

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135014/FO/2022
Date registered valid: 16 January 2023
Proposal: Erection of two storey dwellinghouse with rear roof dormer (Class C3) with associated boundary treatment
Address: Land Behind 47 Parkhill Avenue, Manchester, M8 4GZ
Ward(s): Crumpsall Ward

Applicant: Mr Rashid Ali
Agent (if any): Mr Sohail Musa SMS Architecture
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 March 2023

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 19 January 2023

Standard consultations:

Printed: 23 January 2023 Expired: 13 February 2023

Neighbour notifications

Printed: 23 January 2023 Expired: 13 February 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

The application site is situated within a predominantly residential area, mainly comprising two storey dwellinghouses.

A short distance to east is North Manchester General Hospital.

Description of development

Planning permission is sought for the erection of an end terrace, two storey dwellinghouse.

The proposed property would be situated at the northern end of a terrace of a row of two storey dwellinghouses along Lexton Avenue and lies perpendicular to the rear elevations of a terrace of three similar properties along Parkhill Avenue. To the rear, is a gated alleyway which separates the host terrace from further residential properties.

The proposed dwellinghouse includes small front and rear areas and in comparison, to neighbouring properties, includes a part single, part two storey outrigger which ties in with the rear boundary wall.

The current proposal also represents a revised design to the proposal submitted as part of the current application, with an originally proposed first floor, front bay window now omitted from the proposal and replaced with a window flat with the plain of the front elevation.

Site History

119322/FO/2018Erection of a two-storey dwelling house: Withdrawn

120528/FO/2018Erection of two storey dwellinghouse (Class C3): Approved

Consultations & Notification Responses

Local Residents/Occupiers - 1 letter of objection has been received from a neighbouring resident who raises concerns the dwelling will be rented out to multiple tenants which would impact on car parking and increase noise within the area. Furthermore, foliage and logs have been removed from the site.

Response to Objection

A condition has been attached to the consent restricting the use of property to be used as a single dwelling house. A house of multiple occupation or flats would require planning permission. Furthermore, a site visit revealed no trees and foliage present at the site and a 2019 google street image shows a privet hedge around the curtilage of the site which is no longer in situ. A soft landscaping scheme has been added to the consent to make a contribution to biodiversity and improve the visual appearance of the development.

Highway Services - Whilst no parking is offered. The development would be entitled to apply for a resident parking permit from MCC which is acceptable to highways. Highways suggested a construction management plan be attached to the consent.

Environmental Health - A condition is recommended with respect to waste management and contaminated land.

The Flood Team-Requested a sustainable drainage informative to be added to the consent.

Greater Manchester Police - were consulted and recommended security measure be added to the consent and an informative has been added.

Greater Manchester Ecology Unit-were consulted and no representation has been received.

United Utilities- Raised no objection subject to the scheme adopting sustainable drainage method and an appropriate informative has been added to the consent.

Issues

Policy

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

- Saved policies DC7 and DC26 of the UDP;
- Policies DM1, SP1, H1, H3, EN3, EN16, EN19 and T2 of the Core Strategy;
- The Guide to Development in Manchester (SPD);
- The National Planning Policy Framework (NPPF).

Principle

Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the City between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester's growing economy and population growth the later which is expected to rise significantly over the next 20 years.

Policy H3 states further that north Manchester, over the lifetime of the Core Strategy, will accommodate around 20% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the parts of North Manchester that fall within the Regional Centre (Strangeways and Collyhurst area) and within Cheetham Hill and Harpurhey district centres as part of mixed-use schemes as well as along high frequency public transport routes.

Further policy support is also given within policies SP1 and H1 which seek to encourage development on previously developed land including the renewal of areas characterised by poor quality housing, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

In this case, the site would regenerate an untidy area of brownfield land, add to the housing mix in the locality and is appropriately situated within a sustainable location within the context of an established residential area, where existing resources and infrastructure can be shared.

The more specific elements of the proposal and the impact upon the surrounding environment are explored further below.

Design, Scale and Appearance

In terms of appearance, the applicant has adopted a traditional approach which ties in with the architectural style of the existing terrace and largely mirrors the fenestration and proportion of other properties within the terrace. The eaves and ridge height of the proposed house ties in with gently sloping eaves line of the host terrace that runs south to north.

At the rear, the extension incorporated into the development, again adopts an approach that is similar in position, design and scale to other properties by extending along one side of the rear part of the property to create a rear courtyard area.

On balance, the design, scale and appearance of the proposed dwellinghouse is considered appropriate.

Visual Amenity

The site relates to a usually large side garden at the end of a terrace that is currently overgrown with vegetation and therefore makes a negative contribution to the street-scene.

The proposed development will reclaim and regeneration an untidy patch of land and allow a new dwellinghouse which will satisfactorily and effectively assimilate into the host terrace and whilst also uplifting the appearance of the site to the benefit of visual amenity.

Residential Amenity

In this instance, the proposed development will introduce a residential use into the context of an established residential area and where the anticipated number of occupants is expected to be low.

Whilst it is acknowledged that there will be an increase in activity on a site not used to activity, it is not considered that there would be any significant effects in terms of any noise and disturbance.

In terms of any impact as a result of the design, scale and mass of the proposed development, including any potential over-dominance, overshadowing or overlooking, it is believed that the interface distances, proposed window design and window positioning is satisfactory and reflects the relationship that other properties within the terrace have.

A similar scheme was previously approved without a dormer extension. The dormer is considered to be acceptable given the siting and design of the rear dormer it is not considered that the proposal will have a detrimental impact upon the levels of residential amenity currently enjoyed by the neighbouring properties. There are no windows within the side elevation of the dormer, with the windows being in the rear. They are of the similar design and location as the windows below. The view out of these would be across the applicants own garden, facing a blank gable of the adjacent house at the rear of the site, as such there is no overlooking or loss of privacy for the neighbouring properties.

Similarly, the gap between the gable wall and the rear of properties along Parkhill Avenue mirrors that of the gap between the end property at the other end of the terrace and the rear of houses along Cleveland Road. As such, the proposed relationship between neighbouring properties is not unusual and would not look out of character with the pattern of development found in the immediate area.

A Class C3 use restriction will also prevent any potential over-intensification of use if the property was ever to be occupied as HMOs.

Access

The principal access to the proposed house will be taken from the front of the property off Lexton Avenue. A secondary access is provided at the rear onto the rear alleyway to allow for bins to be moved to the collection point. This is a typical arrangement along the host terrace.

Access along the existing alleyways will remain as existing.

Waste Management

In comparison to the other properties within the terrace, bins are anticipated to be stored in the rear yard and moved to the end of the rear alleyway by the occupants on the day of collection.

Whilst this arrangement is considered acceptable in principle, a condition has been included to ensure a more detail scheme is submitted and approved in order to safeguard residential amenity.

Impact on the Highway

In comparison to other properties within the terrace and along the road, none of the properties have off-road parking provision within the curtilage of the property.

Given that the development relates to a two-bedroom house and the number of occupants is likely to be minimal, it is believed that there is sufficient on street parking availability to cater for any demand. Highway Services have confirmed that this arrangement is satisfactory.

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

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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:

00 Rev B, 01 Rev B, 02 and The Waste Management Proforma, stamped as received on the 3 January 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) No above ground development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development, external surfaces and boundary treatment shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be fully implemented in accordance with the approved details, which shall be maintained in situ thereafter.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Before first occupation of the dwellinghouse hereby approved, the bathroom window shown on the ground and first floor 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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 part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

6) 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 garages, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Core Strategy.

7) No above ground development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy

8) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

9) Notwithstanding details submitted, no above ground development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

10) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Preliminary Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development within each phase commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification

Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Unitary Development Plan for the City of Manchester.

11) Prior to the commencement of development, a Construction Management Plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include.

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud including on the surrounding public highway including details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location

The development shall only be carried out in accordance with the approved Construction Management Plan.

Reason - To safeguard the amenities of nearby residents, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy. Certain elements of the construction phase are not known or fully defined at this stage. More detailed information is needed to prevent potential conflict with nearby residential properties and users of the site during construction works.

Informatives

1) 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 pursuant to policy EN14 & EN17 of the Core Strategy.

2) The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors (please see

www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information). Developments that are built to this standard are less likely to be susceptible to crime.

All garden boundary treatments adjacent to publicly accessible land In particular the rear boundary should be 2100mm.

Entrance gates should be installed that lead to the rear of the property and should be set forward as close to the building line as possible.

Dusk till Dawn lighting should be installed on all external doors

Any external bin store should be a secure, lockable and fire-resistant enclosure.

We would recommend that the pedestrian/vehicular route/parking area is well illuminated to provide a deterrent to would be criminals; this would also improve surveillance of the area.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
United Utilities Water PLC
Greater Manchester Ecology Unit

51 Parkhill Avenue, Manchester, M8 4QZ
3 Lexton Avenue, Manchester, M8 4GD
45 Parkhill Avenue, Manchester, M8 4GZ
39 Parkhill Avenue, Manchester, M8 4GZ
Flat 4, 41 Parkhill Avenue, Manchester, M8 4GZ
Flat 3, 41 Parkhill Avenue, Manchester, M8 4GZ
Flat 1, 41 Parkhill Avenue, Manchester, M8 4GZ
1 Lexton Avenue, Manchester, M8 4GD
28 Mcdowall Walk, Manchester, M8 4GU
Flat 2, 41 Parkhill Avenue, Manchester, M8 4GZ
49 Parkhill Avenue, Manchester, M8 4QZ
32 Mcdowall Walk, Manchester, M8 4GU
30 Mcdowall Walk, Manchester, M8 4GU
26 Mcdowall Walk, Manchester, M8 4GU
43 Parkhill Avenue, Manchester, M8 4GZ
47 Parkhill Street, Manchester, M8 4GZ

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