

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134143/FO/2022

Date registered valid: 1 August 2022

Proposal: Erection of single storey side extension to provide additional living accommodation for first floor flat

Address: 5 Churton Avenue, Manchester, M14 7RN

Ward(s): Fallowfield Ward

Applicant: Mr Mohammed Eid, 5 Churton Avenue, Manchester, M14 7RN

Agent (if any): Mr Shariq Poonawala, SPA, Unsworth Moss Farm, Simon Lane, Middleton, M24 4SH

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

Recommendation: Approve

Date of recommendation: 23 September 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12 August 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 5 August 2022 Expired: 26 August 2022

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 5 Churton Avenue within the Fallowfield ward of south Manchester. The application site is a first floor flat within a two storey, red brick property. The entrance to the flat is available at the side elevation of the host property through a path between the applicant's property and no.3 Churton Avenue. The ground floor flat (no.7 Churton Avenue) gains access to the property through a door within the front elevation of the property. Amenity space for the flat consists of the side grassed garden.

Description of development

The submitted application seeks planning permission for the erection of single storey side extension to provide additional living accommodation for first floor flat. A new entrance to the flat would be created from the front elevation of the extension which would then lead to the existing stairs. As such, the flat would be separated into two floors, the ground floor creating a living, kitchen, store, W/C and pantry and the first floor would become three bedrooms, a bathroom and reception room. The door into the extension would be set back from the front elevation of the extension and as such the proposal would have approximate dimensions, at the largest point, of Height: 3.1 x Length: 8.3 x Width: 5.3 metres. The proposal would have a flat roof. The

extension would involve the insertion of a door within the front elevation, a set of sliding doors and a window within the side elevation and a door and window within the rear elevation.

Materials to be used include red facing brick (to match), GRP flat roof (different to plain clay tiles), white UPVC windows (to match), grey UPVC composite door (different to existing brown painted slab door).

It is noted that this extension onto a flat is an unusual layout.

Pre-app advice

Pre-app advice was given to the agent regarding this application directing the agent to apply for permission and that the unusual layout needed to be considered during the application period.

Planning history

048979/VO/CENTL2/95- Phase 1a,1b,1c & 2a, Platt Lane Estate, adjacent to Hart Road- CITY COUNCIL DEVELOPMENT Environmental improvements including fencing and provision of vehicular crossings.

Approved 19 January 1996.

Consultations & Notification Responses

Local residents

Local residents were consulted and no written responses were received.

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 single storey side extension to provide additional living accommodation for first floor flat. 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.

Residential/Visual Amenity

It is noted that the proposal under assessment would create an unusual relationship and not often seen. However, there are no significant impacts associated in terms of residential or visual amenity, as detailed below.

The proposal would be sited within the side amenity space connected to the upstairs flat and would be sited 1.8 metres behind the primary building line of the host property. Due to the siting of the property within the cul-de-sac the amenity space where the proposal would be positioned would be largely hidden from the streetscene. No.3 Churton Avenue may feel the additional built form, however as this would be along their side elevation only, is only single storey and is set back from the primary building line of the host property, it would not create an overbearing impact. No windows are to be inserted in the front elevation of the proposal and as such would not lead to any overlooking for this neighbour. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent. Due to the orientation of the properties, this neighbour would not experience any loss of light or overshadowing implications.

The ground floor flat connected to the property; no.7 Churton Avenue would not lose any of their amenity space. Bins for this property are stored within the front amenity space and would not be affected by the proposal, nor would access into their rear amenity space. As the living space for the flat would be moved to the lower ground, less noise is anticipated to occur above the ground floor flat and as such noise impacts could reduce as a result of the proposal.

Numerous additional properties surround the side amenity space connected to the flat and as the structure is only single storey and leaves ample space remaining, it would not create an overbearing feature for those neighbours. A window and set of sliding doors are to be inserted in the side elevation, and a window and door within the rear elevation, but due to the reasons just mentioned it would not create any overlooking or privacy implications. In addition, no loss of light or overshadowing implications would occur.

Design and Appearance

The proposed extension has been designed sympathetically to relate to the existing property, the materials to be chosen are considered appropriate and a condition to that effect would be attached to any consent granted. It would not adversely affect the appearance of the existing dwelling.

As mentioned previously, the design is unusual and not common for flats, however considering the needs of a growing family the design of the extension is considered acceptable. The form and scale of the proposal is considered acceptable, pursuant to Policy DC1.2 of the UDP.

Car parking

No off street parking is available for the flat and would be unaffected as a result of the proposal.

Bin storage

At the time of the site visit, bins were stored within the side amenity space and space would still remain for them to be stored in this location.

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.

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.

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 for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 1 August 2022.
- Drawing- Existing & Proposed- Floor Plan, numbered 002, stamped as received by the City Council as Local Planning Authority on 23 June 2022.
- Drawing- Existing & Proposed- Elevations, numbered 003, stamped as received by the City Council as Local Planning Authority on 23 June 2022.
- Drawing- Existing & Proposed- Visuals, numbered 005, stamped as received by the City Council as Local Planning Authority on 23 June 2022.
- Drawing- Location Plan, numbered 004, stamped as received by the City Council as Local Planning Authority on 23 June 2022.
- Drawing- Site Plan, numbered 001, stamped as received by the City Council as Local Planning Authority on 23 June 2022.

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 to be used on external surfaces hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

9 Churton Avenue, Manchester, M14 7RN
7 Churton Avenue, Manchester, M14 7RN
3 Churton Avenue, Manchester, M14 7RN
27 Rosedale Road, Manchester, M14 7BX
25 Rosedale Road, Manchester, M14 7BX
23 Rosedale Road, Manchester, M14 7BX
21 Rosedale Road, Manchester, M14 7BX
19 Rosedale Road, Manchester, M14 7BX
17 Rosedale Road, Manchester, M14 7BX
15 Rosedale Road, Manchester, M14 7BX
37 Edward Sutcliffe Close, Manchester, M14 7RT
35 Edward Sutcliffe Close, Manchester, M14 7RT
33 Edward Sutcliffe Close, Manchester, M14 7RT
31 Edward Sutcliffe Close, Manchester, M14 7RT
29 Edward Sutcliffe Close, Manchester, M14 7RT
27 Edward Sutcliffe Close, Manchester, M14 7RT
25 Edward Sutcliffe Close, Manchester, M14 7RT
23 Edward Sutcliffe Close, Manchester, M14 7RT

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