

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129237/FH/2021

Date registered valid: 28 January 2021

Proposal: Erection of rear canopy with a first-floor balcony and associated privacy screens and glazed balustrade., together with elevational alteration to the rear first floor windows to form external doors onto the balcony.

Address: 290 Mount Road, Manchester, M19 3HN

Ward(s): Levenshulme Ward

Applicant: Anja Lobert 290 Mount Road, Manchester, M19 3HN

Agent (if any): Mrs Magdalena Haener Pride Road Manchester South 110 Great Stone Road, Manchester, M16 0HD

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 23 March 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 January 2021 Expired: 19 February 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

This application relates to a semi-detached property located at 290 Mount Road in the Levenshulme area of Manchester. The application property benefits from amenity space to the front, side and rear elevation, off street parking, including boundary screening. The rear of the dwellinghouse adjoins Green Bank Fields, a large open recreational space.

Description of development

The proposal relates to the erection of rear canopy with a first-floor balcony and associated privacy screens and glazed balustrade, together with elevational alteration to the rear first floor windows to form external doors onto the balcony.

Concerns were raised with the agent regarding a proposal of this nature with an elevated balcony at the rear and the potential for overlooking, maintaining significant privacy and the proposed massing impact. Revised plans were subsequently submitted, (dated 22/03/2021):

- o Proposed Elevations, Revision B, and
- o Proposed Floor Plans, Revision B.

The proposed revised plan would consist of:

- o A significant reduction to the width of the proposed balcony. The balcony is now limited to the rear of BED 1 only (rather than covering the entire first floor width as initially proposed). Proposed materials would comprise of using toughened frosted privacy screens and panels for the balcony.
- o The side panels to the balcony to measure minimum 1700mm (glazing material) and 2134mm (timber material).
- o A small Juliet balcony with toughened frosted glass panel to (BED 3).

The proposed works would involve elevational alterations to the rear first floor windows to form 2 external doors onto the balcony and to facilitate the proposed Juliet balcony to (BED 3). The proposed balcony would be stepped away 500mm from the common shared boundary with no. 288 Mount Road and would measure: (length 1400mm x width 3287mm x height 1100mm and 1700mm [toughened frosted glazing] and 2134mm [timber side panels]) and Juliet balcony (width 1300mm x height 1100mm) would project over a proposed ground floor canopy.

The proposed canopy at ground floor would be stepped away 150mm from the common shared boundary with no. 288 Mount Road and would measure: (length 2600mm x width 6194mm x height 2960mm) and constructed of plexi-glass roof and timber.

Consultations & Notification Responses

1. Local residents/public opinion

Occupiers of properties surrounding the application site were notified of the proposal. No comments, objections or representations were received.

POLICIES

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

1. The National Planning Policy Framework (NPPF), (February 2019) - 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 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 sections are of particular relevance:

i. Section 2 Design.

- o Paragraph 2.14 goes on to say: it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.
- o Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.
- o Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well-designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

As previously mentioned, concerns were raised with the agent regarding a proposal of this nature with an elevated balcony at the rear and the potential for overlooking to adjoining occupiers, maintaining significant privacy and the proposed massing impact. Revised plans were subsequently submitted, (dated 22/03/2021): Proposed Elevations, Revision B, and Proposed Floor Plans, Revision B.

The revised plan would involve a significant reduction to the width of the proposed balcony. The balcony is now limited to (BED 1 only) rather than cover the entire first floor width as initially proposed, and the introduction of a small Juliet balcony with toughened frosted glass panel to (BED 3).

Residential and visual amenity

Impact of works (rear canopy with a first-floor balcony and associated privacy screens and glazed balustrade, together with elevational alteration to the rear first floor windows to form external doors) - Given the fact that the application site adjoins with a large open recreational space along the rear elevation and there are no houses to the rear in this location; within this context and in light of the initially submitted plan proposing a first floor balcony covering the full width of the original dwellinghouse, it is considered that the revised plan (by reducing the potential for overlooking and maintaining significant privacy by reducing the massing impact from the proposed balcony and using frosted glass) has mitigated the potential adverse impact on residential amenity to the neighbouring houses, in particular, nos. 288 and 292 Mount Road. The proposed ground floor structure would be significantly screened by the common boundary fence and therefore it is considered that this would unduly impact on residential amenity.

The proposed works would also not be visible along the streetscene and can only be seen by the occupiers of the immediate site, specifically those at nos. 288 and 292 Mount Road, and users of the public open space to the rear.

In terms of the proposed works to facilitate the Juliet balcony, this would fall within the requirements and limitations of general permitted development, as there is no external platform.

In addition, the proposed rearward projections at 1400mm (first floor) and 2600mm (ground floor) is in line with the guidance set out in saved policy DC1 regarding rearward extensions, therefore it can be accommodated in this location. For these reasons, it is not considered that the revised proposal in this location would unduly impact upon the amenity of surrounding residents or the visual amenity of the locality.

Design and appearance - Given the revisions to the initial submitted plan, and in light of the existing context, it is considered that the proposal would be acceptable in this location. In terms of materials, it is proposed to use uPVC doors, plexi-glass roof to the canopy, timber and frosted toughened glass panels; 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 proposal would not affect the existing arrangement, pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is not considered that the proposed rear canopy with a first-floor balcony and associated privacy screens and glazed balustrade., together with elevational alteration to the rear first floor

windows to form external doors onto the balcony 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been revised in the interest of residential amenity. Revised plans (dated 22/03/2021): Proposed Elevations, Revision B, and Proposed Floor Plans, Revision B. 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 Council had no other issues to raise with the agent and have attached the appropriate 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:

- o Location Plan with application site edge in red and Block Plan received by the City Council and the Local Planning Authority on 27 January 2021.
- o Existing Floor Plans received by the City Council and the Local Planning Authority on 27 January 2021.
- o Existing Elevations received by the City Council and the Local Planning Authority on 27 January 2021.
- o Proposed Elevations ref: 12 rev. B, and Proposed Floor Plans ref: 11 rev.B received 22 March 2021

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 (2012).

3) The materials used to construct the external elevations of the canopy and balcony hereby approved , shall be as stated on the 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 policy 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) Prior to first occupation of the development hereby approved , the privacy screens shown on plan refs: Proposed floor plans 11 rev.B and Proposed Elevations 12 rev B received 22nd March 2021 shall be implemented in accordance with the approved details, and retained in situ thereafter.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012).

5) The proposed glass panels comprising the privacy screens and platform balcony to serve BEDROOM 1, and to the Juliet balcony to BEDROOM 3, as shown on plan refs: Proposed floor plans 11 rev.B and Proposed Elevations 12 rev B received 22nd March 2021 shall comprise frosted obscured toughened glass 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 Manchester Core Strategy (2012).

Informative

1. The property lies within 250m of a landfill site .In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is brought into use, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

288 Mount Road, Manchester, M19 3HN

292 Mount Road, Manchester, M19 3HN

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