

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131228/FH/2021

Date registered valid: 30 July 2021

Proposal: Erection of part single storey, part two storey side extension with Juliet balcony at rear and elevational alterations to existing property including creation of Juliet balcony to existing upper floor rear bedroom

Address: 27 Milford Drive, Manchester, M19 2SA

Ward(s): Levenshulme Ward

Applicant: Mrs O Connor 27 Milford Drive, Manchester, M19 2SA

Agent (if any): Mr Steve Mellor William McCall The Old Post Room, 34 Chew Valley Road, Saddleworth, OL3 7DA

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

Recommendation: Approve

Date of recommendation: 29 September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 16 August 2021

Standard consultations:

Printed: 5 August 2021 Expired: 26 August 2021

Neighbour notifications

Printed: 14 September 2021 Expired: 28 September 2021

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

The application relates to a corner position, ground floor bay-fronted, pitched-roof, semi-detached property situated within a row of similar semi-detached properties in a predominately residential area of Levenshulme ward. The application property benefits from substantial amenity space along the front, side and rear elevations including off-street car parking for vehicles at the front of the dwellinghouse. There is an existing timber frame double gated access along the side elevation in excess of 1.8 metres, a raised timber decking area with balustrades projecting from the rear building line of the original house and projecting its full width. There is existing all-round boundary treatment comprising of timber fencing, with the exception of the common shared boundary with no. 29 Milford Drive; along this elevation, the boundary treatment in-part comprises of the side elevation of no. 29 Milford Drive's outbuilding. There are allotments immediately behind the rear of the application site. There is also a separation distance of approximately 15 metres from the rear building line of the original dwellinghouse to the rear boundary fence.

Description of development

Consent is sought for a part single storey, part two storey side extension with Juliet balcony at rear and elevational alterations to existing property including creation of Juliet balcony to existing upper floor rear bedroom.

Following negotiations, the initially submitted plans have been revised in the interest of residential and visual amenity, (dated 01/09/2021). The revised plan would comprise of:

- Amendment of the anomalies relating to the annotation on the plans .
- The proposed part single storey, part two storey side extension being set-back 2 metres along the first floor front elevation.
- The proposed shower room window along the ground floor front elevation being fully opaquely glazed.
- The proposed Juliet balcony windows would be opaquely glazed on the lower half.
- Clarity has been provided regarding the existing timber frame double gated access along the side elevation. The existing gates will be lost to accommodate the proposed side extension; however, a 1001mm access would be retained along the side elevation, and
- In terms of the proposed elevational alteration involving creation of Juliet balcony to existing upper floor rear bedroom, the proposed Juliet balcony windows would be opaquely glazed on the lower half.

With regards to the proposed part single storey element the proposed dimensions are (length 7.67m x width 2.25m at the front, increasing to 3.035m at the rear), with the first floor element being 5.67m in length and 3.035m in width.

Along the ground floor, the proposed extension would be flush with the front building line of the original dwellinghouse and would be stepped away 1001mm from the common shared boundary with no. 29 Milford Drive. A lean-to pitched roof is proposed ,with windows to serve a shower room facing Milford Drive, a door along the side elevation, and windows along the rear elevation to serve the kitchen.

Along the first floor, the proposed first floor element of the extension would be set-back 2m from the front elevation. It will then project the full length of the original house and flush with the rear building line. The proposed roof ridge would be set below the existing roof ridge. A window is proposed in the front and rear roof slope of the proposed extension. A long the rear elevation, there would be larger windows with Juliet balcony along the first floor rear façade which would be opaquely glazed on the lower half.

In terms of the proposed elevational alterations to existing property: a sun tunnel is proposed along roof elevation, positioned below the roof ridge, close to the gable end, facing Milford Drive. It also intended to create a Juliet balcony to existing upper floor rear bedroom, which would be opaquely glazed on the lower half.

It is also intended to match materials with those of the existing house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal.

A resident has advised that they have no objections, but think the pictures for the new front, side and rear elevations are wrongly labelled on the plan document..... It will be a much bigger transformation to achieve the proposed result, if they are correct.

Following revisions to the initially submitted plan, neighbours were re-notified. No objections, comments, or representations were received.

2. Highways

The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway.

Pedestrian access will remain as existing which is acceptable to Highways.

In-curtilage parking will remain unaffected.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

There are no boundary treatments noted.

The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email: - highwaylicenses@manchester.gov.uk

3. Environmental Health

Had no comments (including ground contamination) on this occasion.

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 has been amended and updated. 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

As previously outlined, following negotiations, revised plans were subsequently submitted (dated 01/09/2021).

Principle

The principle of the proposal to create additional living accommodation is considered acceptable. 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 (part single storey, part two storey side extension with Juliet balcony at rear) - In light of the existing contextual relationship with the side and rear boundaries, and the revisions to the initially submitted plan, and given the corner plot position of the application site, along with a substantially large plot of land, it is not considered that the revised proposal would unduly impact on residential amenity, nor would it adversely impact on the character of the property or general area in terms of visual amenity. In addition, it is considered that there would no adverse impact from the proposed Juliet balcony given what could be achieved under general permitted development requirements and limitations, and due to the separation distance, together with the allotments to the rear of the dwellinghouse.

Impact of works (elevational alterations to existing property including creation of Juliet balcony to existing upper floor rear bedroom) - In terms of the proposed elevational alterations to existing property involving the creation of a sun tunnel along front roof elevation, positioned below the roof ridge, close to the gable end; including the creation of Juliet balcony to existing upper floor rear bedroom, it is considered that there would no adverse impacts given what could be achieved under general permitted development requirements and limitations, and due to the separation distance, together with the allotments to the rear of the dwellinghouse. Furthermore, the lower half of the glazing Juliet balcony windows would be obscurely glazed. In light of these factors, it is considered these elements of the proposal could be accommodated in this location.

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area. 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. It is also intended to match materials with those of the existing house, although a materials condition has been attached to ensure that the materials are adhered to.

Car parking - It considered that the existing arrangement would in-part be affected, as the existing access along the side elevation could potentially serve to provide an additional car parking off street parking space. However, off-street car parking for at least 4 vehicles would still be retained at the front of the property.

Waste management - The existing arrangement would be unaffected. Although the existing gates will be lost to accommodate the proposed side extension, a 1001mm access would be retained along the side elevation which is considered to be sufficient to allow for the movement of wheeled bins.

Conclusions - For the reasons outlined above, and subject to planning conditions, it is not considered that the revised proposal would be unduly overbearing, nor would it present privacy and overlooking concerns which would adversely impact upon residential or visual amenity; pursuant with The National Planning Policy Framework; The Manchester Core Strategy

Development Plan Document Policies EN1, DM1, SP1, EN19, T2; Saved Unitary Development Plan Policy DC 1; and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance.

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, the initially submitted plan was revised in the interest of residential and visual amenity, (dated 01/09/2021). The local planning authority had no other concerns to raise with the agent but have attached the relevant conditions.

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:

- Site and Location Plans, Drwg No: - 04/21/82 received by the City Council as the Local Planning Authority on 01 September 2021.
- Existing & Proposed Plans & Elevations, Drwg No: - 04/21/82, Rev: B, received by the City Council as the Local Planning Authority on 30 September 2021.

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 external facing materials to be used on the development hereby permitted shall match those of the existing building in terms of type, colour, texture, scale, pointing and coursing and as stated on the submitted information and approved drawings.

Reason - To ensure that 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 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: 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 development hereby approved other than those shown on: Existing & Proposed Plans & Elevations, Drwg No: - 04/21/82, Rev: B received by the City Council as the Local Planning Authority on 30 September 2021

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

5) Before first occupation of the development thereby approved, the proposed ground floor window facing Milford Drive to serve the shower room as shown on: Existing & Proposed Plans & Elevations, Drwg No: - 04/21/82, Rev: B, received by the City Council as the Local Planning Authority on 30 September 2021, shall be obscurely 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 - In the interest of privacy and to protect the amenity and living conditions of adjacent properties; pursuant with policies SP1 and DM1 of the Core Strategy and saved policy DC1 of the Unitary Development Plan 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.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email: -

highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

23 Milford Drive, Manchester, M19 2SA
29 Milford Drive, Manchester, M19 2SA
31 Milford Drive, Manchester, M19 2SA
22 Milford Drive, Manchester, M19 2SB
25 Milford Drive, Manchester, M19 2SA

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
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2