

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127329/FH/2020

Date registered valid: 2 July 2020

Proposal: Insertion of six no. rooflights to the front roof slope in connection with the enlargement of existing apartment

Address: Flat 4 , 19 Clifton Avenue, Manchester, M14 6UD

Ward(s): Withington Ward

Applicant: Janice Gilmartin C/o Agent

Agent (if any): Mr Simon Plowman Plan:8 Town Planning Ltd Vuelta G7 44 , Europa Business Park, Bird Hall Lane, Stockport, SK3 0XA

Case officer: Joe Hobbs
Tel: 0161 600 8772
Email: j.hobbs@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 27 August 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: None undertaken

Standard consultations:

Printed: 5 August 2020 Expired: 26 August 2020

Neighbour notifications

Printed: 6 July 2020 Expired: 27 July 2020

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: Not applicable

Tree Preservation Order: Not applicable

Description of area

This application relates to a three-storey semi-detached property currently let in four flats, with front and rear gardens. The surrounding area is predominantly residential.

A Certificate of Lawful Use was granted in 2010 (092650/LE/2010/S1) for the use of the premises as four flats.

In 2013, a planning application (103460/FO/2013/S1) was refused for the erection of three storey extension to create internal staircase

In 2014 a planning application (104561/FO/2013/S1) was refused for an extension for a new side staircase, new basement flat and external alterations (including rooflights) and upgrade to the four flats.

In 2014, a planning application (106747/FO/2014/S1) was refused for conversion of the basement in to additional living accommodation in association with reconfiguration of existing flats to form 4no. flats in total (no increase in number of flats) and associated elevational alterations to front. In 2015 an appeal on the above application was allowed under application ref: APP/B4215/W/15/3004916).

Description of development

Planning Permission is sought for the insertion of six no. rooflights to the front roof slope in connection with the enlargement of existing apartment in the roof. The proposed works would alter the internal layout of the flat from a 1 bed studio apartment, to a 2 bed apartment.

It is noted that a clerical error was made at validation stage of this application because the application was submitted and registered as a Householder Application. Given the works proposed are to a flat rather than a building in use as a single dwelling house, the proposed development should have been submitted and registered as an application for Full Planning Permission. However, this has not affected the determination or outcome of the decision.

Consultations & Notification Responses

Local residents, as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. 3no. objections were received, including 1no. from Fallowfield and Withington Community Guardians. The objections raised the following issues:

- Over proliferation of rental occupants instead of family housing
- Increased noise and light pollution
- Increase of noise due to opened windows
- Increased comings and goings
- Addition of 6no. skylights to front elevation out of keeping with character of the building and area
- Further intensification of use to detriment of social and environmental conditions of the area, contrary to the promotion of sustainable development
- Increased issues with on-street parking

The following body was also consulted on the proposals:

Fallowfield and Moss Side Civic Society - no response received.

Issues

National Planning Policy Framework

The new National Planning Policy Framework replaced previous guidance in PPGs and PPSs, setting out the Government's planning policies and how they are expected to be applied. The NPPF underlines that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, and that the Framework is a material consideration in planning decisions. The core message in the document is that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- o creating well designed places,
- o making a positive contribution to health, safety and well-being,
- o considering the needs of all members of the community, and
- o protecting and enhancing the built and natural environment.

Policy H1 - seeks to ensure that new residential development contributes to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Policy DM1 (Development Management) - This policy seeks to protect the amenity of an area from the adverse impacts of development. In particular the impact of the proposed development on amenity, vehicle access and car parking

Saved Unitary Development Plan

Policy DC5 sets out the criteria to be considered in determining applications for flat conversions, including the need for parking and the impact of the development on the amenity of an area.

Principle –

This is an established house converted into four small flats and it is proposed to increase the amount of habitable space by adding 6no. skylights to the front of the roof, allowing the addition of 1no. bedroom to the existing studio apartment at roof level to create a 2bed flat. Whilst the principle of improving accommodation is generally acceptable the application proposal raises significant issues of intensification.

Intensification –

This part of Withington contains many larger properties which have been converted into shared houses and flats, putting additional pressures on the infrastructure and the amenity of existing residents. This is exacerbated in that residents of flats tend not to stay so long in a property and become part of the community and tend not to have the same affinity for the area as long term residents resulting in properties taking on a run-down appearance.

The proposed alterations would increase the amount of usable floor space, however they would also increase the number of people using the apartment. It is considered that the alterations would lead to a poor standard of accommodation, due to the low ceiling heights proposed.

The proposed development would result in an increase in the number of bedrooms across the building from nine to ten, consequently adding to the number of persons that could reside in the property. Additional people add to the general comings and goings as well as the potential for noise. The cumulative impact of this additional activity can detract from the enjoyment of the area for existing residents.

Given that the application site was originally developed as a single family dwelling there has already been an increase in the number of households within the site and the creation of an additional bedroom would intensify the levels of activity. It is considered that this additional activity would have a negative impact on the amenity levels currently enjoyed by the residents

of the area due to increased levels of noise and disturbance arising from increased comings and goings.

On balance it is considered that the proposed development would therefore conflict with Core Strategy policy DM1 and saved Unitary Development Plan Policy DC5.

Refuse Implications –

No changes are proposed to the refuse storage areas which are within the curtilage of the property. However the increased number of bedrooms, would intensify the use of the building and could have a negative impact on refuse storage capability.

Parking - It is understood that there is pre-existing parking for 3no. Vehicles to the rear of the property granted at appeal under application ref (106747/FO/2014/S1). However, the gap between the side of the existing property and boundary wall leading to the rear measures less than 2m and it is considered that this is not a practical solution to the need for parking for the development. Furthermore, there is no additional parking proposed for the additional 1no. bedroom proposed as part of this development. There is insufficient space on the road frontage to accommodate the increased number of vehicles on street which is likely to be a result of the creation of an additional room. This would put pressure on surrounding streets and adversely impact on the amenity of nearby residents. The lack of any off street parking is therefore considered to conflict with Core Strategy Policy DM1 saved Unitary Development Plan Policy DC5, which identify car parking as a specific issue to be considered..

Conclusion –

It is considered that the proposed additional accommodation would cause an intensification of the use of the building, to the detriment of the amenity that local neighbours could reasonably expect to enjoy and would therefore be contrary to Core Strategy policy DM1 and Saved policy DC5.

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

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. Officers have communicated their concerns about this proposal to the applicant and agent during the course of the planning application, but these concerns have not been overcome. It is considered that 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. There are no amendments to the scheme or conditions which could reasonably have been imposed, which would have made the development acceptable and it has therefore been refused.

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

1) The proposed development, by reason of the additional activity associated with the increase in the number of bedrooms in the property would result in the over-intensive use of the premises to the detriment of the amenity of the occupiers of surrounding residential properties. The proposed development is therefore contrary to the provision of Core Strategy Policy DM1 and saved unitary Development Plan Policy DC5.

Appendix 1 – List of consultees & neighbours notified

Rusholme, Fallowfield & Moss Side Civic Society

21 Clifton Avenue, Manchester, M14 6UD
2 Raveley Avenue, Manchester, M14 6WA
1 Raveley Avenue, Manchester, M14 6WA
8 Clifton Avenue, Manchester, M14 6UB
10 Clifton Avenue, Manchester, M14 6UB
21A Clifton Avenue, Manchester, M14 6UD
19A Clifton Avenue, Manchester, M14 6UD
Flat 4, 17 Clifton Avenue, Manchester, M14 6UD
Flat 3, 17 Clifton Avenue, Manchester, M14 6UD
Flat 2, 17 Clifton Avenue, Manchester, M14 6UD
Flat 1, 17 Clifton Avenue, Manchester, M14 6UD
Flat 3, 19 Clifton Avenue, Manchester, M14 6UD
Flat 1, 19 Clifton Avenue, Manchester, M14 6UD
17 Clifton Avenue, Manchester, M14 6UD
12 Clifton Avenue, Manchester, M14 6UB
Flat 2, 19 Clifton Avenue, Manchester, M14 6UD
3 Raveley Avenue, Manchester, M14 6WA

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

Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Wilmslow Road/Egerton Road)

Area Team Boundary - Name: SOUTH