MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138441/FH/2023
Date registered valid:	18 November 2023
Proposal:	Erection of single storey front and rear extension including garage conversion together with associated elevational alterations provide additional living accommodation
Address:	31 Moorton Avenue, Manchester, M19 2NQ
Ward(s):	Burnage Ward
Applicant:	Mr. Attiqu Ur Rehman
Agent (if any):	Mr. Niamat Ali NA Design
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **23/02/2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29/11/2023

Standard consultations:

Printed: 22 November 2023 Expired: 13 December 2023

Neighbour notifications

Printed: 22 November 2023 Expired: 13 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

The proposal relates to a mid-terrace dwellinghouse on Moorton Avenue. The property features a small, attached garage and hardstanding to the front for off street parking. The property features landscaping to the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Figure 1. Street scene

Figure 2. Rear Elevation

Description of area

The property is located in a mostly residential part of Manchester's Burnage ward. The property sits in Flood Zone 2.

Description of development

The applicant is proposing the erection of single storey front and rear extension including garage conversion together with associated elevational alterations provide additional living accommodation.

Single storey front extension

The proposed front extension projects 2640mm from the front elevation to meet the existing front elevation of the garage. The front extension adds a new window to the front elevation and replaces the existing garage door with a new window.

Single storey rear extension

The proposed rear extension projects 4000mm from the existing rear elevation spanning 5100mm across the rear leaving a 150mm to each boundary. The proposed extension adds bifold glazed doors to the rear and a large pitched roof light sitting 580mm above the eaves.

Figure 3. Proposed plans and elevations

Planning History

There is no planning history at the address.

Consultations & Notification Responses

Consultations

Manchester City Council Flood Risk Management

Manchester City Council Flood Risk Management were consulted on this application as the site is within Flood Zone 2.

Product 4 data has been obtained from the Environment Agency however no assessment has been made of finished floor level (FFL) / resistance-resilience measures.

Flood Risk have requested a condition to be attached. The applicant was afforded two extensions of time to send the information but has been unable to in the time.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

- 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 is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management
    - SP 1 - Spatial Principles
    - EN 1 - Design Principles and Strategic Character Areas
    - EN 14 – Flood Risk
- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC1 - Residential Extensions
- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places
    - Section 14 - Meeting the challenge of climate change, flooding and coastal change.

Principle of the development

Residents can usually expand their homes for more space, as long as it doesn't affect the neighbourhood or property's character.

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

The applicant is seeking the erection of single storey front and rear extension including garage conversion together with associated elevational alterations provide additional living accommodation.

The new addition is designed to match the style and features of the current building. This includes the windows.

The proposal uses brick and tile to match the existing property (according to the application form).

The proposal is designed to be subservient to the original dwelling house.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

The proposal can be seen from the street, but it does not change the street's character.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby. Therefore, it can fit on the property site and won't disrupt the area's existing features.

The proposal's design would match the nearby properties. It would use matching brick and tile materials.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal adds 1no window in the front of the building. It doesn't affect privacy much because there are other windows to this elevation.

The proposal includes adding large glass doors at the back of the building. These doors face the rear gardens of properties on Redthorn Avenue and Whitethorn Avenue. The design of the boundary and its distance help reduce privacy concerns.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal has no effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal changes how people can get in and out of the building but does not create a barrier.

The proposal is therefore in accordance with this development management principle.

Refuse storage and collection.

The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site (collected from the rear). We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal eliminates a parking garage but keeps off-street parking in front of the property.

The proposal is in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal would minimally affect green infrastructure and would balance new development with existing green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site is located in Flood Risk Zone 2 and therefore Manchester Flood Risk Management were consulted.

Product 4 data has been obtained from the Environment Agency however no assessment has been made of finished floor level (FFL) / resistance-resilience measures.

Flood Risk have requested a condition to be attached. The applicant was afforded two extensions of time to send the information but has been unable to in the time.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

We consider this proposal to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Southern Character Area’.

We consider this proposal to accord with the principles of this policy.

EN 14 – Flood Risk

This policy outlines the key principles around Flood Risk Management in the city.

Product 4 data has been obtained from the Environment Agency however no assessment has been made of finished floor level (FFL) / resistance-resilience measures.

Flood Risk have requested a condition to be attached. The applicant was afforded two extensions of time to send the information but has been unable to in the time.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

DC1 - Residential Extensions

This policy outlines the key issues when considering proposed residential extensions.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan

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 on the Plan. The Examination of 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 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.

This proposal is considered to accord with the aspirations of the Places for Everyone Plan.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 12 outlines how the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

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.

Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal 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. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval

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 31 Oct 2023 THE LOCATION PLAN
   b. *Drawing - Existing 31 Oct 2023 NA-P01 PLANS AND ELEVATIONS*
   c. *Drawing - Proposed 18 Nov 2023 NA-P02 PLANS AND ELEVATIONS*
   d. *Flood Risk Assessment or Drainage 18 Nov 2023 DETAILS OF FLOOD MAP*
   e. *Flood Risk Assessment or Drainage 18 Nov 2023 TABLE*

   Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 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 DM 1, SP 1 and EN 1 of the Core Strategy.

4. Additional glazing restriction

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Core Strategy for the City of Manchester and saved policy DC1 of the Unitary Development Plan.

5. Flood risk statement

No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

a. Provide a plan showing the finished floor levels (FFLs) and the estimated flood levels. FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
b. If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures

c. Consideration of flood safety measures (such as signing up for EA flood warnings) and evacuation plans where required.
d. Any supporting plans and drawings.

See https://www.gov.uk/guidance/flood-risk-assessment-standing-advice for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required. Pursuant to policies DM 1 and EN 14 of the Core Strategy.

Informative(s) to be attached to decision for approval

1. **Sustainable drainage**

The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. We recommend considering green SuDS components to mitigate for any loss of permeable area.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

34 Moorton Avenue, Manchester, M19 2NQ
33 Moorton Avenue, Manchester, M19 2NQ
29 Moorton Avenue, Manchester, M19 2NQ
12 Whitethorn Avenue, Burnage, Manchester, M19 1EU
36 Moorton Avenue, Manchester, M19 2NQ
7 Redthorn Avenue, Manchester, M19 1ET
9 Redthorn Avenue, Manchester, M19 1ET

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

Flood Zones Type 2 (low to medium risk) -

Area Team Boundary - Name: SOUTH AREA