

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139002/FH/2024
Date registered valid: 12 January 2024
Proposal: Erection of a single storey side link extension and conversion of roof space of garage to habitable space
Address: 11 Derwent Avenue, Manchester, M21 7QP
Ward(s): Chorlton Park Ward

Applicant: Mrs Kaligotla
Agent (if any): Mr Steven Mellor, William McCall
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 23 February 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 January 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 January 2024 Expired: 7 February 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 11 Derwent Avenue within the Chorlton Park ward of south Manchester. The application site relates to an end-terraced, three storey new build dwellinghouse characterised by red brick, a two storey front flat roof element with some elements of white render and a prominent gable end to the front elevation. The property benefits from an off street parking space, small section of front amenity space, detached garage, conservatory approved under planning reference:095590/FH/2011/S1 and rear amenity space consisting of a paved area and garden.

The remaining area is predominantly residential in nature, with some commercial units to the east of the applicant site.

Description of development

The submitted application seeks planning permission for the erection of a single storey side link extension and conversion of roof space of garage to habitable space.

The extension would infill the external space from the side elevation of the host property to the detached garage of the property and would involve the insertion of a door from the host property

to the extension. The proposal would have approximate dimensions of Height: 2.5 x Length: 6.3 x Width: 2 metres. The proposal would create a utility and shower room.

Using the roof space of the existing garage, an office would be created. A link would be created between the proposed extension via steps up into the roof space of the existing garage. This requires consent due to a restriction placed on the original consent for the development of the site, under planning reference: 071249/FO/2004/S2:

Condition 16) Integral garages:

Notwithstanding the provisions of Article 3 of, and Class A of Part 1 of Schedule 2 to, the Town and Country (General Permitted Development) Order 1995, the garage accommodation hereby approved as part of this development shall not be converted into living accommodation without the express permission on the part of the Council as local planning authority.

The proposal would involve the insertion of two top opening obscure glazed windows (one in the front elevation and one in the rear elevation) and two skylights (one within the roof slope of the garage and one within the roof slope of the proposed extension).

Within the rear elevation of the main dwellinghouse a ground floor window would be changed into a picture window. As no restrictions were put in place in relation to the further insertion of windows or doors within the property, this element of works could be achieved through the route of Permitted Development and therefore does not require consent.

During the course of the application, further information was provided in relation to bin store arrangements and window arrangements.

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

Planning History

095590/FH/2011/S1- Erection of rear conservatory to form additional living accommodation. Approved 15 April 2011.

The following permission exists for the development of the wider site:

083729/FO/2007/S1- Christie Fields Derwent Avenue/ Darley Avenue- Installation of 2 solar panels to front elevation of roofs to houses on plots 1 to 30. Approved 18 August 2007.

071249/FO/2004/S2-Derwent Avenue/ Darley Avenue, Christie Fields/ Barlow Moor Road Barlow Moor-Erection of 30 three-storey dwelling houses with associated car parking, internal service road and landscaping. Approved 16 May 2006.

Further planning history exists.

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).

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 CABI 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 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'.

You can view the Inspectors' Report on the GMCA's website at [Places For Everyone - Greater Manchester Combined Authority \(greatermanchester-ca.gov.uk\)](https://www.greatermanchester-ca.gov.uk/places-for-everyone). In addition, a hard copy is available in Manchester Central Library, St Peters Square, Manchester M2 5PD between 9am - 8pm Monday to Thursday and 9am - 5pm Friday and Saturday.

The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone, with the plan going to the Full Council meeting in Manchester on 20 March 2024. The first Council meetings to approve the plan will be Salford and Wigan (28 February).

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.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey side link extension and conversion of roof space of garage to habitable space. 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. 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.

Residential/Visual Amenity

Single storey side link extension:

The proposed extension would infill the external space from the side elevation of the host property to the detached garage of the property. As such, no additional built form would come closer to the boundaries of the neighbouring properties than is currently the case. Therefore, the proposal would not give rise to any adverse implications in relation to overbearing, loss of light or adverse privacy implications. A shower room would be created within the proposed extension and a window would be inserted. The window is marked within the plans as being obscure glazed and top opening only and is therefore considered acceptable to protect the privacy of the applicant. A condition to this effect would be attached to any approval granted. In addition, a condition would be attached to any approval granted restricting the insertion of further windows or doors approved beyond this consent.

Conversion of roof space of garage to habitable space:

The proposed utility would consist of a set of stairs which would lead to the office, located within the roof space of the existing garage. This requires consent due to a restriction placed on the original consent for the development of the site, under planning reference: 071249/FO/2004/S2: Condition 16) Integral garages. However, given the space below the roof level would not be impacted by the proposal, space would still be retained for the garage to be used to park a car and thus not putting pressure on the open parking arrangements.

No adverse amenity implications would occur as a result of this element of the proposal.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Single storey side link extension:

The link extension is considered appropriate in size and form as it utilises the height of the garage and form of the garage to form the design of the proposed extension. This is considered appropriate, pursuant to Policy DC1 of the UDP. No.3 Derwent Avenue benefits from a very similar extension to link the host property to the garage under planning reference:

109175/FH/2015/S1. Further, no.5 Derwent Avenue also benefits from the same development, although no planning history can be found for this element of works. As such, the current proposal follows the precedence of development along Derwent Avenue and is therefore considered a sympathetic addition to the streetscene. Although the link extension gives the impression of continuous built form, the proposal does not increase the sense of terracing given the proposal is only single storey in height and maintains the existing scale along Derwent Avenue, pursuant with Policy DC1 of the UDP.

Conversion of roof space of garage to habitable space:

The conversion of the roof space of the garage to habitable space is considered acceptable in size and form and would not involve any alterations to the roof height. This element of the proposal is considered pursuant to Policy DC1 of the UDP.

Materials to be used within the proposal would match the host property in size and form and is therefore considered appropriate. A condition to this effect would be attached to any approval granted.

Car Parking

Car parking would be unaffected by the proposal.

Bin Storage

As a result of the proposal, it would not be possible for bins to be stored within the side or rear amenity space. The site plan submitted shows a bin store would be created in the front amenity space of the property and would consist of a timber bin store with front openings. This is considered acceptable and a condition to this effect would be attached to any approval granted.

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 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

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 12 January 2024.

-Drawing- Proposed- Plans and Elevations, numbered 12/23/116 REV A, stamped as received by the City Council as Local Planning Authority on 25 January 2024.

-Drawing- Site Plan- Proposed, numbered 12/23/116 REV A, stamped as received by the City Council as Local Planning Authority on 25 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 shower room window as shown on the approved 'Drawing- Proposed- Plans and Elevations, numbered 12/23/116 REV A', stamped as received by the City Council as Local Planning Authority on 25 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 window 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.

6) The development hereby approved shall be carried out in accordance with 'Drawing- Site Plan- Proposed, numbered 12/23/116 REV A', stamped as received by the City Council as Local Planning Authority on 25 January 2024, in relation to a secure and ventilated bin storage area. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the provision of off-street car parking, and the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

12 Derwent Avenue, Manchester, M21 7QP
10 Derwent Avenue, Manchester, M21 7QP
10 Christie Way, Manchester, M21 7QY
12 Christie Way, Manchester, M21 7QY
8 Christie Way, Manchester, M21 7QY
9 Derwent Avenue, Manchester, M21 7QP
15 Derwent Avenue, Manchester, M21 7QP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - South Manchester PD Restriction - Class B1(a) To C3
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