MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138754/FH/2023
Date registered valid:	5 December 2023
Proposal:	Erection of first floor side and front extension and two storey rear extension to form additional living accommodation
Address:	20 Carill Avenue, Manchester, M40 9PX
Ward(s):	Moston Ward
Applicant:	Mr Michael Burnett
Agent (if any):	Mr Thomas Burney
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 January 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 October 2023 (from 138288/FH/2023)

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 7 December 2023 Expired: 28 December 2023

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: No

Tree Preservation Order: No

Description of area

The application site relates to 20 Carill Avenue within the Moston Ward of north Manchester. The application site relates to a detached, two storey red brick dwellinghouse with attached garage and existing single storey extension sited at the junction of Carill Avenue and Wharfedale Avenue. The site is sited to the southern edge of the site and amenity space wraps around the property. The neighbouring property no.21 Wharfedale Avenue sits to the north east of the site however amenity space in connection with the neighbouring property runs along the southern edge of the applicant's property.

The remainder of the area is predominantly residential in nature, with houses of a similar age and style to the application site. The property looks onto open green space in connection with Boggart Hole Clough.

Description of development

The submitted application seeks planning permission for the erection of first floor side and front extension and two storey rear extension to form additional living accommodation.

The first floor side and front extension would sit on top of the existing garage and front porch and have the same dimensions as the existing built form. As such, this element at the largest point would have approximate dimensions of Height: 7.5 x Length: 8.8 x Width: 6.2 metres.

The single storey rear extension would link with the existing kitchen and have dimensions at the largest point of Height: 6.3 x Length: 1.6 x Width: 2.8 metres.

The proposal would involve the insertion of two windows within the front elevation, one window within the southern side elevation and two windows and a door within the rear elevation.

Materials to be used throughout the proposal would match those used within the host property.

Planning History

The current application is a re-submission of the previous application: 138288/FH/2023- Erection of first floor side and two storey rear extension to form additional living accommodation.
Withdrawn 5 December 2023.

CDN/17/0787 Application to discharge Condition 4 (fenestration) attached to previously approved ref 117668/FH/2017.
Approved 6 February 2018.

117668/FH/2017- Roof alterations to garage and front porch together with elevational alterations to facilitate conversion of garage to living accommodation.
Approved 17 November 2017.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

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):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are 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.

The following policies are relevant:
i.JP- S1- Sustainable development
ii.JP- S2 – Carbon and energy

iii.JP- S5 – Flood risk and the water environment
iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

Principle of Development

The submitted development application is for the erection of first floor side and front extension and two storey rear extension to form additional living accommodation. 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 including disabled access needs. The current application seeks to overcome concerns raised within the previous planning application 138288/FH/2023. 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. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

First floor side and front extension:
The first floor side and front extension would extend forwards of the existing primary building line by 1.3 metres and would be sited above the existing front porch and side extension. As such, the additional built form would run along the shared boundary with no.21 Carill Avenue. Concern was raised that this element of the proposal may give rise to an overbearing feature to the neighbour's external amenity space to the south of the applicant property. However, given the side extension does not extend the entire length of the existing single storey side extension, the side extension is considered to be acceptable. A window would be inserted within bedroom 6. Originally the window was inserted in the rear elevation of this element of the proposal. However, this would look directly into the neighbour's patio and offers the potential for adverse privacy implications. As such, the window was re-positioned to the side elevation of the proposal to reduce implications. Further the window is marked as being obscure glazed and top opening only. Whilst it is acknowledged that the obscure glazed nature of the window is not preferable for the applicant, it is considered necessary to reduce adverse privacy implications since the neighbour's amenity space wraps round the host property. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

No other neighbours would be impacted by this element of the proposal, due to the host property's location at the head of the junction of Carill Avenue and Wharfedale Avenue, in addition to no.21 Wharfedale Avenue's amenity space and Lentmead Drive separating the proposal to residential property to the south, no.16 Carill Avenue.

Two storey rear extension:
The two storey rear extension would infill existing space and would be small in nature with a projection of 1.5 metres and a width of 2.8 metres. A 4.5 metre gap would be retained between the rear building line of the proposal and the shared boundary with no.21 Wharfedale Avenue. As existing, the rear amenity space of the applicant's looks onto the side elevation of the neighbouring property. Whilst the proposal would lead to build form closer to the shared boundary than is currently the case, given the proposal looks onto the neighbour's side elevation with mainly obscure glazed windows and onto the neighbour's side passage only and would not come forwards of the established built form of the garage, it is not considered overbearing or would detrimentally alter the neighbour's ability to use their amenity space. The

proposed ground floor en-suite window and the first floor bathroom window would be conditioned within any approval granted as being obscure glazed. Due to the orientation of the properties, the neighbour would not be impacted by any loss of light/ overshadowing implications.

Due to the distance between the rear built form and neighbouring property no.22 Carill Avenue, the neighbouring property would not be negatively impacted by the proposal.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

First floor side and front extension:
DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. No.20 Carill Avenue sits at the head of the junction of Carill Avenue and Wharfedale Road and close to the junction of Carill Avenue and Lentmead Drive. The property sits as a single property and differs from other properties along Carill Avenue which sit in clusters. As such, whilst the proposal does not have a set back at first floor level, the extension would read as a subservient feature due to the design and the location of the applicant site. The front and side extension has utilised the existing built form at the site to influence the design and in this instance, the design and form of the proposal is considered acceptable, pursuant to Policy DC1 of the UDP.

Two storey rear extension:
The rear extension at the largest point would have a projection of 1.5 metres and as such be considered pursuant to Policy DC1.3 of the UDP, being considered a small extension. The extension wraps into the rear building line of the existing rear garage and therefore is considered a sympathetic addition to the property, pursuant to Policy DC1 of the UDP.

Materials:
All materials to be used would match the host property. This is considered acceptable and would be conditioned accordingly within any approval granted.

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.

Car Parking

No change to car parking arrangements would occur as a result of the proposal.

Bin Storage

No change to bin store arrangements would occur as a result of the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local 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 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner. Appropriate conditions have been attached to the approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 5 December 2023.
-Drawing- Proposed- Floor Plans & Elevations, numbered PL002 REV D, stamped as received by the City Council as Local Planning Authority on 8 January 2024.

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

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the proposed ground floor en-suite window, first floor bathroom window and window within bedroom 6 as shown within the approved 'Drawing- Proposed- Floor Plans & Elevations, numbered PL002 REV D', stamped as received by the City Council as Local Planning Authority on 8 January 2024, 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.

In addition, the windows shall be top opening only and shall remain so in perpetuity.

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

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

16 Carill Avenue, Manchester, M9 4FT
12 Wharfedale Avenue, Manchester, M40 9PJ
10 Wharfedale Avenue, Manchester, M40 9PJ
22 Carill Avenue, Manchester, M40 9PX
21 Wharfedale Avenue, Manchester, M40 9PJ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA