

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134868/FH/2022

Date registered valid: 6 September 2022

Proposal: Erection of a two storey side extension to form additional living accommodation

Address: 12 Tavery Close, Manchester, M4 6FL

Ward(s): Ancoats & Beswick Ward

Applicant: Miss Van Trung Nguyen 12 Tavery Close, Manchester, M4 6FL

Agent (if any): Mr Liam Gooding LDM Group Via Email

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

Recommendation: Approve

Date of recommendation: 27 October 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 29 September 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 6 September 2022

Expired: 27 September 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 12 Tavery Close within the Ancoats and Beswick ward of north Manchester. The property relates to an end-terraced, two storey, red brick dwellinghouse with wooden cladding to the first floor of the primary and rear elevation. Amenity space to the front of the property relates to a double driveway and access to the rear amenity space is available through a timber fence to the side of the property, which consists of further amenity space including a store. Access to the rear is also available from Old Mill Street.

Description of development

The submitted application seeks planning permission for the erection of a two storey side extension to form additional living accommodation. Both levels of the extension are set back from the primary building line of the host property by 1.5 metres. As such, the proposal has approximate dimensions at ground floor level of Height: 2.6 x Length: 6.5 x Width: 2.9 metres and at first floor has approximate dimensions of Height: 7.4 x Length: 7.7 x Width: 2.9 metres. The proposal would have a roof height lower than the host property, by 0.3 metres. The ground floor element of the extension would maintain the existing form seen at the rear elevation where a 1.2 metre recess is evident at ground floor level. The proposal would involve the insertion of a new kitchen and bathroom within the ground floor and an enlarged bedroom 1 and bedroom 2

within the first floor. The proposal would involve the insertion of a window within the front elevation at each floor level with a similar arrangement proposed within the rear elevation. Materials to be used throughout the proposal would match the existing and include traditional brick, slate, uPVC windows and doors.

Amended plans

The original plans presented a side extension which was flush to the host property at both levels. The agent was asked to setback the first floor element of the extension in order to create a level of subservience as the proposal sits against the shared boundary with the neighbouring property no.14 Tavery Close. Revised plans were received, but with a setback at both levels, rather than at first floor only. The agent explained this was the applicant's choice and amended drawings have been assessed.

Planning history

079633/OO/2006/N1- Land Bounded By New Allen St/Oldham Rd To North West, Sawley Rd/Varley St To Saxon St To North & North East, Bradford Rd/Ashton Canal & Old Mill St To South & East, Weybridge Rd/Wadeford Cl/Butler St & Oakford Ave To West
Miles Platting- OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking.
Approved 5 September 2006.

080520/FO/2006/N1- Land Forming The Miles Platting Neighbourhood As Bounded By New Allen St, Livesey St, Oldham Rd, Sawley Rd, Varley St, James St, Lwr Vickers St, Danson St, Iron St, Rear Of Kenwin St, Bradford Rd, Old Mill St, Miles Platting- Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket parks (following demolition); and the carrying out of associated highway improvements throughout the area.
Approved 26 October 2006.

025106- 15-25 2-24 & 27-53 Chippenham Road 1-27 & 29-47, Tidworth Avenue and 139-165 Old Mill Street, Miles Platting- CITY COUNCIL DEVELOPMENT Reduction of 5 blocks of 4 storey dwellings to form 2 storey terraced houses with pitched roofs, elevational alterations to 1 block of shops with flats over, the construction of a new access road and the provision of landscaped area.

Approved 9 October 1985.

Consultations & Notification Responses

Local residents

Local residents were consulted, and no 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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 a two storey side extension to form additional living accommodation. 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.

Visual/ Residential Amenity

The proposal would be sited along the shared boundary with no.14 Tavery Close. Due to the current parking space sited between no.12 and no.14 Tavery Close, accessed from the end of the turning head, there is a sense of openness between the two properties. No.14 Tavery Close is located up to the north east boundary of its site, with a 5 metre gap present between the side elevation of no.14, and shared boundary with no.12. In addition, due to the amendments in the design, both floors of the proposed extension would be set back by 1.5 metres from the primary building line of the host property. Due to these reasons, the proposal is not thought to create an overpowering feature for no.14 Tavery Close. No windows are to be inserted in the side elevation facing no.14 Tavery Close, and as such no overlooking or privacy implications would occur. Due to the orientation of the properties, no adverse loss of light or overshadowing implications would occur.

Due to the orientation of Tavery Close, the applicant property faces onto the side elevation of no.13 Tidworth Avenue and the proposed extension would look onto the side elevation of this neighbouring property. As the extension is sited 1.5 metres from the host property at both levels, the proposal would not create an overbearing feature for this neighbour. The property is situated at the turning head at the end Tavery Close, and would therefore not be very visible within the street scene of Tavery Close and not give rise to any significant visual impacts to any other immediate neighbours within Tavery Close.

The rear of the proposed extension would face onto Old Mill Street. To further protect the privacy of the applicant, the ground floor bathroom window within the rear elevation 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, a condition to this effect would be placed on any approval granted. 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.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

The materials used for the proposal would match the host property and as such would be sympathetic in design. As such the materials are acceptable and a materials condition to that effect would be attached to any consent granted.

Despite being two storey, the side extension is not considered excessively bulky or large, pursuant to Policy DC1.2. DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subserviency to the original dwellinghouse is achieved, it is acknowledged that a 1.53 metre

gap to the boundary cannot be provided without severely compromising the internal space of the extension. Therefore, the agent was asked to setback the first floor of the extension. Whilst a setback of 1.5 metres was suggested for the first floor, the amended proposal shows a setback at both levels. Whilst this is more restrictive than was discussed with the planning agent, the agent has stated this is the applicant's choice.

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.

Car parking

The current provision for one off-street parking space would remain as a result of the proposal.

Bin storage

Bins would be stored within the bin storage area created and marked within the drawings within the front amenity space. This is considered acceptable.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 5 September 2022.
- Drawing- Location Plan, stamped as received by the City Council as Local Planning Authority on 5 September 2022.
- Drawing- Proposed- Setout Plans numbered A241C, stamped as received by the City Council as Local Planning Authority on 11 October 2022.
- Drawing- Proposed- Setout Elevations, numbered A341C, stamped as received by the City Council as Local Planning Authority on 11 October 2022.
- Drawing- Proposed- 3D Views, numbered A521D, stamped as received by the City Council as Local Planning Authority on 11 October 2022.
- Drawing- Site Plan- Proposed, numbered A121C, stamped as received by the City Council as Local Planning Authority on 11 October 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) Before first occupation, the ground floor bathroom window as shown on the approved 'Drawing- Proposed- Setout Plans numbered A241C', stamped as received by the City Council as Local Planning Authority on 11 October 2022, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the 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 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.

5) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

10 Tavery Close, Manchester, M4 6FL
100 Old Mill Street, Manchester, M4 6EE
14 Tavery Close, Manchester, M4 6FL
8 Tavery Close, Manchester, M4 6FL
98 Old Mill Street, Manchester, M4 6EE
104 Old Mill Street, Manchester, M4 6EE
102 Old Mill Street, Manchester, M4 6EE
13 Tidworth Avenue, Manchester, M4 6FJ
2 Weybridge Road, Manchester, M4 6FD

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA