MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127737/FH/2020
Date registered valid:	13 August 2020
Proposal:	Installation of rear roof dormers to faciliate additional living accommodation.
Address:	7 Stoneyholme Avenue, Manchester, M8 0BX
Ward(s):	Crumpsall Ward
Applicant:	Zakria Rehman 7 Stoneyholme Avenue, Manchester, M8 0BX
Agent (if any):	Nigel Nuttall 34 Beaumont Way, Darwen, BB3 3SG
Case officer:	Janet Lawless Tel: 0161 234 4535 Email: janet.lawless@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: 10 November 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: October 2020

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 30 October 2020 Expired: 6 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: Not applicable

Tree Preservation Order: Not applicable

Description of Site
The property that is the subject of this householder planning application is a red brick 2 storey double fronted detached dwellinghouse. It forms part of a Barrett housing estate that was determined by way of a plot substitution under ref 084899/FO/2007/N1. One of the conditions attached to the planning permission was the removal of Permitted Development Rights, including any alterations/ extensions to the roof. As such planning permission is now sought.

The property itself is a detached property, that sits part way along the Avenue. It has a garden area to the front that is enclosed by a low railing boundary treatment with a lawned area behind. It is double fronted and has parking within the curtilage of the site. There is a 1.8 metre timber gate that leads into the rear garden. This is laid predominantly to lawn and has a 1.8 metre high timber panel fence as a dividing boundary treatment between the neighbouring properties to the side, and to the houses whose gardens back onto the proposal site on Hazelbottom Road.

The proposal site is located within the Crumpsall ward of Manchester.

Description of area
The immediate area is predominantly residential, with a terrace of residential properties on Hazelbottom Road backing onto the proposal site garden to garden. The properties within the estate are of the same style and footprint as the proposal site, and some have had the benefit of extensions. Beyond the properties on Hazelbottom Road lies Hendham Vale industrial estate.

Description of development

The proposal is for the erection of 2 single dormer dual pitched extensions within the existing rear roof slope of the existing property. The scheme currently under consideration is a revision to the original submission, which was for one large dormer that stretched the full width of the roof. The materials to be used would match those of the existing property. Had the Permitted Development Rights not been removed from the property, the dormer could have been constructed under those rights. The extension will provide additional accommodation in the form of 2 bedrooms and a shared bathroom within the loft space. The windows within the dormer extensions would line up with the existing windows that are within the lower floors, with one small obscurely glazed window central to the 2 dormers that would serve the internal bathroom.

Consultations & Notification Responses

Local residents were informed- Two rounds of notification have taken place and 2 representations have been received the points of which are as follows:
We object this planning application because it will directly invade our privacy both from the garden point of view by being overlooked and, also from the bedroom window which they would be able to see into.
At present there are conifers at the end of the garden, but these will be being removed come the spring next year therefore giving unrestricted viewing into both my neighbours and our gardens conservatories and bedroom windows.

Issues

Core Strategy Development Plan Document - The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11 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. Relevant policies in the Core Strategy are detailed below

Policy SP1, Spatial Principles, - 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 and protect and enhance the built and natural environment. This is discussed below.

Policy DM1, Development Management - This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:-

- 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, odours, litter, vermin, birds, 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.

- o Refuse storage and collection.
- o Vehicular access and car parking.

Saved UDP Policy - There are no site-specific policies relating to the application site. However, the following city-wide policies are relevant to this proposal: DC1 of the Unitary Development Plan for the City of Manchester.

Issues
Principle of the Proposal - The principle of extending an existing residential property in a residential area to create additional living accommodation is considered acceptable. It is an alternative option to relocation. Notwithstanding this, the impact upon the levels of residential and visual amenity enjoyed by adjoining neighbours must be assessed, along with the impact upon the character of the area within which it is located.

Residential Amenity - Given the siting and design of the rear dormer it is not considered that the proposal will have a detrimental impact upon the levels of residential amenity currently enjoyed by the neighbouring properties. There are no windows within the side elevation of the dormer, and the view is across the applicants own garden. The properties within the row of properties that number 7 forms part of are staggered in their footprints , the neighbouring property at number 9 steps back further that that of number 7 which means that the extension is not readily viewed from the properties themselves. The views out of the proposed dormer windows is the same view that is currently afforded from the bedroom windows at the first floor, as such it is not considered that the overlooking would have such a detrimental impact as to merit refusal of the application. The views across to the properties on Hazelbottom Road are currently obscured by very established tree lines, and should these be removed, that is at the desire of the occupants of those properties on Hazelbottom road and should not preclude the properties on Stoneyholme Avenue from adapting their homes.

Loss of Privacy / Overlooking
There is a distance of some 23 metres between the rear of the properties on Stoneyholme Avenue and the habitable room windows in the rear of the properties on Hazelbottom Road. This distance is considered sufficient so as to not give rise to overlooking, or loss of privacy, as previously stated it would afford no greater views across than could currently be achieved. The applicant has mentioned proposing a small window to serve the stairway for secondary lighting purposes in the gable of the existing property. The removal of the Permitted Development Rights only related to additional extensions and conversion of garages, and therefore the window would be done in line with permitted development for windows and would not require planning permission, as such does not form part of this application.

Visual Amenity- It is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, nor the area within which it is located. The massing of the proposal has been much reduced by breaking it up into 2 dual pitched dormers as opposed to the large block flat roofed dormer extension originally proposed. It will not be readily viewed from within the street scene.

Design - The design of the rear dormers is considered acceptable. They will be constructed in materials to match and be sympathetic to those on the original dwellinghouse, and a condition to that effect would be attached to any consent granted. The windows have been designed so as to match those of the existing property by way of dimensions, symmetry and materials.

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

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. No significant problems have arisen during the consideration of this application and the application has been determined in accordance with the policies within the Development Plan.

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:
Application form dated 13th August 2020, Location plan dated 13th August 2020
Existing and proposed floor plans and rear elevation dated 29th October 2020
Existing and proposed Gable elevations dated 29th 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) Notwithstanding the details on the application form dated 13th August 2020, the materials to be used on the external surfaces of the extension hereby permitted shall match, or be similar to, those of the existing building in type, size, colour and texture, in this case hanging tiles should be used to match the existing roof, the windows should match those of the existing property.

Reason - To ensure 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 DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of 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 plans Existing and proposed floor plans and rear elevation 29th August 2020.

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

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 part of the development shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

83 Hazelbottom Road, Manchester, M8 0GQ
89 Hazelbottom Road, Manchester, M8 0GQ
9 Stoneyholme Avenue, Manchester, M8 0BX
5 Stoneyholme Avenue, Manchester, M8 0BX
91 Hazelbottom Road, Manchester, M8 0GQ
87 Hazelbottom Road, Manchester, M8 0GQ
85 Hazelbottom Road, Manchester, M8 0GQ

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
HSE COMAH Zone - H2654 MZ - Tenants Distribution Ltd Middle Zone
Flood Zones Type 2 (low to medium risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1