

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134725/FO/2022

Date registered valid: 17 August 2022

Proposal: Erection of a single storey rear extension to form storage for existing retail shop

Address: 96 York Avenue, Manchester, M16 0AG

Ward(s): Whalley Range Ward

Applicant: Mr Mian Tufail, 96 York Avenue, Manchester, M16 0AG

Agent (if any): Mr Dean King, NK Architectural, 19 Hexagon Close, Blackley, Manchester, M9 8RN

Case officer: Adam Mitchell
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Recommendation: APPROVE

Date of recommendation: 11.10.2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 30 September 2022

Standard consultations:

Printed: 30 August 2022 Expired: 20 September 2022

Neighbour notifications

Printed: 30 August 2022 Expired: 20 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a mid-terraced dwelling along a mixed use street of Whalley Range, Manchester. York Avenue consists of commercial ground floor units with residential dwellings situated along the first floor. To the east of the application site is Manley Park playing fields and to the west intersecting the residential neighbourhoods of Whalley Range is Manley Park Methodist Church. The property benefits from a ground floor commercial use with an open frontage along the front elevation and an existing outrigger and small rear paved area to the rear of the property. Boundary treatment in the form of a high masonry wall occupies the rear and shared boundaries to the rear of the property. A shared private alleyway is present allowing an additional access point to the property.

Description of development

The application seeks planning permission for the erection of single storey rear extension to form storage for the existing retail shop. The extension would have approx. dimensions of Height 3.7m/(at the eaves) 2.6m x Width 2.9m x Depth 4.5m. The extension would run alongside the shared boundary with 98 York Avenue.

Consultations & Notification Responses

Local residents were notified however none responded.

Highways Comments- No objections to the proposal

Environmental Comments- No objections to the proposal

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- DM1, SP1, EN19 of the Manchester Core Strategy
- The City Councils Guide to Development in Manchester

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- 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.

The following specific adopted Supplementary Planning Documents (SPDs) are considered to be particularly relevant to the proposed development:

The City Councils Guide to Development in Manchester - Supplementary Planning Document and Planning Guidance Adopted April 2007. The guide aims to support and enhance the

ongoing shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester.

Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

Issues

Residential and Visual Amenity

In relation to visual amenity Core Strategy Policy DM1 and EN1 and Chapters 8 and 12 of the NPPF set out the general guideline regarding neighbouring occupier's amenity and the quality of elevational design and its contribution to the building environment and relationship to the character of the surrounding area, which in this case predominantly comprises red-brick two storey dwellings. In the context of the site the proposal would be setback from the streetscene with the proposed extension hidden from the public highway by the existing mixed-use properties along York Avenue. When taking into account the siting, length, scale and appearance of the proposal, the proposal single storey rear extension with a hipped roof is not considered to have a significantly negative visual impact on the streetscene.

As stated above the proposed extension would have a rearward projection of 4 metres and a width of 2.9metres and runs alongside the shared boundary with no.98 York Avenue. It is not considered that the extension would lead to harmful impacts in terms of an overbearing feature along the shared boundary, additionally no windows are proposed along the southern elevation therefore it is not considered to be any significant impacts in terms of overlooking or overshadowing. The extension will become flush with the rear boundary however amenity space will be retained to the side of the extension allowing for an access point to be maintained.

Fenestration elements are proposed along the northern facing elevation through a window overlooking the remaining amenity space and a rear door along the original rear elevation. The side facing window overlooking the remainder of the courtyard and next door's rear garden shall be obscuring glazed to minimise any additional overlooking or loss of privacy implications the neighbouring property would have experienced. Given the distance to the first floor habitable rooms in neighbouring properties along Cromwell Avenue it is not considered that the addition of the door will bring significant overlooking or loss of privacy implications.

Height, Scale and Massing

The height of the proposed extension appropriately relates to the height parameters of the existing building. The height of the proposed single storey rear extension have tied in with the existing building. It is considered that the proposed extension responds well to the dimensions, design and siting of the neighbouring properties. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, and the National Planning Policy Framework.

On this account, it is considered the development would be consistent with the aspirations of Core Strategy Policy DM1, proposed developments must provide a positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

Waste Management

The existing bin storage arrangements will remain unchanged with amenity space left to the rear of the property for bin storage.

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 agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in the dealing with the 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 date of three years beginning with the date of 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 documents and drawings:

Drawing: Site and Location Plan ref. A105

Drawing: Floor Plans ref. A100

Stamped as received by the City Council as Local Planning Authority on 17 August 2022

Drawing: Elevations ref. A103A

Stamped as received by the City Council as Local Planning Authority on 06 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 Core Strategy.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

Reason- To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved drawings :

Drawing: Floor Plans ref. A100

Stamped as received by the City Council as Local Planning Authority on 17 August 2022

Drawing: Elevations ref. A103A

Stamped as received by the City Council as Local Planning Authority on 06 October 2022

Reason- In the interest of residential amenity pursuant to policy SP1 and DM1 of the Core Strategy for City of Manchester.

- 5) The ground floor side facing window shall be obscured glazed to a specification of no less than level 5 of the Pilkington Glass Scale or other such other equivalent and shall remain so in perpetuity.

Reason- To protect the amenity and living conditions of adjacent residential properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

94 York Avenue, Manchester, M16 0AG
97 Cromwell Avenue, Manchester, M16 0BG
93 Cromwell Avenue, Manchester, M16 0BG
Manley Park Play Centre, York Avenue, Manchester, M16 0AS
Flat Above, 98 York Avenue, Manchester, M16 0AG
95B Cromwell Avenue, Manchester, M16 0BG
95A Cromwell Avenue, Manchester, M16 0BG
98 York Avenue, Manchester, M16 0AG
96A York Avenue, Manchester, M16 0AG

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