

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129900/FH/2021

Date registered valid: 8 April 2021

Proposal: Installation of two rear roof dormers to form additional living accommodation

Address: 9 Sylvandale Avenue, Manchester, M19 2FB

Ward(s): Levenshulme Ward

Applicant: Mrs Rebecca Spotwood 9 Sylvandale Avenue, Manchester, M19 2FB

Agent (if any): Mr Matthew Hargreaves Back Room Architecture & Design 313
Barlow Moor Road, Manchester, M21 7GH

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 9 April 2021 Expired: 30 April 2021

Neighbour notifications

Printed: 9 April 2021 Expired: 30 April 2021

Site notice

Posted: Expired:

Press advert

Published: 20 April 2021 Expired: 11 May 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Rushford Park Conservation Area 1986

Tree Preservation Order:

This application relates to a semi-detached property in a residential part of the Rushford Park Conservation Area in the Levenshulme ward of Manchester. The property is two storey and is of an appearance that is typical of properties in the area.

It is proposed to install two rear dormer extensions to form additional accommodation in the roofspace. The proposed dormers would be slightly lower than the existing roof apex and would be set-in from the sides and eaves of the roof. Each dormer would have a pitched roof.

The applicants are proposing to use a cladding materials, which is a standing seam metal sheet cladding, which will be a grey coloured standing seam metal sheet cladding.

The proposed drawing also includes 3 new rooflights in the front elevation, but the applicant has indicated that these project no more than 0.15 metres, from the roof, and they do not therefore form part of this application.

The application has been advertised, on site and in the press, as development within a Conservation Area.

Consultations & Notification Responses

Local residents - No comments received.

Highways Services - No objections.

Strategic Area and Citywide Support Manager - No objections.

Greater Manchester Ecology Unit - Makes the following comments:

- The proposed development will provide significant disturbance to the existing roof space. In urban areas bats are most commonly found in the roof space, under ridge tiles, within soffits or under cladding of residential dwellings, the owner generally not aware of their presence. Whilst this property is isolated from any high value habitats, it sits within a mature sub-urban landscape with many trees, suitable for the commoner species of bats such as common and soprano pipistrelle with records for these species in the area the closest reported on Windsor Rd. The building is also of a type that bats would utilise if they were able to gain access.

-Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision. It is therefore recommend that.

Prior to determination, the building is assessed internally and externally for bat roosting potential by a suitably experienced bat consultant. If the building is assessed as more than low risk further dusk and or dawn surveys may be required.

- Species such as house sparrow and starling nest under the eaves of buildings as can species such as house martin and swift. The bat assessment should also report any evidence that birds nest in the building. If present they can be dealt with via a standard bird nesting condition.

- Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. There are unlikely to be any habitat impacts resulting from this development. Any loss of bird nesting or bat roosting potential can be mitigated through inclusion of bat/bird boxes/bricks within the new development. The details can be conditioned.

A bat survey was provided and the Ecology Unit responded as follows:

No evidence of bats or nesting birds was recorded and the potential for both assessed as negligible, primarily based on the well maintained nature of the building preventing bat or bird access.

Bats- As individual bats can on occasion turn up in unexpected locations, they recommend an informative along the following lines is applied to any permission.

Whilst the development has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Nesting Birds - No further information or measures are required for nesting birds.

Contributing to and Enhancing the Natural Environment - As no ecological impacts have been identified no mitigation is required. In terms of enhancement any measures such as a bird or bat box or new soft landscaping would suffice. The details can be provided via condition.

Issues

National Planning Policy Framework (February 2019) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type 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;

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 a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and communities' health, social and cultural well-being; and

An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There should be a presumption in favour of sustainable development and planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Section 12 'Achieving Well Designed Places' states that '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. Being clear about design expectations, and how these will be tested, is essential for achieving this' (paragraph 126).

Section 16 'Conserving and enhancing the Historic Environment' refers to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

Paragraph 197 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

The 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.

Policy SP1 identifies 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 including:-

- 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 or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN3 relates to heritage and states that, throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those in the City Centre.

New development must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled monuments, listed buildings registered parks and gardens, conservation area and archaeological remains.

Policy DM 1 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:-

- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy 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.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Saved policy DC18.1 relates to conservation areas and states that the council will give particularly careful consideration to development proposals within Conservation Areas.

- a) the council will seek to preserve and enhance the character of its designated Conservation Areas by carefully considering the following issues:
 - I) the relationship of new structures to neighbouring buildings and spaces
 - II) the effect of major changes to the appearance of existing buildings
 - III) the desirability of retaining existing features such as boundary walls, gardens, trees (including street trees)
 - IV) the effect of signs and advertisements
 - V) any further guidance on specific areas which has been approved by the council
- b) the council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a Conservation Area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance or character of the area
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the council has been furnished with evidence that the development will be undertaken
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Impact of works - The dimensions of the proposed dormers meet permitted development requirements and planning permission is needed due to the material being used. The applicant has confirmed that a red/grey cladding would be used, and a specific material sample has been provided, which is considered to be acceptable and a fair match to the existing roof. There are examples of dormers, in the area, where metal cladding has been used, and the proposed dormers are at the rear of the property, and are not easily viewed from public land and it is considered that the proposed development is in keeping with the character of the Conservation Area.

The rooflights, at the front of the property are considered to be of an appropriate design that would not have a significant visual impact upon the street scene. In any event, the applicant has indicated that they meet permitted development requirements and they are being installed, as such, and they do not therefore form part of this application.

Generally, in terms of design, scale and appearance it is not considered that the proposal would have an adverse impact upon the amenities of local residents or the character of the Conservation Area.

Ecology - The applicant commissioned an ecology survey and no evidence of bats or nesting birds was recorded and the potential for both assessed as negligible, primarily based on the well maintained nature of the building preventing bat or bird access. Consequently, informatives are proposed, in relation to these matters, rather than conditions.

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 applicant/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 negotiations took place, in relation to the proposed dormer design and materials used, to ensure that the proposed development would not have an adverse impact upon the Conservation Area. Clarification was also sought in relation to ecology matters.

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:

Drawings numbered 00_0001, 01_0001 rev A, 01_0002 rev A, 02_0001 rev B and 02_0002 rev B, stamped as received by the City Council, as Local Planning Authority, on 31 March 2021.

Drawing numbered 01_0003, stamped as received by the City Council, as Local Planning Authority, on 8 April 2021.

The 'Proposed Side Elevation' plan only, indicated on drawing numbered 02_0003, stamped as received by the City Council, as Local Planning Authority, on 8 April 2021.

Preliminary Roost Assessment and Nesting Bird Check dated 19 July 2021. stamped as received by the City Council, as Local Planning Authority, on 19 July 2021.

Email from Matt Hargreaves dated 19 July 2021, and accompanying VMZINC materials brochure, confirming that the dormer extensions will be clad with VM Zinc Pigmento, Colour: Red.

Email from Matt Hargreaves dated 8th September 2021 in regard to the installation of rooflights under Permitted Development rights.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Manchester Core Strategy and saved policies DC1 and DC18, of the Unitary Development Plan for the City of Manchester

3) The development shall be constructed only using VMZINC cladding (ref:VM Zinc Pigmento, Colour: Red).

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policies SP1, EN3 and DM1 of the Manchester Core Strategy, and saved policies DC1 and DC18, of the Unitary Development Plan for the City of Manchester.

4) 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) Whilst the development has been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

2) The loss of bird nesting or bat roosting potential can be mitigated through inclusion of bat/bird boxes within the new development.

3) 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 Contact Manchester 0161 234 5004.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Ecology Unit

7 Sylvandale Avenue, Manchester, M19 2FB
10 Sylvandale Avenue, Manchester, M19 2FB
8 Sylvandale Avenue, Manchester, M19 2FB
6 Sylvandale Avenue, Manchester, M19 2FB
13 Sylvandale Avenue, Manchester, M19 2FB
12 Sylvandale Avenue, Manchester, M19 2FB
34 Windsor Road, Levenshulme, Manchester, M19 2EB
Flat 3, 32 Windsor Road, Levenshulme, Manchester, M19 2EB
Flat 2, 32 Windsor Road, Levenshulme, Manchester, M19 2EB
Flat 1, 32 Windsor Road, Levenshulme, Manchester, M19 2EB
32 Windsor Road, Levenshulme, Manchester, M19 2EB
5 Sylvandale Avenue, Manchester, M19 2FB
Flat 4, 32 Windsor Road, Levenshulme, Manchester, M19 2EB
30 Windsor Road, Levenshulme, Manchester, M19 2EB
28 Windsor Road, Levenshulme, Manchester, M19 2EB
11 Sylvandale Avenue, Manchester, M19 2FB
36 Windsor Road, Levenshulme, Manchester, M19 2EB

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
Conservation Area - Rushford Park Conservation Area 1986
Area Team Boundary - Name: NORTH2