

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133757/FO/2022

Date registered valid: 6 June 2022

Proposal: Erection of a rear dormer roof extension; installation of additional roof lights, balconies and associated elevational alterations; reconfiguration of the front entrance; creation of front lightwell and extension of rear light well, all in association with the refurbishment and reconfiguration of the property from five flats to four flats

Address: 13 Maple Avenue, Manchester, M21 8BD

Ward(s): Chorlton Park Ward

Applicant: Mr Peter Armistead, APL, 1 Crossland Road, Manchester, M21 8AY

Agent (if any): Mr Simon James Simon James Arq Ltd Flat 1, 6 Oak Avenue, Chorlton, Manchester, M21 8BB

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 August 2022



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 2 August 2022

Standard consultations:

Printed: 10 June 2022 Expired: 1 July 2022

Neighbour notifications

Printed: 10 June 2022 Expired: 1 July 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/area

13 Maple Avenue is a three storey (four, including the basement) residential property. It is currently vacant but was last used as five self-contained flats. Maple Avenue is a short residential cul-de-sac located close to Chorlton District Centre.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

The applicant is proposing to renovate the property and reduce the number of flats from four to five. To facilitate this reduction and remodelling of the accommodation, the applicant is proposing the following:

- Erection of a rear dormer roof extension.
- Installation of additional roof lights.
- Installation of balcony above existing bay on the front elevation.
- Reconfiguration of the front and rear entrances.
- Creation of front lightwell and extension of rear lightwell.

Originally the applicant proposed to install a Juliet balcony to the rear dormer, but the given concerns raised by local residents and ward members about the impact on privacy, that element was removed.

Consultations & Notification Responses

Local Residents – Correspondence has been received from four local residents. While not raising objections to the principle of the proposal, particularly as it is reducing the number of flats

on the site, they all raised concerns about a reduction in privacy resulting from the second floor rear balcony.

Following receipt of the amended drawings, which showed the removal of the rear balcony, one local resident confirmed that they were happy to withdraw their objection.

Chorlton Voice – The introduction of dormer windows, and particularly the inclusion of balconies, to the second floor accommodation will result in overlooking of neighbouring properties and loss of privacy to residents of those properties.

Ward Councillors – Joint correspondence has been received from the three ward members:

- It is accepted that 13 Maple Avenue will benefit from modernisation and there is no objection to the proposal to reconfigure the house in to 4 flats from 5. The issue is the overlooking and loss of privacy from a proposed balcony to the dormer flat.
- Presently, 13 Maple Ave rear does overlook Priory Avenue rear but this is at a lower level as there is only a first floor flat window. Residents accept this as part of living in an urban setting. The proposal goes up another level in to the dormer, so overlooking will be more pronounced. We would like to see the balcony removed from the proposal to maintain the privacy of affected Priory Avenue residents.

Following receipt of the amended drawings, which showed the removal of the rear balcony, the Ward Members confirmed that they were happy to withdraw their objection.

Highway Services – Have made the following comments:

- The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.
- Highways have concerns regarding the lack of on-site car parking for the development. The proposals could introduce up to 4 vehicles requiring parking, with Maple Avenue already subject to significant demands with no capacity to support any further increase.
- The site benefits from high levels of accessibility, with regular bus and tram connections located within the walkable radius of the site, including Fallowfield loop for walking/cycle links. In order to lessen private vehicle usage the use of other sustainable modes should be promoted for future residents.
- Cycle parking is available on-site, on a one-per-apartment basis, which is acceptable.
- Pedestrian access points are acceptable.
- It is proposed that residential waste collection will take place from the kerbside. Residents will move the bin to the kerbside on collection day and back to the garden storage area thereafter which is accepted in principle.

Environmental Health – The proposed waste management strategy is not sufficient, therefore the appropriate condition should be attached to any approval granted.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Issues

Principle of the Proposal – There is no objection in principle to the renovation works, particularly given that the number of flats is to be reduced by one, thereby improving the standard of accommodation and reducing the need for on-street parking.

Notwithstanding this, the impact on residential and visual amenity must be assessed.

Design – The rear flat roofed dormer would be clad with matching roof tiles while the new entrances and associated elevational alterations would be undertaken with matching materials. A condition would be attached to any approval granted requiring samples to be provided prior to the commencement of above ground works.

Given the above, and the fact the design of the additions would complement the existing property, the overall design of the scheme is considered acceptable.

Residential Amenity – The applicant was informed of the concerns of local residents and ward members in respect of the rear Juliet balcony and duly amended the proposal by removing it from the scheme. Given this, it is not considered that the proposal would lead to undue overlooking of the adjoining properties and therefore it is not considered that the proposal would have a detrimental impact on existing levels of residential amenity.

In addition to the above, it is not considered that the comings and goings associated with the use of the property as four flats would generate such levels of noise and disturbance so as to warrant refusal of the proposal.

Visual Amenity – The proposed dormer extension and elevational works would not have a detrimental impact upon the current levels of visual amenity enjoyed within the vicinity of the site.

Car Parking – As with the existing number of flats, no off-street parking spaces are proposed. As this proposal is reducing the number of flats on the site, and it is considered that Maple Avenue can accommodate a certain amount of on-street parking, this is considered acceptable in this instance.

Landscaping – The indicative landscaping scheme is considered acceptable, a condition would be imposed requiring the applicant to submit a detailed scheme before above-ground works commence on site.

Trees – The one tree on the site would be retained and protected during construction works via the imposition of condition no. 6 below.

Refuse Storage – Environmental Health have suggested the imposition of a condition requiring the submission of a waste management strategy. While the applicant did submit one with his proposal the number of bins shown on it was inadequate. The condition would ensure that the correct facilities would be provided.

Cycle Parking – Cycle storage areas (1 per flat) are to be provided in the separate garden areas. This level of provision is considered acceptable.

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 in a positive and proactive manner to resolve any matters arising in relation to 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:

Stamped as received on 12 May 2022:

- a) OS1
- b) ES3
- c) GA1
- d) GA2
- e) GA3
- f) GA5
- g) GS1
- h) GS2
- i) GS3
- j) GS4
- k) GS5

Stamped as received on 6 June 2022:

- a) GL1 Rev A

Stamped as received on 2 August 2022:

- a) EL1 rev A
- b) EL2 rev A
- c) EL3 rev A
- d) EL4
- e) GA4 rev A

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) Above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 and DM1 of the Manchester Core Strategy.

4) Notwithstanding the details shown on drawing no. GL1 Rev A, stamped as received on 6 June 2022, prior to the commencement of above ground works, a scheme for the storage (including segregated waste recycling) and disposal of refuse shall be submitted to and approved 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 is in operation.

Reason - In the interests of residential amenity, pursuant to Policy DM1 in the Manchester Core Strategy.

5) Prior to the commencement of above ground works, a detailed landscaping scheme, based on drawing no. GL1 rev A (stamped as received on 6 June 2022), shall be submitted to and be approved by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the accommodation is 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 Manchester Core Strategy.

6) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Chorlton Voice

8 Priory Avenue, Manchester, M21 8BP
6 Priory Avenue, Manchester, M21 8BP
8 Maple Avenue, Manchester, M21 8BD
6 Maple Avenue, Manchester, M21 8BD
5 Maple Avenue, Manchester, M21 8BD
17 Maple Avenue, Manchester, M21 8BD
16 Maple Avenue, Manchester, M21 8BD
Flat 4, 20 Maple Avenue, Manchester, M21 8BD
Flat 3, 20 Maple Avenue, Manchester, M21 8BD
Flat 2, 20 Maple Avenue, Manchester, M21 8BD

Flat 1, 20 Maple Avenue, Manchester, M21 8BD
Flat 4, 22 Maple Avenue, Manchester, M21 8BD
Flat 3, 22 Maple Avenue, Manchester, M21 8BD
Flat 2, 22 Maple Avenue, Manchester, M21 8BD
Flat 1, 22 Maple Avenue, Manchester, M21 8BD
Flat 4, 12 Maple Avenue, Manchester, M21 8BD
Flat 1, 12 Maple Avenue, Manchester, M21 8BD
Flat 1, 18 Maple Avenue, Manchester, M21 8BD
Flat 1, 19 Maple Avenue, Manchester, M21 8BD
Flat 5, 13 Maple Avenue, Manchester, M21 8BD
Flat 3, 13 Maple Avenue, Manchester, M21 8BD
Flat 5, 11 Maple Avenue, Manchester, M21 8BD
Flat 2, 11 Maple Avenue, Manchester, M21 8BD
Flat 2, 3 Maple Avenue, Manchester, M21 8BD
10 Priory Avenue, Manchester, M21 8BP
7 Maple Avenue, Manchester, M21 8BD
4 Maple Avenue, Manchester, M21 8BD
10 Maple Avenue, Manchester, M21 8BD
15 Maple Avenue, Manchester, M21 8BD
Flat 5, 12 Maple Avenue, Manchester, M21 8BD
Flat 3, 12 Maple Avenue, Manchester, M21 8BD
Flat 2, 12 Maple Avenue, Manchester, M21 8BD
Flat 3, 18 Maple Avenue, Manchester, M21 8BD
Flat 2, 18 Maple Avenue, Manchester, M21 8BD
Flat 3, 19 Maple Avenue, Manchester, M21 8BD
Flat 2, 19 Maple Avenue, Manchester, M21 8BD
Flat 4, 13 Maple Avenue, Manchester, M21 8BD
Flat 2, 13 Maple Avenue, Manchester, M21 8BD
Flat 1, 13 Maple Avenue, Manchester, M21 8BD
Flat 4, 11 Maple Avenue, Manchester, M21 8BD
Flat 3, 11 Maple Avenue, Manchester, M21 8BD
Flat 1, 11 Maple Avenue, Manchester, M21 8BD
Flat 3, 3 Maple Avenue, Manchester, M21 8BD
Flat 1, 3 Maple Avenue, Manchester, M21 8BD
12 Priory Avenue, Manchester, M21 8BP
9 Maple Avenue, Manchester, M21 8BD
Flat 1, 14 Maple Avenue, Manchester, M21 8BD
Flat 5, 14 Maple Avenue, Manchester, M21 8BD
Flat 4, 14 Maple Avenue, Manchester, M21 8BD
Flat 3, 14 Maple Avenue, Manchester, M21 8BD
Flat 2, 14 Maple Avenue, Manchester, M21 8BD

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