

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132542/FH/2021

Date registered valid: 20 December 2021

Proposal: Erection of single storey rear extension, together with the installation of a rear roof dormer

Address: 12 Gordon Avenue, Manchester, M19 3WG

Ward(s): Levenshulme Ward

Applicant: Christopher Thompson & Nancy Bennet 12 Gordon Avenue, Manchester, M19 3WG

Agent (if any): Tomislav Vuletic Flocc Studio Ltd 157 Harcourt Street, Stockport, SK5 6UP

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 13 April 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 11 January 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 28 March 2022 Expired: 7 April 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:

Tree Preservation Order:

Description of site / building / area

This application relates to a mid-terrace dwellinghouse on Gordon Avenue, in the Levenshulme ward of Manchester. The application site benefits from amenity space to front and rear, and is characterised by a 2 storey rear outrigger approximately 3.7 metres deep with a separation distance of approximately 1.2 metres from the common shared boundary - which appears to be a common feature of these houses. The depth of existing rear garden is approximately 12 metres from the rear building line of the existing 2 storey rear outrigger. A gated alleyway runs along the rear of the application site. The surrounding area is characterised by similar terraced housing with incidental industrial units, the nearest being situated on the north-east corner of Gordon Avenue, at the junction with Chapel Street.

Description of development

The submitted proposal relates to erection of a single storey rear extension, together with the installation of a rear roof dormer. The proposal would include the incorporation of two velux windows in the roof slope to the front of the dwellinghouse.

The agent was advised early on during the planning application process that there were some concerns with the submitted dormer extension by virtue of the proposed bulk and massing

along the roof plane, together with the proposed side facing windows, together with some anomalies relating to annotation on the submitted plans and for these reasons the proposal could not be supported.

Revised plans were subsequently submitted, (dated 28/03/2022). The revisions to the originally submitted plans comprised of:

- Reduction in the scale of the proposed roof dormer. The dormer extension above the roof of the 2 storey outrigger has been removed.
- The overall height of the single storey rear extension reduced slightly, from approximately 3306mm to 3287mm.
- Clarification relating to the annotation on the submitted plans has been provided.

The proposed single storey rear extension: width 4327mm x maximum depth 5250mm x maximum height 3287mm would involve in-filling the existing space between the common shared boundary with no. 14 Gordon Avenue and the existing 2-storey rear outrigger, whilst retaining a small gap of approximately 104mm from the boundary. The extension would then project approximately 5250mm along this elevation. On the opposite side, the extension would project from the rear building line of the existing 2-storey rear outrigger by 1547mm along the common shared boundary with no. 10 Gordon Avenue, whilst retaining a small gap of approximately 66mm from this boundary. It would have a flat roof configuration, including French doors along the rear elevation. The proposed height at 3287mm would result in the proposed rear extension projecting approximately 1587mm above the existing common shared boundary wall with no.12 Gordon Avenue (which is approximately 1.7 metres high).

In terms of the proposed rear dormer roof extension, it would measure (width 3968mm x depth 3038mm x maximum height 2185mm), has been positioned centrally within the rear roof slope, set-away from the edge of the roof and it is also set below the ridge of the original roof ridge, , incorporating a window in the rear elevation.

The proposal would involve elevational alterations along the front roof plan comprising of 2 windows along the front roof plane.

In terms of external facing materials, it is intended to use materials matching those on the existing house for the rear extension. In regard to the proposed rear roof dormer extension the plans suggest that dark coloured tiles or horizontal cladding would be used.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. An object has been received from a local resident on the grounds that the proposed development would have a significant, detrimental effect upon the amount of daylight and/or sunlight into their property. The element of the single storey rear extension that is proposed to extend to the boundary wall between the two properties would substantially cause overshadowing and create a narrow corridor. The side wall to the proposed extension will be approximately 3 metres high (there doesn't appear to be a height specified on the plans submitted) which will, effectively, double the height of the existing boundary wall (which is 1.7 metres high) resulting in a substantial and unacceptable reduction in daylight and sunlight. The new wall would also be 5.25 metres in length, extending beyond the gable end. Such a corridor would therefore be 5.25 metres long, approximately 3 metres high at its lowest point and only 1.6 metres wide. The loss

of light would be significant and substantial and create darkened areas of their living space that would be unreasonable and, additionally, that many scientific studies have established is not conducive to a person's mental health and wellbeing. .

Neighbours were re-notified of the revised plans. A further response was received from the resident who has made earlier comments advising that nothing in the revised plans leads them to amend/alter or withdraw their objection. The minor alteration proposed for the single storey rear objection i.e. lowering the parapet roof, will do nothing to alleviate the issues raised in their original objection regarding loss of light and overshadowing. the amendment to the dormer proposal will have no beneficial effect on the light into my property and is, therefore, of no consequence.

They request that their original objection still stands and trust it will be given full consideration.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

2. The Manchester 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.'

The following policies are relevant to the proposed development:

- Policy DM 1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)
- Policy T2 (Accessible areas of opportunity and need)

3. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

4. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

- i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.
- ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Following negotiations, revised plans were subsequently submitted, (dated 28/03/2022).

Principle of development

The submitted application is for a single storey rear extension , and dormer extension to the rear roof slope of the main dwellinghouse . The principle of a single storey rear extension , and dormer extension to the rear roof slope of the main dwellinghouse to meet changing residential needs is considered to be acceptable. On balance it is considered that the proposal represents a proportionate addition to the existing building to create improved living accommodation. It is therefore considered that the development responds positively to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan. Notwithstanding this, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

Impact of works (single storey rear extension) – The dwellinghouse has reasonably long rear garden which is 12.1m in length from the rear façade of the outrigger , and 16.7m from the

rear faced of the main dwellinghouse . The proposed rear extension would be single storey, with a flat roof and associated parapet and be contained within the existing curtilage of the application site. Due to the flat roofed nature of the proposal , the height of the proposed rear extension would only project approximately 1587mm above existing boundary wall - (which is approximately 1.7 metres high), and the proposed rearward projection would 5250mm in length along the common boundary with no. 14 Gordon Avenue, and 1547mm in length along the common shared boundary with no. 10 Gordon Avenue. Whilst it would lie in close proximity to the boundary with no.14 Gordon Avenue, the proposal lies to the north of no.14 . It is therefore considered that the revised proposal would be not give rise to such significant impacts to the residential and visual amenity enjoyed by the adjoining occupiers in regard to overbearing, overshadowing, or loss of privacy to warrant the refusal of permission. In addition, the proposed maximum rearward projections at 5250mm and 1547mm are within the within the limitations for a larger homes extensions application. In light of these factors in is considered the proposal could be accommodated in this location in this instance.

Impact of works (rear roof dormer extension) - The revised dormer roof extension has been significantly reduced in scale to be in line with the requirements and limitation to constitute permitted development, on the basis that the materials forming the dormer and similar to those of the dwellinghouse, and therefore on the basis of this element of the proposal alone, an application for planning permission would not be required. However , at this time materials have not been confirmed as being similar in appearance to the existing house ,and as such the proposed dormer forms part of the consideration of this application . The dormer has been positioned centrally within the rear roof plane, set-away from the boundaries and it is also set below the roof ridge and above the eaves and it would also reflect similar developments in the immediate area. Therefore, it is not considered that the proposed rear roof dormer would create an undue impact on the character of the property or general area in terms of visual amenity.

Impact of works (elevational alterations, involving 2 windows along the front roof elevation) - In terms of the proposed elevational alterations, involving the installation of two roof lights, along the front roof elevation, these are works that constitute general permitted development for the nature of this property, as it is not a listed building, or is it near listed assets, or is it in an area of special control, and as such planning permission is not generally required for windows in the roof elevation. Additionally, this kind of development would not be out of character along the streetscene, as other properties have implemented similar developments.

Impact of works (Design and appearance) - In terms of external facing materials, it is intended to use materials matching those on the existing house for the rear extension. In regard to the proposed rear roof dormer extension the plans suggest that dark coloured tiles or horizontal cladding would be used.

For the reasons stated above and given the contextual relationship with the surrounding houses and the wider neighbourhood, it is considered that the proposed development would be acceptable in design terms. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. However, a condition has been attached to ensure that materials are adhered to in regard to the single storey extension , and that materials forming the external facades and the roof of the proposed rear dormer are submitted for consideration prior to the installation of the dormer .

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected.

Objectors Comments - In terms of the objector's comments, in light of the planning issues raised, these have been duly considered above in this report, and there are no material considerations of sufficient weight to warrant the refusal of planning permission.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this

instance, following negotiations, revised plans were subsequently submitted, (dated 28/03/2022). 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. The local planning authority had no issues to raise with the agent but have attached appropriate conditions to the approval.

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 form, received by the City Council as the Local Planning Authority on 20 December 2021.
- Location Plan with application site edged in red, Drawing Number TP2.1, received by the City Council as the Local Planning Authority on 20 December 2021.
- Existing Floor Plans and Elevations, Drawing Number TP3.1, TP5.1, and PT5.2, received by the City Council as the Local Planning Authority on 20 December 2021.
- Proposed Floor Plans and Elevations, Drawing Number TP3.2, TP3.3 TP5.3, and TP5.4, received by the City Council as the Local Planning Authority on 28 March 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) The materials used to construct the external elevations of the single storey extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the application form and approved drawings.

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.

4) Prior to the installation of the rear roof dormer extension hereby approved, samples and specifications of all materials to be used on all external elevations of the dormer extension shall be submitted to and approved in writing by the City Council as local planning authority.

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.

5) 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 development hereby approved other than those stated on: Proposed Floor Plans and Elevations, Drawing Number TP3.2, TP3.3 TP5.3, and PT5.4, received by the City Council as the Local Planning Authority on 28 March 2022.

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

6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

19 Stanhope Street, Manchester, M19 3WQ
14 Gordon Avenue, Manchester, M19 3WG
10 Gordon Avenue, Manchester, M19 3WG
13 Stanhope Street, Manchester, M19 3WQ
17 Stanhope Street, Manchester, M19 3WQ
15 Stanhope Street, Manchester, M19 3WQ

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
Area Team Boundary - Name: NORTH2