

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139530/FO/2024

Date registered valid: 9 April 2024

Proposal: Erection of part single part two storey side, single storey rear extension and erection of front porch to provide additional living accommodation

Address: 2 - 4 Werneth Avenue, Manchester, M14 7BF

Ward(s): Fallowfield Ward

Applicant: Mr Islam Mohammed

Agent (if any): John Flinn Davenport and Flinn Ltd

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

Recommendation: Approve

Date of recommendation: 4 June 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 3rd of June 24

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 April 2024 Expired: 2 May 2024

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 subject of this application is a pair of semi-detached properties that are currently in use as two separate family dwellinghouses. They occupy a large plot that sits towards the junction of Werneth Avenue and Platt Lane in the Fallowfield ward of the City. Werneth Avenue itself is a small cul-de-sac and is typical of the small avenues that are accessed off Platt Lane. There are gardens to the front and rear with the garden to the frontage being extensive and are currently open plan between the two properties and is primarily grassed. The boundary to the property frontage comprises of a brick wall with pillars and metal railing gates. The side boundaries are close boarded timber post and panel fence. To the side adjacent to the property at the junction of Werneth Avenue and Platt Lane is an open piece of land that is laid to lawn with established trees on the site. The houses themselves are of brick construction with a hipped roof with areas of the brickwork being painted.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with Platt Lane training complex to the east and a mix of private and social housing within both the immediate and wider area. There are local shops and services within walking distance on Yew Tree Road and Wilbraham Road, and easy access across the City by alternative modes of travel to the car.

Description of development

The proposal is for a part single part two storey side extension to the eastern elevation (side of number 2) following the demolition of the free-standing garage, a new centralised front entrance and porch and single storey rear extension across both properties. As part of the proposed works, the two properties will be amalgamated to become 1 dwellinghouse. There will

be one vehicular access point with a central circular feature which will provide for a one way system into and out of the site. The front garden will be landscaped together with in curtilage parking provision.

Consultations & Notification Responses

Local residents were informed- 1 representation was received which raised concerns regarding the restriction of light to the garden, as there are already a number of trees restricting light, this will increase the problem.

Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Places for Everyone - GM Spatial Plan

The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'.

The nine constituent local authorities have now adopted the Plan following consideration of the Inspectors' Report. There will be a period of six-week post adoption (i.e. from 21 March) when a judicial review challenge may be made. This will trigger a process of consideration by the Courts as to whether a JR is sufficient grounds to be heard (there is a one-step oral hearing appeal process if a Judge decides to reject the ground for a JR from the outset).

Given the stage the Plan has reached, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

Principle

The principle of both extending existing residential accommodation and, amalgamating two properties to make one large family property in an established residential area to provide additional living accommodation is considered acceptable, subject to there being no detrimental impacts upon either the character of the property or upon the residential and visual amenity of the neighbouring properties or the area within which it is located.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight to merit a refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential / Visual Amenity

The proposal is for the erection of a part single part two storey side extension and a single storey extension which runs across the rear of both of the properties. The additional accommodation as a result of the proposed development would be in the form of a large family sitting room to the side at ground floor with an extended lounge and open plan kitchen to the rear. To the side at first floor is a master bedroom with an en-suite bathroom. The ground floor rear extension would project 2.7 metres. The side extension is set down from the existing ridge line and set back from the front of the property and stops short of the existing rear building line, it projects sideways towards the open land by 4.5 m. The amalgamated property would have a central porch on the front of the property and will read visually as one property. The extensions retain subservience against the newly created single dwellinghouse.

With the combined site footprint, there would be sufficient external amenity space for the occupants.

There are two small windows proposed in the rear elevation to the first floor, however a condition would be attached to any consent granted for these to be obscurely glazed. One serves the bathroom, and the other is a secondary window to the bedroom, with the primary window being on the property frontage overlooking the applicants front garden. There are no windows proposed in the side elevation.

The neighbouring properties on Platt Lane are sited at 90 degrees to the proposal site, the proposed 2 storey side extension projection is sideways towards the landscaped area of open space. The trees on this space are very well established and would mask the neighbouring properties on Platt Lane from the extension. The single storey rear extensions would in isolation be classed as permitted development, and it is not therefore considered that either the single or two storey extensions would result in loss of light, overlooking, loss of privacy, or result in a detrimental impact upon the level of residential amenity currently enjoyed by the neighbouring properties.

Whilst comments have been received about loss of light to the garden, given the orientation of the neighbouring property and the established trees on the landscaped site, it is not considered that the proposed extension would have such an impact upon the light to the properties on Platt Lane so as to merit a refusal.

The proposed extension has been designed with a set down and set back at first floor from the front and rear of the property. The amount of additional footprint when viewed in the context of the combined properties is considered modest and retains subservience.

With regards to the visual amenity, whilst occupying an enlarged footprint, the property will not appear very different when viewed within the street scene beyond having a central porch access point on the front. It would retain a gable roof, the proposed windows in the front elevation are in proportion to the existing and the development appears balanced. The 2 storey extension is only to one side of the property and that is the side that is abutting the open space. There are no extensions proposed to the common boundary with number 6 Werneth Avenue, and even the single storey rear extension has been set in well away from the common boundaries to either side.

Character

It is not considered that the proposed development would have a detrimental impact upon the character of the property itself or upon the character of the area within which it is located.

Materials

The materials to be used would match those of the existing property and an appropriate condition to that effect would be attached to any consent granted.

Design and Siting- The design is similar to other properties within the immediate and wider area and consideration has been given to the proposed siting reducing the bulk and massing on the common boundaries.

Landscaping- Both gardens to the front and rear are currently open plan with no dividing boundaries between the two properties. This will remain the same as the gardens front and rear will be as one for the amalgamated single dwellinghouse. There is currently a brick wall and posts to the front boundary with recessed gates that are set back 4.5 metres from the front boundary, this would enable a vehicle to park whilst opening the gates. The proposed development will be creating a more formal layout to the front garden, which would incorporate lawn, planting and a circular feature set centrally to enable vehicles to come in one way in forward gear and exit the site in forward gear. A condition relating to the finishes of the surface with regards to permeability and drainage methods for this large area will be attached to any consent granted.

The front boundary wall will be maintained at the same height however the gaps between the posts will be infilled with railings ensuring visual permeability for pedestrians and vehicles within the vicinity of the site.

The vehicular access into the site will be moved slightly eastwards to create a central access rather than the present situation where it sits closer to the boundary with the open space.

Bin Storage- The bins are currently stored in the rear garden. This will remain so post development. The bin storage therefore accords with policy EN19 of the Core Strategy.

Parking- The proposal will retain ample space for in curtilage parking to the front of the property.

Disabled access

Not impacted.

Overall, the proposed extensions are considered not to create any significant impact in terms of visual and residential amenity within the character of the general area. There are other properties within the immediate area that have also had the benefit of similar extensions to those proposed for 2-4 Werneth Avenue and these were on single properties. The development proposed is divided between the overall footprint of the two combined properties.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable. It provides a larger house contributing to the housing mix within the area.

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 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. Appropriate conditions have been attached to any consent granted. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 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:

6488-Drawing 2 Rev B received 11th March 2024- Proposed Plans and Elevations.

6488-Drawing 1 Rev A received 11th March 2024- Proposed Site Plan and Front Boundary Treatment.

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 of the existing property in terms of colour, size and texture including mortar and patching in.

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 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Before first occupation the first floor en-suite window in the northern elevation as shown on the approved drawings shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

7) Prior to above ground works commencing a hard and soft landscaping treatment scheme shall be submitted to and approved in writing by the City Council as local planning authority. The details shall include the materials to be used and the methods of drainage/ water run off of both soft and hard surfaces. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

14 Werneth Avenue, Manchester, M14 7BF
5 Tabley Avenue, Manchester, M14 7RJ
1 Tabley Avenue, Manchester, M14 7RJ
10 Werneth Avenue, Manchester, M14 7BF
6 Werneth Avenue, Manchester, M14 7BF
4 Werneth Avenue, Manchester, M14 7BF
1 Werneth Avenue, Manchester, M14 7BF
3 Werneth Avenue, Manchester, M14 7BF
12 Werneth Avenue, Manchester, M14 7BF
11 Werneth Avenue, Manchester, M14 7BF
9 Werneth Avenue, Manchester, M14 7BF
8 Werneth Avenue, Manchester, M14 7BF
7 Werneth Avenue, Manchester, M14 7BF
5 Werneth Avenue, Manchester, M14 7BF
7 Tabley Avenue, Manchester, M14 7RJ
3 Tabley Avenue, Manchester, M14 7RJ
13 Werneth Avenue, Manchester, M14 7BF
80 Yew Tree Road, Manchester, M14 7BN
78 Yew Tree Road, Manchester, M14 7BN
76 Yew Tree Road, Manchester, M14 7BN
74 Yew Tree Road, Manchester, M14 7BN

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 (Less) -
Area Team Boundary - Name: SOUTH AREA