MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128114/FH/2020
Date registered valid:	26 October 2020
Proposal:	**T**he erection of part single and part double storey side and rear extension and associated alterations to form additional living accommodation
Address:	190 Victoria Avenue, Manchester, M9 0RR
Ward(s):	Higher Blackley Ward
Applicant:	Mr D Foster 190 Victoria Avenue, Manchester, M9 0RR
Agent (if any):	Mr W Lau WHYL Architecture 261 Brantingham Road, Manchester, M21 0TP
Case officer:	Janine Renshaw-Livesey Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	10 December 2020

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: 2 November 2020 Expired: 23 November 2020

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: No

Tree Preservation Order: NO

Description of site/building

The application site relates to a detached dwelling house sited within a large rectangular shaped garden. Grass verges separate the application site and the public footpath. 190 Victoria Avenue has been modify previously to include a two storey rear extension and the introduction of two bay windows on the front elevation at the ground and first floor.

Description of development

Planning permission is sought for the erection of part single and part double storey side and rear extension and associated alterations to form additional living.

The proposed extension includes the addition of a ground floor kitchen and living room. The first floor extension includes the creation of two additional bedrooms and un suite and retrospective consent for two further bedrooms. The side two storey side extension measure 5.5 width and 12 length. The two storey rear extension measures 4.3m projection and 7m overall length.

Site History

125098/2019 REFUSED Erection of single storey outbuilding to rear garden to form ancillary living accommodation in association with the main house

1237882019 REFUSED The erection of a single storey self contained accommodation.

116893/2017 APPROVED Part Retrospective application for the installation of various boundary treatment along the boundary with 192 Victoria Avenue

110418/2015 Approved Erection of part single, part two storey side and single storey rear extensions together with a porch to front

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and no representations were received.

The Head of Environmental Health was consulted and recommended a gas condition be attached to the consent.

Issues

POLICIES

National Planning Policy Framework
Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:
o An economic role - contributing to 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 and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
o A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
o An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

UNITARY DEVELOPMENT PLAN SAVED POLICIES
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 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)

DC1.4 In considering proposals for 2 storey side extensions, the council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the council will seek to ensure that:
a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned
b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole
c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved
As a guide and without prejudice to the generality of this policy, the council will normally permit 2 storey house extensions which, when built, would leave a minimum of 1.52m (5ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)
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
- Protect and enhance the built and natural environment

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.
- 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.

City Councils Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages.

ISSUES

Principle- The principle of extending an existing house for continued use as a single-family dwelling in a predominantly residential area is considered acceptable.

The submitted application proposes the erection of a two-storey side extension, and a first-floor rear extension created over an existing single storey extension. There are obscurely glazed windows proposed along the side elevations. The proposed windows being on the rear elevation at ground and first floor level including a door and a window and two windows on the front elevation. There is a setback measuring 2 metres at first floor front elevation.

The applicant removed the first-floor bay window as it was considered to reduce the appearance of the setback.

Residential Amenity

The first-floor rear extension has a projection of approx. 4.3 metre and sits on a previously approved single storey extension. There is an approximate gap of 1.5 metres between the boundary of the neighbouring property no. 188 Victoria Avenue which is positioned forward of the application site and has a significant rear extension that over sail the proposed two storey rear extension. The site visit revealed that the two storey rear extension is retrospective and given the distance between the boundary and the neighbouring properties in particular in relation to 188 Victoria Avenue it is considered that the first floor rear extension would be no more visually intrusive than the existing ground floor extension. The closest residential property at the rear of the site is over 20 metres. Therefore, the extension would not result in either loss of light or loss of privacy for the surrounding properties. The 2 storey element alongside the existing dwelling house on the southern elevation which has a 2 metres wide gap between the gable and the common boundary. The two-storey part of the proposal is considered to be acceptable as the orientation of the extension would not result in any shadowing of the neighbouring properties.

Visual Amenity

It is not considered that the proposed extension would have a detrimental impact upon either the visual amenity of the neighbouring properties, or the character of the property or area within

which it is located. The proposal is in scale with the existing property, and the materials to be used would match those of the existing house and a condition would be attached to any consent granted to the effect. The set back and the roof height for the two storey side extension allow that proposal to appear subservient to the main dwelling house. The two storey rear extension has a flat roof and would not usually be supported. However, the flat roof is not visible from the public highway and therefore compliant with policy DC1.3. Furthermore, this particular element of the proposal would not warrant a refusal as the decision to support the proposal is on balance acceptable. Therefore, overall, it is felt that proposal would not adversely affect the appearance of the existing dwelling or visual amenity within the area or have a detrimental effect on the street scene and is therefore considered to be acceptable.

Design, Siting and appearance

The proposed extension is in keeping with the original property and the applicant intends to match the existing materials with that of the house, therefore it is considered that the proposal is acceptable in design terms.

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 polices 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 local planning authority had no issues to raise with the applicant/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 numbered,

W2012-120 Rev F and W2012-125 Rev E, stamped as received on the 3rd December 2020 and the Location Plan, stamped as received on the 26 October 2020.

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 buildings in terms of type, colour, texture and scale.

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 extension hereby approved other than those shown on the approved drawing referenced W2012-120 Rev F and W2012-125 Rev E, stamped as received on the 3rd December 2020.

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

5) Prior to the first occupation of the development, the ground floor television room, kitchen and living room and the first floor en suite shown on drawing referenced W2012-120 Rev F and W2012-125 Rev E, stamped as received by the local planning authority on the 3rd December 2020, shall be obscure 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 - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill had pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

188 Victoria Avenue, Blackley, Manchester, M9 0RR
St Clares Friary, Victoria Avenue, Blackley, Manchester, M9 0LR
192 Victoria Avenue, Blackley, Manchester, M9 0RR
10 Ardcombe Avenue, Manchester, M9 0SR

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1