

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137527/FH/2023

Date registered valid: 11 July 2023

Proposal: Erection of part single, part two storey rear extension to form additional living accommodation.

Address: 12 Flixton Road, Manchester, M13 9GU

Ward(s): Ardwick Ward

Applicant: Doris Faibi

Agent (if any): Mr Healey Healey Consulting

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 August 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 19 July 2023 Expired: 9 August 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: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

The application site is a modern two-storey, end-terrace dwellinghouse within a short row of six houses. The site abuts Markfield Avenue along the side elevation. The rear of the application site faces the gable elevation of a 3 storey terraced dwellinghouse - no. 50 Markfield Avenue. The application property benefits from amenity space along the front and rear elevations only. The existing car parking arrangement is on street and bins are kept at the front of the property. There is boundary treatment, to the perimeter of the rear garden approximately 1.8 metres in height. The existing depth of rear garden is approximately 7.8 metres. Due to the siting of the dwellinghouse at the junction of Flixton Road and Markfield Avenue, the proposed extension would be visible from Markfield Avenue, although there would be a significant separation distance of approximately 23.9 metres from the immediate odd numbered dwellinghouses along Markfield Avenue; specifically nos. 51-57 Markfield Avenue.

Description of development

Consent is sought for the erection of a part single, part two storey rear extension to form additional living accommodation.

The proposed part single, part two storey rear extension at the ground floor level would be stepped away from the common shared boundary with no. 14 Flixton Road by approximately 80mm, leaving a small gap and would be flush with the side gable of the original dwellinghouse, (gable elevation - along Markfield Avenue) and would measure approximately 3000mm deep x 5745mm wide x 3624mm maximum height. This element would incorporate a lean-to pitch configuration (in proximity to no.14 Flixton Road), including French doors and 1no. window opening along the rear elevation. The proposed first floor element would retain a separation distance of approximately 2820mm from the common shared boundary with no. 14 Flixton Road and would measure approximately 3000mm deep x 2925mm wide. This element would incorporate a hip roof arrangement with the proposed roof ridge dropped below that of the existing ridge. There would be 1no. window opening at first floor level along the rear elevation. In terms of external facing materials, it is intended to use matching materials.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. No objections, comments, or representations were received.

2. Environmental Health – recommend a condition to require the installation of a gas membrane is attached to any approval.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) -

This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'. The Framework has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 12: Achieving well-designed places.

2. Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012.

It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to

accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles)

Policy DM1 (Development Management)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN19 (Waste)

Policy T2 (Accessible areas of opportunity and need)

3. Saved Unitary Development Plan Policies (UDP)

Large elements of the UDP have been superseded by the Core Strategy Development Plan. However, saved Policy DC1 for Residential Extensions is still of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraph is of particular relevance:

i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals.

ISSUES

Principle of development

The principle of extending one's home is acceptable and the planning system accommodates this demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. The key issues for this application are therefore any resulting impacts to residential and visual amenity.

Residential and Visual Amenity

Impact of works (part single, part two storey rear extension) - In light of the pre-existing contextual relationship, and with the rear of the host building being north-east facing, that the proposed extension faces the gable elevation of a 3 storey terraced dwellinghouse - no. 50 Markfield Avenue, and there would be a significant separation distance of approximately 23.9 metres from the immediate odd numbered dwellinghouses along Markfield Avenue; specifically

nos. 51-57 Markfield Avenue, it is considered that the proposed level of visual intrusion along the street scene and any impacts due to massing would not be significant. Furthermore, the proposed extension would be stepped away from the common shared boundary with the no.14 Flixton Road, and the proposed rearward projection at 3000mm is in line with the guidance set out in saved policy DC1 regarding rearward extensions. The proposed development would also allow for amenity space to be retained to the rear of the host property, and the existing car parking and refuse management arrangements would be unaffected. For these reasons, it is considered that the proposal could be accommodated in this location without giving rise to adverse impacts from massing, nor would the proposal result in undue overlooking or loss of privacy impacts. It is however recommended further conditions are attached limiting any further windows and door openings. This is considered necessary to safeguard residential amenity.

Impact of works (design and appearance) - The design of the proposal would be informed by the existing dwellinghouse and it is intended to use external facing materials in keeping with the primary building, which is considered acceptable in design terms. However, a materials condition has been attached to ensure that materials are adhered to.

Impact of works (car parking) - The existing arrangement would be unaffected.

Impact of works (waste management) - The existing arrangement would be unaffected.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 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 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

In assessing the merits of a planning application officers will seek to work with the applicant/agent in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- o Location Plan with application site edged in red, DRAWING NO. (60)-01, received by the City Council as the Local Planning Authority on 11 July 2023.
- o Existing and Proposed Block Plans, DRAWING NO. (60)-02, received by the City Council as the Local Planning Authority on 11 July 2023.
- o Existing Elevations, DRAWING NO. HC-23297-(20)-02 , received by the City Council as the Local Planning Authority on 11 July 2023.
- o Existing Floor Plans, DRAWING NO. HC-23297-(20)-01, received by the City Council as the Local Planning Authority on 11 July 2023.
- o Proposed Elevations, DRAWING NO. HC-23297-(20)-04, received by the City Council as the Local Planning Authority on 11 July 2023.

o Proposed Floor Plans, DRAWING NO. HC-23297-(20)-03, received by the City Council as the Local Planning Authority on 11 July 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy (2012) and policy DC1 of the saved Unitary Development Plan for the City of Manchester (1995).

3) The materials used to construct the external elevations of the extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing, and as stated on the approved plans and submitted information.

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 (1995), and policy DM1 of the Manchester Core Strategy (2012).

4) 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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on: Existing and Proposed Block Plans, DRAWING NO. (60)-02; Proposed Elevations, DRAWING NO. HC-23297-(20)-04; and Proposed Floor Plans, DRAWING NO. HC-23297-(20)-03, all received by the City Council as the Local Planning Authority on 11 July 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policies SP1, DM1 of the Core Strategy for the City of Manchester (2012).

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

6) Prior to above ground works, appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the rear extension hereby approved, shall be submitted to and approved in writing by

the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

57 Markfield Avenue, Manchester, M13 9AX
55 Markfield Avenue, Manchester, M13 9AX
53 Markfield Avenue, Manchester, M13 9AX
51 Markfield Avenue, Manchester, M13 9AX
8 April Close, Manchester, M13 9BT
6 April Close, Manchester, M13 9BT
14 Flixton Road, Manchester, M13 9GU
50 Markfield Avenue, Manchester, M13 9AE
49 Markfield Avenue, Manchester, M13 9AX

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA