

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137351/FH/2023

Date registered valid: 20 June 2023

Proposal: Erection of a single storey side and rear extension to form additional living accommodation, 1.2 metre high bin store with associated timber fence screen to eastern boundary of front amenity space

Address: 55 Crimsworth Avenue, Manchester, M16 0EB

Ward(s): Chorlton Ward

Applicant: Mr Jasbir and Mrs Amy Jhooty

Agent (if any): Mr Sunil Nandha, Ibelin Architecture

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 August 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 July 2023

Standard consultations:

Printed: 19 July 2023 Expired: 26 July 2023

Neighbour notifications

Printed: 1 August 2023 Expired: 15 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: No

Tree Preservation Order: No

Description of area

The application site relates to 55 Crimsworth Avenue within the south Manchester ward of Chorlton. The application site relates to an end terraced, two storey, red brick dwellinghouse with circular bay windows, a gable and a white UPVC front porch which comes forwards of the primary building line. To the north of the site sits the boundary between Manchester City Council and Trafford Council, this boundary runs along the northern boundary of the applicant property. As such, the immediate neighbour to the north is within Trafford Council's boundary. Amenity space to the front of the property consists of an off street car parking space, with a single storey red brick garage against the boundary. Amenity space to the rear of the property consists of a spacious garden with a Metrolink line running close to the rear of the site. The property benefits from an existing single storey rear extension.

Description of development

The submitted application seeks planning permission for the erection of a single storey side and rear extension to form additional living accommodation, 1.2 metre high bin store with associated timber fence screen to eastern boundary of front amenity space.

The single storey side extension would have approximate dimensions of Height: 3.7 x Length: 8.6 x Width: 2.7 metres. The single storey rear extension would have approximate dimensions of Height: 4.3 x Length: 3 x Width: 5.7 metres. The extension would involve the insertion of a window within the front elevation, a window and door within the rear elevation and a high level obscure glazed window within the side elevation facing onto no.53 Crimsworth Avenue. 4 skylights would be inserted in the roof plane. The proposal would create an office, shower room, utility room, and a kitchen and diner.

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

A bin store would be sited against the eastern boundary of the front amenity space and have a height of 1.2 metres. A timber fence to screen the bin store would be inserted against the eastern boundary of the site, with a height of 1.2 metres.

Amended plans

Plans have been amended following concerns that the insertion of windows within the side elevation of the side extension would give rise to the perception of overlooking to no.11 Firs Avenue and create a visually incongruous feature for Firs Avenue. The windows were removed during the course of the application. A bin store was also added into the proposal, with an accompanying surround.

Planning history

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and 2 responses were received from the same neighbour. From the original notification period, one neighbour raised concerns about the placement of the bin store and that the extension could give rise to overlooking implications to the surrounding neighbours.

Following the re-notification period, the neighbour raised concerns about the proposed timber fence in connection with the proposed bin store and asked if this would be dealt with through a neighbour discussion.

Trafford Council

Trafford Council were consulted on the application and replied with no comments to make.

Transport for Greater Manchester

Transport for Greater Manchester were consulted on the application and had no objections to the scheme. Whilst the development proposals are unlikely to affect Metrolink operations the site does adjoin the Metrolink boundary and therefore we would like the applicant

to be advised that the details of working safely near Metrolink can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>.

The same comments were received following the re-notification period.

Issues

POLICY

The National Planning Policy Framework (July 2021)

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 – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.
- ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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 effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

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.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey side and rear extension to form additional living accommodation, 1.2 metre high bin store with associated timber fence screen to eastern boundary of front amenity 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.

Visual /Residential Amenity

Side extension:

The impact of the side extension would be primarily felt by the neighbour to the north, no.11 Firs Avenue. No.11 Firs Avenue sits at the end of Firs Avenue, with all the primary elevations of the street looking to the west. The applicant property has a flipped relationship, with the primary elevation facing to the east. As such, the side extension would run along the shared boundary and extend beyond the neighbour's primary elevation. No.11 Firs Avenue would primarily feel the impact of the side extension when looking out of the front of the property. However, as the

proposal is single storey, it would not create an overbearing feature. Windows within the side elevation of the side extension have been removed during the course of the application, ensuring no negative impact in terms of overlooking would occur to the neighbour, or to the detriment of the character of the streetscene more widely. Although the proposal could give rise to some overshadowing, no impact would occur as this would be felt by the neighbour's parking provision to the front of their property.

The side extension would not be easily visible from the street of Crimsworth Avenue and would replace the existing garage structure at the site. As the side extension would not come forwards of and therefore not disrupt the primary elevation of the property, it would not give rise to any adverse implications to the neighbours to the east of Crimsworth Avenue.

Rear extension:

The rear extension would have a projection of 3 metres and would be sited approximately 2.9 metres from the shared boundary with no.51 Crimsworth Avenue. This would comply with Policy DC1.3 in terms of projection and would therefore be acceptable. A window would be inserted in the side elevation facing onto no.53 Crimsworth Avenue. However, given the window is high level and obscure glazed only, the window would not give rise to any adverse privacy implications. This neighbour would not be impacted by any loss of light/ overshadowing implications, due to the orientation of the properties in the streetscene.

As the side extension would wrap into the rear extension, as discussed above, any impact would not be considered significant to neighbours along Firs Avenue.

1.2 metre high bin store with associated timber fence screen to eastern boundary of front amenity space:

The bin store would allow the bins to be stored neatly within the front amenity space. Given the height of the store and the timber fence would be 1.2 metres this is not considered severe to create a harmful impact 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

Side extension:

The side extension would replace the existing garage at the side of the property being sympathetic to the existing structures at the site. As the proposal would be single storey only, this element of the proposal is considered to be subservient to the existing dwellinghouse, pursuant to Policy DC1.2 of the UDP.

Rear extension:

At the largest point, the rear extension would have a projection of 3 metres. This is considered pursuant to Policy DC1.3 of the UDP and a similar rear extension could be erected through the route of Permitted Development. Given the spacious rear amenity space, the rear extension is considered acceptable.

Materials to be used within the extension would match those within the host property and would therefore create a sympathetic addition to the property and wider streetscene. This is considered acceptable and would be conditioned accordingly.

1.2 metre high bin store with associated timber fence screen to eastern boundary of front amenity space:

A bin store is proposed and would be sited against the eastern boundary of the site. Given bins cannot be stored within the side or rear of the property, the bin store is considered acceptable in size and appearance. The client also wishes to install a timber fence to screen the bin store on the eastern boundary. This would have a height of 1.2 metres against the shared boundary with no.30 Crimsworth Avenue. Given a height of 1 metre could be erected through the route of Permitted Development, the additional height of 0.2 metres is not considered overly significant to create an overbearing feature or be out of character with the surrounding development. The materials for both the bin store and timber screen are acceptable and sympathetic of similar structures. This element of the proposal is considered acceptable and pursuant to Policy DC1 of the UDP.

Neighbour Objections

One neighbour raised concerns during the application.

Concern was raised regarding the insertion of a window within the front of the side extension giving rise to overlooking implications to the surrounding neighbours. However, given the side extension would not come forwards of the primary elevation of the host property, the same privacy distance would be retained. Given the 1.2 metre high timber screen to be installed between the property to the east, any overlooking opportunities to the opposite properties would be extremely limited.

Concern was also raised about the installation of the bin store and associated timber screen. The location of the bin store is considered appropriate given the lack of space within the front amenity space that would not be taken up by the existing off street car parking space. The bin store would improve the quality of the area. For the reasons given above, the installation of a 1.2 metre timber screen would not be considered to give rise to any adverse amenity implications to the neighbour and would be appropriate in design and appearance.

Car Parking

Car parking would be unaffected by the proposal.

Refuse Storage

Refuse storage would be unaffected by the proposal.

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. The proposal is considered acceptable and complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

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 and appropriate conditions to the approval have also been attached.

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:

-Drawing- Proposed- Roof Plan, numbered 012, stamped as received by the City Council as Local Planning Authority on 20 June 2023.

-Drawing- Proposed- Elevation, numbered 013, stamped as received by the City Council as Local Planning Authority on 20 June 2023.

-Drawing- Proposed- Elevation, numbered 014, stamped as received by the City Council as Local Planning Authority on 20 June 2023.

-Drawing- Proposed- Elevation, numbered 016, stamped as received by the City Council as Local Planning Authority on 20 June 2023.
-Drawing- Location Plan/ Site Plan, numbered 009 P1, stamped as received by the City Council as Local Planning Authority on 18 July 2023.
-Drawing- Proposed- Floor Plan, numbered 010 P1, stamped as received by the City Council as Local Planning Authority on 18 July 2023.
-Drawing- Proposed- Elevation, numbered 015 01, stamped as received by the City Council as Local Planning Authority on 18 July 2023.
-Drawing- Proposed- Bin Store, numbered 018, stamped as received by the City Council as Local Planning Authority on 19 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 Manchester Core Strategy.

3) Before first occupation, the ground floor window within the southern elevation of the rear extension as shown on the approved 'Drawing- Proposed- Floor Plan, numbered 010 P1', stamped as received by the City Council as Local Planning Authority on 18 July 2023, 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.

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.

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 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.

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- Proposed- Bin Store, numbered 018', stamped as received by the City Council as Local Planning Authority on 19 July 2023, and 'Drawing- Location Plan/ Site Plan, numbered 009 P1', stamped as received by the City Council as Local Planning Authority on 18 July 2023, 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.

Informatives

1) Whilst the development proposals are unlikely to affect Metrolink operations the site does adjoin the Metrolink boundary and therefore we would like the applicant to be advised that the details of working safely near Metrolink can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>.

Appendix 1 – List of consultees & neighbours notified

Trafford Council
Transport For Greater Manchester
Trafford Council
Transport For Greater Manchester

11 Firs Avenue, Manchester, M16 0GA
30 Crimsworth Avenue, Manchester, M16 0FB
28 Crimsworth Avenue, Manchester, M16 0FB
53 Crimsworth Avenue, Manchester, M16 0EB
11 Firs Avenue, Manchester, M16 0EB

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA