MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137890/FH/2023
Date registered valid:	1 September 2023
Proposal:	Erection of a single storey side extension to form additional living accommodation.
Address:	2 Abbotsfield Court, Manchester, M8 0AW
Ward(s):	Cheetham Ward
Applicant:	Mrs Sardaran Bibi
Agent (if any):	M Farooq, Building Design Services
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**8 December 2023**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 13 November 2023

Standard consultations:
Printed: 2 November 2023 Expired: 23 November 2023

Neighbour notifications
Printed: 2 November 2023 Expired: 23 November 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 2 Abbotsfield Court within the north Manchester ward of Cheetham. The application site relates to a two storey, end terraced, red brick dwellinghouse with sand coloured lintel and brick work detailing with a single storey front porch element. The property is a new build property and is sited next to three storey terraced properties. The property looks onto communal parking and the large cul-de-sac of Abbotsfield Court. Amenity space connected to the property is situated to the side amenity space bounded by a timber fence. As shown on the location plan, the property also benefits from further amenity space beyond the timber fence which at the time of the site visit consisted of low, soft landscaping. Further amenity space is sited to the rear of the property consisting of a grassed garden and bounded by timber fencing.

Description of development

The submitted application seeks planning permission for the erection of a single storey side extension to form additional living accommodation.

The existing timber fence along the side of the property would be removed and the proposal would be sited on the open side amenity space which, as confirmed by the submitted location plan, forms part of the applicant's land.

The proposal would have approximate dimensions of Height: 3.6 x Length: 6 x Width: 2.8 metres. The proposal would create a new lounge for the property and would involve the insertion of a window within the front elevation and a set of doors within the rear elevation.

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

Plans also show a new timber gate and an extension to the existing timber wall would be inserted within the existing timber fence to the rear of the applicant site. As confirmed via email on 16 November 2023, the agent stated the timber fence and gate to be installed would be the same height of the existing timber fence and as such, this element of works would not require planning consent.

Planning History

Whilst no planning history exists for 1 Abbotsfield Court itself, the following planning history exists for the development of the site:

065770/MO/NORTH1/02- Land off Cheetham Hill Road, Cheetham Hill- RESERVED MATTERS APPLICATION for the erection of no.149 residential units comprising of 2 bed apartments and 3 and 4 bed houses.
Approved 26 November 2002.

062796/OO/NORTH1/01- Former North Manchester General Hospital, Cheetham Hill Road- OUTLINE APPLICATION Residential development comprising 149no. dwellings.
Approve 24 January 2002.

046285/OO/NORTH1/94- Site of the former Northern Hospital, Cheetham Hill Road, Cheetham- Outline application for residential development.
Approved 12 April 1995.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Highway Services

Highway Services were consulted on the application and provided the following response:
The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

It is noted that a new timber gate will be installed on Knightswood Road elevation. Plans show that this is an inward opening gate, which is acceptable to Highways.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Issues

POLICY

The National Planning Policy Framework (September 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 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 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 a single storey side extension to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and adapt 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 dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

The existing timber fence along the side of the property would be removed and the proposal would be sited on the open side amenity space which according to the submitted location plan forms part of the applicant's land.

The proposal would be set back 1.7 metres from the applicant property's front porch and would not extend the length of the host property.

The existing fence would be re-positioned to enclose the rear of the extension into the rear amenity space.

One window would be inserted in the front elevation of the proposal and would look onto the communal parking within the cul-de-sac of Abbotsfield Court. The insertion of the window is not considered to give rise to any adverse overlooking implications to the applicant given they benefit from windows at this level within the host property. As the window would look onto the gable end of the neighbour's property opposite, no adverse overlooking implications to any of the neighbouring properties would occur. The window within the side elevation of the host property was removed during the course of the application to ensure no adverse implications would occur to the applicant. As the proposed set of doors would direct onto the applicant's private amenity space no adverse implications would occur to the applicant. A condition would

be attached to any approval granted restricting the further insertion of windows and doors beyond those approved within this consent.

Due to the siting of the proposal, no impacts in terms of loss of light/ overshadowing nor creating an overbearing feature would occur to the surrounding properties.

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

Design and Appearance

Although the proposal would be sited within the low soft landscaping close to the junction, information submitted with the proposal confirms the open land is within the applicant's ownership. As such, the applicant can utilise this land. The proposal would be set back 1.7 metres from the applicant property's front porch and would not extend the length of the host property, so that the proposal would not extend onto land beyond the applicant's ownership.

The proposal would still retain a sense of openness to the front of the property. For these reasons, the proposal is considered acceptable in size and form, pursuant to Policy DC1 of the UDP.

Further, as no permitted development restrictions were put on the development of the wider scheme, a similar side extension could have been achieved through the route of Permitted Development.

Materials to be used throughout the proposal would match that of the host property. This is considered acceptable and a condition to this effect would be attached to 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.

Highway Considerations

Given the proximity of the proposed side extension to the junction with Abbotsfield Court/ Knightwood Road and Manswood Drive, Highway Services were consulted on the application. No concern was raised by Highway Services in terms of visibility to the junction as a result of the proposal, or any other highway considerations. As such, the proposal is considered acceptable.

Car Parking

No change to car parking would occur as the communal parking to the front of the property would not be impacted by the proposal.

Bin Storage

Plans show the bins would be stored within the rear amenity space and would be presented to the highway through the proposed timber gate (although not part of this application). This arrangement is considered acceptable.

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 and appropriate conditions have been attached to any 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 21 August 2023.
-Drawing- Proposed- Plans and Elevations, numbered 2, stamped as received by the City Council as Local Planning Authority on 16 November 2023.

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 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.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services

3 Abbotsfield Court, Manchester, M8 0AW
4 Abbotsfield Court, Manchester, M8 0AW
1 Abbotsfield Court, Manchester, M8 0AW
26 Knightswood Road, Manchester, M8 0AQ
24 Knightswood Road, Manchester, M8 0AQ

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
Area Team Boundary - Name: NORTH AREA