MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	136629/FH/2023
Date registered valid:	29 March 2023
Proposal:	Erection of single storey side extension to rear, conversion of basement with associated access, addition of light well to front
Address:	1 Chatsworth Grove, Manchester, M16 8GY
Ward(s):	Whalley Range Ward
Applicant:	Mr Brian Nicol
Agent (if any):	Mr Curtis Martyn, Eohma Ltd
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	24 May 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24th May 2023

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 19 April 2023 Expired: 10 May 2023

Site notice
Posted: 25 April 2023 Expired: 16 May 2023

Press advert
Published: 25 April 2023 Expired: 16 May 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building
The property that is the subject of this householder application is a 2 storey brick end of terrace Victorian property. It has additional accommodation in the roof. The property has gable front detailing, with large bay windows to the ground and first floor, and is 'L' shaped to the rear with a 2 storey original outrigger. There is a small walled garden to the front of the property and a walled yard area to the rear. There is an alleyway that runs alongside and separates the properties on Chatsworth Grove form the properties on Victoria Road. There is no in curtilage parking with this being reliant upon on street availability.

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: **Not applicable**

Description of area
The area is predominantly residential in nature, comprising of properties of the same age and style to the host property, coupled with post war housing and purpose built flat developments. St Mary's C of E primary school is located on College Road around the corner.

Description of development
The proposal is for the erection of a modest single storey infill extension from the rear of the property and would occupy the space between the boundary wall and the outrigger. It would project no further rearward than the outrigger, and would be of a mono-pitched roof design which would be wholly in glass. There would be a full glass door on the rear, and the side wall would be constructed in brickwork. It would provide additional seating space for the kitchen and a place to sit to enjoy the indoor garden. There is a lightwell proposed for the front elevation to enable natural daylight to the proposed rooms within the reconfigured basement conversion. The additional accommodation would be in the form of media room. laundry WC and storage.

Consultations & Notification Responses

Publications- A site notice was displayed at the site, and an advertisement was placed within the Manchester Evening News.

Local residents were informed- one representation has been received. They have no objections to the proposal but want the applicants to retain sufficient space within the side alleyway for them to pass with their cargo bike. This would be a civil matter between the parties.

Issues

Policy

The following policies are considered relevant in the consideration of this application.

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
O DC18 for Conservation Areas
o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
o Policy DM 1 - Development Management
o Policy SP1 - Spatial Principles
o Policy EN1 - Design Principles
o Policy EN 3 Heritage
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle
The principle of allowing residents to extend their homes providing enlarged or improved accommodation to meet changing household needs is generally considered acceptable subject to there being no detrimental impact upon either the character of the property itself or the residential and visual amenity of neighbouring properties.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would merit refusal of the application.

On balance, the proposed changes are deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity
The area is residential in character, this particular property is located within the Whalley Range Conservation Area. The property is an attractive villa style property that sits at the end of the terrace on Chatsworth Grove, enclosed to the front by a low brick wall and pilars and along the side and the rear by a 2 metre brick boundary wall.

The applicant is proposing the construction of a modest single storey rear extension which would sit alongside the existing 2 storey outrigger the side extension is 1.7 m at its widest point

and tapers to the rear to circa 1.2m. The proposed extension is a maximum of 2.8 m at the eaves. It would be relatively light in construction with a glass rof and large glass feature pivoting rear door. The brick wall which is set in from the boundary wall would be constructed in reclaimed brick to match the existing property. It does not project any further rearward than the existing rear outrigger, and as such would not be viewed from the neighbouring properties within the terrace, and neither would it be readily viewed from within the street scene, given that it is located to the rear is only single storey and sits behind the existing boundary wall, with this forming the outer skin.
The lightwell is only to provide natural day light into the reconfigured basement, and is not to create an access point. There is sufficient amenity space retained for the occupants of the property. As such neither the proposed extension nor the lightwell would have a detrimental impact upon the residential amenity of the neighbouring properties.

It is considered that the proposal is in accordance with saved policies DC1 and DC18 of the Development Plan and Core Strategy Policies DM1 and EN3.

Visual Amenity
The proposed extension and installation of the lightwell are typical of types of development that have been carried out within the local area. It is considered that the extension is modest, and the materials proposed would match those of the existing property. With the boundary wall forming the outer skin of the proposed extension, the inner skin would not be viewed. It is not considered that the proposed development would have a detrimental impact upon the neighbouring property and is compliant with
saved policies DC1 and DC18 of the Development Plan and Core Strategy Policies DM1 and EN3.

Impact on the Whalley Range Conservation Area
Neither the single storey extension nor the lightwell to the front can be readily viewed from the Conservation area, as both elements are located behind the brick boundary treatments. They are modest in size and detail with the extension being simple in design. It is not considered that the proposals would have a detrimental impact upon the character of the conservation area, the impact would be classified as neutral and it is considered that the scheme accords with Core Strategy Policies DM1, EN3 and saved Unitary Development Plan policy DC18.

Design
The design of the proposals are in keeping with the existing and surrounding properties in the area which have had the benefit of similar extensions to those proposed at 1 Chatsworth Grove. The design has been considered to ensure that the proposals are sympathetic to the host property with a modern approach rather than a pastiche of the property. This is considered acceptable with the extensions taking their place within the timeline of the properties history. As such it is considered that the proposal complies with Core Strategy Policy DM1, EN1 and EN3 and Saved Unitary Development Plan policy DC18.

The design is detailed as what is normally expected of such boundary treatment and would not adversely impact upon residential amenity or the character of the conservation area.

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.

Disabled access
Not applicable

Bins
Not affected by this proposal

Parking
Existing car parking arrangements are not affected by this proposal.

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 application has been determined in a positive and proactive manner and within statutory timescales. No issues have arisen during consideration of the application and appropriate conditions have been attached to the permission.

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:
003- Proposed Floor Plans received 29th March 2023
004- Proposed Elevations received 29th March 2023
006- Proposed Section received 29th March 2023
Design Access and Heritage Statement received 29th March 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.

3) The materials to be used on the external surfaces of the extension hereby permitted shall be similar in appearance to those used during the construction of the original dwellinghouse 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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

4 Filey Avenue, Manchester, M16 8DW
2 Filey Avenue, Manchester, M16 8DW
14 Victoria Road, Whalley Range, Manchester, M16 8DP
10 Victoria Road, Whalley Range, Manchester, M16 8DP
16 Victoria Road, Whalley Range, Manchester, M16 8DP
12 Victoria Road, Whalley Range, Manchester, M16 8DP
3 Chatsworth Grove, Manchester, M16 8GY
20 Victoria Road, Whalley Range, Manchester, M16 8DP
18 Victoria Road, Whalley Range, Manchester, M16 8DP

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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA