

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134096/FO/2022

Date registered valid: 14 July 2022

Proposal: Elevational alterations comprising installation of 2no. windows and replacement of existing external steps and front and lower ground floor doors

Address: 146A Burnage Lane, Manchester, M19 1EF

Ward(s): Burnage Ward

Applicant: Jonathan Cade, 146A Burnage Lane, Manchester, M19 1EF

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 7 September 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 12 August 2022

Standard consultations:

Printed: 21 July 2022 Expired: 11 August 2022

Neighbour notifications

Printed: 21 July 2022 Expired: 11 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 146A Burnage Lane within the Burnage ward of south Manchester. The property is a ground floor flat below the first floor flat 146 Burnage Lane and the property can be accessed via an alleyway between 146 Burnage Lane and 142 Burnage Lane. A gate off the alleyway leads to the main amenity space and the entrance for the flat, the main amenity space taking the form of a grassed garden to the front and side of the property. In addition, off street parking is available for the flat off of Burnage Lane to the front of 146 Burnage Lane. The front door can be reached from a set of steps.

Description of development

The submitted application seeks planning permission for elevational alterations comprising installation of 2no. windows and replacement of existing external steps and front and lower ground floor doors. The proposal has been submitted to create additional habitable rooms within the flat, as the existing lower ground floor is not habitable (indicated as cellar rooms currently). As such, a master bedroom with an en-suite and a dressing area, a 2nd bedroom, a utility cupboard and a meter cupboard/storage is proposed within the lower ground floor.

The two windows to be installed would be sited within the front elevation and one of the windows would include a shallow lightwell. The two windows would provide light to the master bedroom and 2nd bedroom. The external steps would be replaced, although being positioned in the same location. The existing brick wall to the steps would be replaced. It is to be noted when out on site the brick wall shown within the existing plans had already been removed. The two doors would also be replaced.

Materials to be used include brick work and lime mortar to match existing, white uPVC double glazed windows and doors (different to white wooden doors).

Planning history

026628- 146 Burnage Lane- Conversion of end terrace house into 2 flats and construction of 2 garages at rear.

Approved 25 June 1986.

026010- 146, Burnage Lane- Conversion of end terrace house into two flats and construction of 4 garages and two parking spaces to the rear.

Refused 13 March 1986.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no responses were received.

Flood Risk Management Team

The Team were consulted and asked for the following to be placed on any approval granted: No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.
- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.
- Identification of any historic flood events on site or within close proximity to the site.
- Provide a plan showing the finished floor levels (FFLs). FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>
- Consideration of flood safety measures (such as signing up for EA flood warnings) required.
- Any supporting plans and drawings.

-See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

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.

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 elevational alterations comprising installation of 2no. windows and replacement of existing external steps and front and lower ground floor doors. 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

The elevational alterations applied for within the application are considered to create a minimal change to the property. The changing of the doors would not create any adverse visual/residential implications to the neighbouring properties.

Two additional windows are to be inserted in the front elevation of the flat to give light to the master and 2nd bedroom within the lower ground floor. Due to the flat's position facing onto the connected amenity space, the alleyway between the applicant's property and the neighbouring property no.142 Burnage Lane, as well as the high boundary treatment, it means the closest neighbour no.142 Burnage Lane would not be impacted by the proposal. The additional windows would allow the lower ground floor to be utilised as bedrooms, as they are currently indicated as being cellar rooms. Considering the use of the flat is already established and historically approved and the cellar room is already under no.146A Burnage Lane's ownership, it would not cause any visual/residential implications. In addition, no conditions were placed on the approval for the conversion of the flats (planning ref: 026628) restricting the utilisation of the lower ground floor.

In addition, 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 reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Materials to be used include brick work and lime mortar to match existing and white uPVC double glazed windows and doors (different to white wooden doors). The materials are considered appropriate for the site and a condition to that effect would be attached to any consent granted.

The proposal would create minimal alterations to the front and side of the property and as such the form and appearance of the proposal is considered acceptable, pursuant to Policy DC1 of the UDP. It is to be noted similar alterations on a house could have been obtained through the route of Permitted Development. However, as the property is a flat, permitted development rights do not apply.

Flood Risk Management Team

The Flood Risk Team asked for a flood risk assessment to be conditioned to any approval, as the site sits within Flood Zone 2. This is considered acceptable given the additional bedrooms to be created within the lower ground floor. As such, the condition was sent to the agent on 9 August 2022 and although verbal agreement to the condition was given on site, no written agreement was provided by the agent.

Car parking

Car parking would be unaffected by the proposal.

Bin storage

Bin 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.

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, stamped as received by the City Council as Local Planning Authority on 20 June 2022.
- Drawing- Proposed- Floor Plan, numbered L(-1)002, stamped as received by the City Council as Local Planning Authority on 20 June 2022.
- Drawing- Proposed- Elevation, numbered L(-4)001, stamped as received by the City Council as Local Planning Authority on 20 June 2022.
- Drawing- Proposed- Lower GF Plan, numbered L(--)-11, stamped as received by the City Council as Local Planning Authority on 10 August 2022.
- Drawing- Location Plan, numbered L(-2)001, stamped as received by the City Council as Local Planning Authority on 20 June 2022.

- Drawing- Site Plan, stamped as received by the City Council as Local Planning Authority on 20 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 throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form specified in Condition 2 of this approval.

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.

5) No development shall commence until a flood risk assessment has been submitted to and approved in writing by the local planning authority. This may take the abbreviated form of a desktop-study flood risk statement (FRS). For the avoidance of doubt, as per the government standing advice, the assessment must include the following:

- A description of your development.
- An assessment of the flood risk from all sources (such as: fluvial, surface water, groundwater, sewer, reservoir and canal) of flooding for your development (this does not require bespoke hydraulic modelling, and may be based on data obtained freely via an Environment Agency data request and opensource data on the DEFRA and government platforms). Note this should include publicly available maps where applicable.
- Identification of any historic flood events on site or within close proximity to the site.
- Provide a plan showing the finished floor levels (FFLs). FFLs should take into consideration predicted flood levels and should be set to an appropriate level, this may be either no lower than existing internal FFLs of the adjoining dwelling or 300 millimetres (mm) above the estimated flood level. All levels should be in mAOD.
- If you cannot raise FFLs 300 mm above the estimated flood level, you should demonstrate flood resilience and resistance measures in your design. Use the following guidance: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#extra-flood-resistance-and-resilience-measures>
- Consideration of flood safety measures (such as signing up for EA flood warnings) required.
- Any supporting plans and drawings.
- See <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> for further guidance on preparing your documents and obtaining the required data.

Reason: To ensure that the development is not at an increased risk of flooding (from various sources) and that the appropriate flood resilience and resistance measures have been implemented on site where required, pursuant to Policy DM1 in the Core Strategy Development Plan Document and the policies and guidance within the NPPF and NPPG.

6) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 146a Burnage Lane, M19 1EF.

Reason: To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

161 Burnage Lane, Manchester, M19 1EE
157 Burnage Lane, Manchester, M19 1EE
142 Burnage Lane, Manchester, M19 1EF
159 Burnage Lane, Manchester, M19 1EE
9 East Avenue, Manchester, M19 2NR
146 Burnage Lane, Manchester, M19 1EF
148 Burnage Lane, Manchester, M19 1EF
163 Burnage Lane, Manchester, M19 1EE
7 East Avenue, Manchester, M19 2NR

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA