of a duplex flat. All the flats will retain only 2 bedrooms. There are gardens to the front and rear with the rear garden being accessed down the side of the property. There is a pedestrian access at the front of the property and the garden to the front is raised and paved. There is no vehicular access. The bins are stored along the side boundary within the front of the property. There are projecting bay windows to the ground and first floor with an access out onto the roof of the bay at first floor from the flat to the second floor. This is a feature which is replicated on several of the properties including number 2 and 4 Oak Avenue. The height of the boundary treatment is to be increased to 1.6 m by way of adding a lat fence panel to the top of the existing wall.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The property is located close to the entrance to a short residential cul-de-sac off Barlow Moor Road. At this point Barlow Moor Road is part of Chorlton District Centre.

The property is in use as three 2-bedroom self-contained flats. To the west of Oak Avenue is the commercial area of Chorlton District Centre along Barlow Moor Road with residential properties to the north south and east of the proposal site.

Of the thirteen properties on Oak Avenue, several have been converted to flats. In each case the number of approved flats is three.

Description of development

Much of the works proposed are refurbishment and repair such as replacing guttering, re-felting the roof and re-use existing slates and do not require planning permission. The space within the basement is to be used to create an enlarged flat by way of a duplex for the existing flat number 1, part of the ground floor will be removed to create a double height space through from the basement. As the reconfiguration is in association with the existing residential units, it does not require planning permission. The elevational changes to facilitate the works are as follows:

Rear Elevation- Introduce French window with Fanlight in basement to serve duplex flat 1
Introduce a new basement window.

Reopen the full window space to the ground floor and enlarge the windows in the first and second floor to create French windows with a Juliette balcony.

Side Elevation-replace 4 existing windows in the side elevation
Introduce 2 roof lights in the existing side roof plane (1 on each plane)

Front Elevation-replace white UPVC windows with grey UPVC, install new balustrade to replace the existing, repair porch, and install insulation with existing slates reused.

Repair and refurbish existing basement lightwell and replace window in lightwell.

Consultations & Notification Responses

Local residents/Businesses

One letter was received from a local resident who had concerns over the UPVC cladding proposed to the first- floor elevation, as this was not sympathetic to the traditional materials evident on the host property and others within the Avenue. This was relayed to the applicant who revised the plans to show the reuse of the original slates. A further round of consultations took place based upon the revised proposal, and no further comments from any interested parties were received.

Issues

Policy

Core Strategy

The relevant Core Strategy policies are SP1, DM1 and H11

Policy SP1 sets down the spatial principles that guide development in the City including the creation of neighbourhoods of choice.

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

Policy H11 requires new flat developments to provide a high standard of accommodation.

Unitary Development Plan

The relevant saved UDP policy is DC5 which sets down the criteria to be considered in determining applications for flat conversions.

It is acknowledged that the proposal is not for conversion to flats rather improvements to flats, nevertheless the standard of the accommodation provided overall has been assessed against policy.

Issues

Principle- The principle of refurbishing and improving established residential accommodation within an established residential area is acceptable. The works proposed do not detract from the character of this attractive property, and are sympathetic to the original detailing of the building.

Use of basement

The additional space created by the use of the basement in association with the existing ground floor flat is considered acceptable. It provides a better standard of accommodation, without

introducing additional occupation as it remains a 2- bedroom flat. It will have an open plan feel and connectivity to the remainder of the flat at ground floor, as part of the ground floor is to be removed to leave a double height space in the basement.

Residential amenity

It is not considered that the works proposed would have a detrimental impact on either the occupants of the accommodation itself or the neighbouring properties. There will be no intensification of use and there should be no increase in comings and goings and the general activity associated with the existing accommodation. The reconfiguration of rooms within the property results in bedrooms over bedrooms, and as such the juxtaposition of habitable rooms has been thought through and raises no concerns.

The 2 Juliette balconies introduced in the rear elevation would afford no greater view than that gained from an open window in the same location, and are not considered to have a negative impact as a result of perceived loss of privacy or overlooking, there is a distance of approximately 22 metres between the elevations of 6 Oak Avenue and those to the rear on Chestnut Avenue. Additionally, there were no objections received in that regard.

Visual Amenity- The proposed changes are sympathetic to the existing property and are in keeping with the other properties within the Avenue. It is not considered that the proposed changes would have a detrimental impact upon the visual amenity of the neighbouring properties, or the area within which it is located.

Parking- There is currently no dedicated parking with the property, and this position remains. It is within a sustainable location directly adjacent to Chorlton District centre and has good access to local shops and sustainable modes of transport. There is as part of the refurbishment space for the storage of bicycles.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this

instance appropriate conditions have been attached. The scheme is considered to be in accordance with the guidance contained within saved policy DC1, DC18 of the Manchester Unitary Development Plan and to policies SP1, EN3 and DM1 of the Core Strategy.

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:

Existing Landscaping- PL-GS1-A received 7th January 2021

Proposed Landscaping- PL-GL1-A received 7th January 2021

Existing side elevation- PL-ELS3 A received 7th January 2021

Proposed Side Elevation- PL-EL3-A received 7th January 2021

Existing and Proposed Front Elevation-PL-EL1 B received 7th January 2021

Existing and Proposed Rear Elevation-PL-EL2 A received 7th January 2021

Existing and Proposed Basement Floor Plan -PL- GA1-A received 7th January 2021

Existing and Proposed Ground Floor Plan- PL-GA2-A received 7th January 2021

Existing and Proposed First Floor Plan- PL- GA3-A received 7th January 2021

Existing and Proposed Second Floor Plan- PL-GA4-A received 7th January 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 materials to be used on the external elevations including patching up, shall match those of the existing property in terms of size, colour and texture, including the mortar.

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) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted in the development hereby approved, other than those expressly authorised by the granting of this planning permission.

Reason - In the interests of residential and visual amenity since any additions to the approved dwelling may adversely impact upon the neighbouring occupiers, pursuant to saved policy DC1 of the Unitary Development for the City of Manchester Policies DM1 and SP1 of the Manchester Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class

in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

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.

6) The use of the basement as additional residential accommodation shall only be used in association with the existing planning unit and not as an independent residential unit.

Reason - In the interests of residential amenity, and to safeguard the character of the area pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) The approved location for the storage and disposal of refuse as identified on plan PL-GL1-A shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

7 Chestnut Avenue, Manchester, M21 8BE
8 Oak Avenue, Manchester, M21 8BB
7 Oak Avenue, Manchester, M21 8BB
Flat 3, 4 Oak Avenue, Manchester, M21 8BB
Flat 2, 6 Oak Avenue, Manchester, M21 8BB
Flat 2, 3 Oak Avenue, Manchester, M21 8BB
5 Chestnut Avenue, Manchester, M21 8BE
Flat 3, 5 Oak Avenue, Manchester, M21 8BB
Flat 2, 5 Oak Avenue, Manchester, M21 8BB
Flat 2, 4 Oak Avenue, Manchester, M21 8BB
Flat 1, 4 Oak Avenue, Manchester, M21 8BB
Flat 1, 6 Oak Avenue, Manchester, M21 8BB
Flat 3, 3 Oak Avenue, Manchester, M21 8BB
Flat 1, 3 Oak Avenue, Manchester, M21 8BB
Flat 3, 6 Oak Avenue, Manchester, M21 8BB
3 Chestnut Avenue, Manchester, M21 8BE
Flat 1, 5 Oak Avenue, Manchester, M21 8BB

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) -
Area Team Boundary - Name: SOUTH