

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130507/FH/2021

Date registered valid: 2 June 2021

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

Address: 8 Provident Avenue, Manchester, M19 3HT

Ward(s): Levenshulme Ward

Applicant: Norma Holness 8 Provident Avenue, Manchester, M19 3HT

Agent (if any): 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: 31 August 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 14 June 2021 Expired: 5 July 2021

Neighbour notifications

Printed: 16 August 2021 Expired: 26 August 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 period, mid-terraced dwellinghouse in the Levenshulme ward of Manchester. The application site is located within a short residential terraced street at the junction with Mount Road. Open alleyways run immediately behind and at the side of these rows of terrace houses along Provident Avenue. The Avenue has a no-through road layout for motor vehicles. The application property has an existing 2 storey rear outrigger projecting approximately 4298mm which is an original feature of these houses along the street. There is a small front amenity space and a rear yard area, approximately 6985mm in depth. Given the nature of the houses along Provident Avenue, there are no existing off-street parking arrangements and therefore car-parking is on-street.

Description of development

The submitted application relates to the erection of two storey rear extension to form additional living accommodation, which would effectively involve extending the existing 2-storey rear outrigger. Consent was sought for a proposed rearward projection at both ground and first floor of 1575mm.

Concerns were raised with the agent early on during the application process. Although it was considered that the proposed rearward projection along the ground floor would be acceptable and could be accommodated in this location, the proposed first floor element was considered to be unacceptable. It was considered that in light of the existing 2-storey rear outrigger along with the proposed first floor rearward projection, which when both combined would create an overall rearward projection of 5.9m could not be supported in this location by virtue of the adverse impact from the proposed bulk and massing impact and privacy distance matters. Following negotiations, the initially submitted plan has been revised in the interest of residential amenity, (dated 04/08/2021)

The revised plan would comprise of:

- o The initially proposed first floor rearward projection has been reduced in depth to 1 metre.
- o The proposed first floor rear facing window to serve 'Bed 3' would have obscure glazing to 1.7m above the internal floor level.

The revised proposed extension would effectively involve extending the existing 2-storey rear outrigger and projecting it further into the existing rear yard area.

The proposal would be flush with the building line of the existing 2-storey outrigger along the side elevations and would measure at ground floor: length 1575mm x width 2803mm x maximum height 3373mm and would have a lean-to roof design with a window facing the rear yard rear. With regards to the first floor: length 1000mm x width 2803mm, the proposed roof ridge would be consistent with the original roof line, flush with the original roof ridge, incorporating a proposed first floor rear facing window for 'Bed 3' which would have obscure glazing 1.7m above floor level. In terms of external facing materials, it is intended to use materials matching the original house.

Consultations & Notification Responses

1. Local residents

Occupiers of properties adjoining the application site were notified of the proposal. Two objections have been received on the grounds that:

- a two storey rear extension would completely cover the landscape and block view from their properties ;
- the proposed extension would block any sunlight to their garden and rooms;
- no.8 Provident Avenue already has a length greater than the adjacent house;
- they would have no issue with a single storey extension.

Following revised plans, neighbours were re-notified. Two objections were received on the same grounds that the objections received in regard to the original plans

2. Environmental Health

The following advisory note is recommended for this application: Ground Gas

Please be aware that the site is located within 250 metres of a former historic landfill site. The applicant should consider upgrading the damp protection course to a proprietary gas protection membrane, in order to alleviate

any possibility of landfill gas ingress to the building.

Information for Developers guidance documents can be downloaded using the following link:
http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

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:

- o Chapter 8: Promoting healthy and safe communities.
- o 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:

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

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

- o Saved Policy DC1 (Residential Extensions) is considered relevant.

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, the initially submitted plan has been revised in the interest of residential amenity, (dated 04/08/2021)

Principle of development

The principle of the proposal in providing additional residential 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 (two storey rear extension) – The dwellinghouse has an existing 2 storey rear outrigger projecting approximately 4298mm which is an original feature of the houses along Provident Avenue. The first floor element has been reduced in depth to 1m, with the ground floor element projecting rearward for a depth of 1.575m from the outrigger. Given the overall depth of the existing rear yard, the depth of rear yard that would be retained, combined with the existing alleyways along the rear and side of the application site with the associated separation between those properties along the side and rear elevations, which are within the guidance set out in Saved Policy DC1 - (Residential Extensions); it is therefore considered that the proposal would not unduly affect the neighbouring houses, specifically those at nos. 6 and 10 Provident Avenue, and those properties along rear elevation along Barlow Road and those along the side elevation along St Mark's Street. The proposed first floor rear facing window to 'Bed 3' would also have obscure glazing 1.7m above the internal floor level in the interests of safeguarding the privacy of the occupiers and privacy of residents on Barlow Road.

Due to the limited extent of the first floor rear extension any loss of sunlight would be limited to the late afternoon/ evening. It is considered that this combined with the distances to dwellinghouses on St. Marks Road, would not lead to a reduction of light to such a degree which would be so significant as to warrant the refusal of planning permission.

Furthermore, it is intended to use external facing materials to match the original house, which is considered to be acceptable in design terms. For the reasons outlined above, and subject to planning conditions, it is not considered that the proposed development 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 (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) and there are no material considerations of sufficient weight to indicate otherwise. It is recommended that the appropriate conditions are attached to any recommendation for planning approval.

Design and appearance - It is not considered that the proposed development would unduly harm the character of the building or the general area as it is intended to match materials with that of the existing, however, a materials condition has been attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Car parking / highways issues - The proposal would not affect the existing arrangement; pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

Waste Management - The existing arrangement is unaffected, pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

Matters Raised by Objectors - In terms of the planning comments raised, these have been duly considered in the planning issues section above and there are no material considerations of sufficient weight to indicate otherwise as to warrant the refusal of planning permission.

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, the initially submitted plan has been revised in the interest of residential amenity, (dated 04/08/2021).

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:

- o Site Plan & Location Plan - Proposed, Drawing Number WD01
- o Existing Ground Floor and First Plans, Drawing Number WD02,
- o Existing North Elevation and Existing South Elevation, Drawing Number WD03,
- o Existing East Elevation and Existing West Elevation, Drawing Number WD04,
- o Proposed Ground Floor and First Plans, Drawing Number WD05,
- o Proposed South Elevation and Proposed East Elevation, Drawing Number WD06, and
- o Proposed West Elevation, Drawing Number WD07, all received by the City Council as the Local Planning Authority on 04 August 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 extension hereby permitted shall match those of the existing building in terms of type, colour, texture, scale, pointing and coursing and as stated on the application form 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) Before first occupation of the development thereby approved, the proposed first floor rear facing window to serve 'Bed 3' as shown on: Proposed Ground Floor and First Plans, Drawing Number WD05 and Proposed South Elevation and Proposed East Elevation, Drawing Number WD06 all received by the City Council as the Local Planning Authority on 04 August 2021 shall

be obscurely glazed 1.7m above internal floor level 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 in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policies SP1 and DM1 of the 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 extension hereby approved other than those stated on:

- o Proposed Ground Floor and First Plans, Drawing Number WD05,
- o Proposed South Elevation and Proposed East Elevation, Drawing Number WD06, and
- o Proposed West Elevation, Drawing Number WD07, all received by the City Council as the Local Planning Authority on 04 August 2021.

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.

Informatives

- 1) The following advisory is recommended for this application:

Please be aware that the site is located within 250 metres of a former historic landfill site. The applicant should consider upgrading the damp protection course to a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building.

Information for Developers guidance documents can be downloaded using the following link:
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Appendix 1 – List of consultees & neighbours notified

Environmental Health

1D St Marks Street, Manchester, M19 3HG
1B St Marks Street, Manchester, M19 3HG
1A St Marks Street, Manchester, M19 3HG
267A Barlow Road, Manchester, M19 3HQ
6 Provident Avenue, Manchester, M19 3HT
4 Provident Avenue, Manchester, M19 3HT
263 Barlow Road, Manchester, M19 3HQ
261 Barlow Road, Manchester, M19 3HQ
1C St Marks Street, Manchester, M19 3HG
267 Barlow Road, Manchester, M19 3HQ
265 Barlow Road, Manchester, M19 3HQ
257 - 259 Barlow Road, Manchester, M19 3HQ
361 Mount Road, Manchester, M19 3HW
359 Mount Road, Manchester, M19 3HW
10 Provident Avenue, Manchester, M19 3HT

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 -
Area Team Boundary - Name: NORTH2