MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140517/FH/2024
Date registered valid:	15 July 2024
Proposal:	Installation of external flue to dwellinghouse.
Address:	4 Turnstone Avenue, Manchester, M20 2FN
Ward(s):	Didsbury East Ward
Applicant:	Mr Christopher Cawte
Agent (if any):	
Case officer:	Jake Walther Tel: 0161 234 1632 Email: jake.walther@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11/09/2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19/08/2024

Standard consultations:
Printed: 29 July 2024 Expired: 19 August 2024

Neighbour notifications
Printed: 29 July 2024 Expired: 19 August 2024

Site notice
Posted: 19/08/2024 Expired: 10

Press advert
Published: 6 August 2024 Expired: 27 August 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building
The proposal relates to a 2-storey detached class C3 dwellinghouse located on Turnstone Avenue, within the St James Park development in Didsbury. The property is a large modern detached building, constructed of red brick with anthracite windows and doors with black slate roof tiles. It features an internal garage, hardstanding for vehicle parking and a landscaped garden to the rear.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area
Turnstone Avenue is a private residential cul-de-sac within the St James Park development in East Didsbury. The cul-de-sac consists of just 3 detached houses and a 2/3 storey apartment block within the Grade II Listed Chapel House. The property is within close proximity to Fletcher Moss Park, Barlow medical centre, Didsbury Towers business park and East Didsbury Railway Station.

Description of development
The applicant is seeking permission for the installation of a black external flue to the rear roof slope.

Consultations & Notification Responses
- As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal. - No comments or objections were made.
- Site Notice in vicinity – No comments or objections were made.
- Manchester City Council Environmental Health – No comments or objection to the proposal.

Policy

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.

- DC1 - Residential Extensions
- DC18 Conservation Areas

Places for Everyone

Places for Everyone Plan Joint Development Plan Document 2022-2039- Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. The following policies are relevant to this proposal.

- Policy JP-S1 – Sustainable Development
- Policy JP-S2 – Carbon and energy

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Principle

The submitted application is for the installation of 1no. external flue to the rear roof pane of the house. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the

application. The proposal is deemed to accord with policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity
The proposed flue will be sited on the rear roof slope and will project above the roof ridge by roughly 515mm. It is considered that the proposal should not cause any overshadowing or introduce an overbearing presence for neighbouring residents.

The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 Unitary Development Plan.

Visual Amenity and Impact on Conservation Area
The proposed flue would not project out in an obtrusive manner, it will however be visible from a few of the neighbouring properties within the private St James Park residential development, although it would not be visible from the public highway. The flue would measure roughly 980mm in height from the rear roof slope, raising above the roof ridge by roughly 515mm, and would be black in colour.

The application site is located within the Didsbury St James Park Conservation Area (1970) and as such it is important that all new developments should aim to enhance where possible or protect the character of the area, and not cause harm to heritage assets within the conservation area. It is not anticipated that that the proposal will have a significant impact on the characteristics of the area as many of the newly built houses on St James Park have built in flues above the faux chimneys, albeit slightly smaller in size than the proposed flue, it is considered that the development proposal will result in less than significant harm. The proposal therefore is considered to accord with policy EN3 of the Manchester Core Strategy and saved policy DC18 of the UDP.

Conclusion
Given the above issues, it is considered that the proposed flue is acceptable in terms of its principle, appearance, and impact upon existing levels of visual amenity as it broadly complies with policies DM1, SP1, EN1 and EN3 of the Core Strategy and chapter 12 of the NPPF.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 polices 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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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

1. 3-year time limit:
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. Specified plans:
The development hereby approved shall be carried out in accordance with the following drawings and documents:

a. Drawing - Location Plan – 15 July 2024
b. Drawing –Proposed Elevations 15 July 2024 – Drawing number - 105-EV-2604E

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

3. Specified materials:
The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

50 Bloomesbury Avenue, Manchester, M20 2BN
5 Skylark Close, Manchester, M20 2FQ
6 Skylark Close, Manchester, M20 2FQ
2 Turnstone Avenue, Manchester, M20 2FN
52 Bloomesbury Avenue, Manchester, M20 2BN
Flat 8, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 7, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 6, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 5, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 4, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 3, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 2, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
Flat 1, Beeches Court, 48 Bloomesbury Avenue, Manchester, M20 2NF
4 Skylark Close, Manchester, M20 2FQ
Flat 1, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 2, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 3, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 4, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 6, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 7, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 5, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 8, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 9, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
Flat 10, Chapel House, 1 Turnstone Avenue, Manchester, M20 2EQ
3 Skylark Close, Manchester, M20 2FQ
2 Skylark Close, Manchester, M20 2FQ
6 Turnstone Avenue, Manchester, M20 2FN

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Didsbury St James Conservation Area 1970
Area Team Boundary - Name: SOUTH AREA