

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138718/FH/2023
Date registered valid: 8 December 2023
Proposal: Erection of single storey rear extension to provide additional living accommodation
Address: 21 Brookfield Avenue, Manchester, M21 8TX
Ward(s): Chorlton Park Ward

Applicant: Mr Gareth Davies
Agent (if any): Daniel Edmiston, 6 Design Consulting LLP
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 31 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 January 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 December 2023

Expired: 14 January 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 21 Brookfield Avenue within the south Manchester ward of Chorlton Park. The application site relates to a terraced, red brick, two storey dwellinghouse of a Victorian period. The property is characterised by amenity space to the front in the form of soft and hard landscaping and further amenity space to the rear of the property in the form of a small courtyard with hardstanding. The rear of the property benefits from an existing two storey outrigger.

The surrounding area is residential in character.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension to provide additional living accommodation.

The extension would infill the space between the existing two storey outrigger and the shared boundary with no.19 Brookfield Avenue and would align with the projection of the existing two storey outrigger. As such, the proposal would have approximate dimensions of Height: 3.3 x Length: 3.7 x Width: 4.9 metres. The proposal would involve the insertion of a door and window within the rear elevation and a large skylight and would create a new dining room for the site.

Materials to be used would be:

- red brick walls to match existing
- tiled roof to match existing
- aluminum triple glazed windows and doors- colour to match existing.

Due to the height, the steps associated with the development would not require planning consent.

Planning History

No planning history exists for this site.

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 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 single storey rear extension to provide 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. 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

The extension would infill the space between the existing two storey outrigger and the shared boundary with no.19 Brookfield Avenue and would align with the projection of the existing two storey outrigger. As such, the proposal would run along the shared boundary with no.19. Although the proposal may lead to some level of tunnelling, given the proposal is single storey and the area to be impacted is already surrounded by built form, the degree of tunnelling is not considered severe. The extension would not impact the neighbour's enjoyment of their rear amenity space and any loss of light would be limited, as light would already be blocked by the neighbour's existing two storey outrigger. No windows would be inserted in the side elevation and so the proposal would not lead to any adverse privacy implications. A condition would be

placed on any approval granted restricting the number of windows or doors approved beyond this consent.

The other adjoining neighbour no.23 Brookfield Avenue would not be impacted by the proposal, as the extension would not come forwards of the existing rear building line of the property.

The proposal would be single storey and due to the boundary treatment and alleys separating the rear gardens of Beechwood Road, neighbours to the rear would not be adversely impacted by the proposal in terms of amenity.

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

Design and Appearance

The proposed extension would have a projection of 3.7 metres and would exceed Policy DC1.3 of the UDP. However, the extension would only exceed the policy by 0.1 metres and given Permitted Development rights which allow larger extensions and given the proposal has the projection proposed to align with the existing built form of the two storey outrigger, the scale and projection of the proposal is considered acceptable. The application follows precedence from similar extensions in the surrounding area including no.31 Brookfield Avenue, no.19 Brookfield Avenue and no.17 Brookfield Avenue and is therefore considered appropriate as an extension for the type of property, pursuant to Policy DC1 of the UDP.

Materials to be used have been listed in the report previously and materials would match the host property where possible. 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

Car parking would not be affected by the proposed development.

Bin Storage

Bin storage would not be affected by the proposed development.

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 4 December 2023.

-Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 8 December 2023.

-Drawing- Proposed- Layouts, numbered 23_033_102 REV 3, stamped as received by the City Council as Local Planning Authority on 10 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) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and 'Drawing- Proposed- Layouts, numbered 23_033_102 REV 3', specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

23 Brookfield Avenue, Manchester, M21 8TX
20 Brookfield Avenue, Manchester, M21 8TX
24 Brookfield Avenue, Manchester, M21 8TX
22 Brookfield Avenue, Manchester, M21 8TX
19 Brookfield Avenue, Manchester, M21 8TX
20 Beechwood Avenue, Manchester, M21 8UA
18 Beechwood Avenue, Manchester, M21 8UA

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
Area Team Boundary - Name: SOUTH AREA