

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126995/FH/2020

Date registered valid: 10 June 2020

Proposal: Erection of two single storey rear extensions and installation of rear roof dormer to form additional living accommodation

Address: 31 Denham Street, Manchester, M13 0FJ

Ward(s): Ardwick Ward

Applicant: Mr Thi Thu Muoi Vo 31 Denham Street, Manchester, M13 0FJ

Agent (if any): Mr James Gooding LDM Surveyors Limited Suite 510 Piccadilly House, 49 Piccadilly, Manchester, M1 2AP

Case officer: Harriet Aidoo
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Recommendation: Approve

Date of recommendation: 12 October 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: 3 September 2020

Expired: 10 September 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:

Tree Preservation Order:

Description of site / building / area

The application relates to a traditional red brick end-of-terrace dwellinghouse in Ardwick ward. The frontage is to the back of pavement, and an alleyway runs immediately along the rear, along with a gated rear yard area. The immediate area around the site is predominantly residential, comprising of two storey, terraced dwellinghouses. The application site lies to the north of the Victoria Park Conservation Area.

Description of development

Consent is sought for the erection of two single storey rear extensions and installation of rear roof dormer to form additional living accommodation.

In terms of the proposed single storey rear extensions, one would project off the rear building line of the original house adjacent the boundary with the enclosed land along the side and would measure length 3m x width 2m x height 3.8m. The other would also project off the rear building line of the original house, and along the common shared boundary with no. 29 Denham Street, and would measure length 2m x width 2m x height 3.6m. 2 doors, and 2 windows are

proposed facing the rear yard area. In terms of materials, it is intended to use matching materials with the existing building.

With regards to the proposed rear dormer roof extension, width 3.6m x depth 2m x height 2m, it has been set-away from the boundaries and would be centrally placed along the roof plane, with 2 windows facing the alleyway. In terms of materials, it is unclear from the submitted information what the applicant proposes.

Consultations & Notification Responses

1. Local residents

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

POLICIES

The following policies are considered relevant in the consideration of this application.

1. The National Planning Policy Framework (NPPF), (February 2019)

2. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

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

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

- 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.

- In addition, the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The document advises that high quality design is a vital attribute of successful neighbourhoods.

- 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.
- 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 advised, consent is sought for the erection of two single storey rear extensions and installation of rear roof dormer to form additional living accommodation.

In terms of the proposed single storey rear extensions, one would project off the rear building line of the original house adjacent the boundary with the enclosed land along the side and would measure length 3m x width 2m x height 3.8m. The other would also project off the rear building line of the original house, and along the common shared boundary with no. 29 Denham Street, and would measure length 2m x width 2m x height 3.6m. 2 doors, and 2 windows are proposed facing the rear yard area. In terms of materials, it is intended to use matching materials with the existing building.

With regards to the proposed rear dormer roof extension, width 3.6m x depth 2m x height 2m, has been set-away from the boundaries and would be centrally placed along the roof plane, with 2 windows facing the alleyway. In terms of materials, it is unclear from the submitted information what the applicant proposes.

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 (rear extensions) - Given the alleyway along the rear of the application site, the proposal would not be readily visible from the streetscene and only by the occupiers of the immediate houses. It is not, however, considered that the proposal would adversely affect the neighbouring houses as the extensions would be single storey, and would not be out of character. Furthermore, the proposed lean-to pitched roof design is considered acceptable as it would reduce the potential for any undue overbearing impact. All proposed windows and doors would face the rear yard and there is also a significant separation from those properties along the rear of the application site. Additionally, the proposed maximum rearward projection at 3m is within the guidance set out in saved UDP policy DC1 for rearward extensions. It is not

therefore considered that the overall single storey structure would unduly impact upon the amenity of surrounding residents or the visual amenity of the locality.

Impact of works (rear roof dormer extension) - As previously outlined, the proposed rear dormer roof extension, width 3.6m x depth 2m x height 2m, has been positioned centrally within the rear roof plane, and significantly set-away from the common boundary with no.29 Denham Street and the adjacent open alleyway along the side elevation; it also set below the original roof ridge and above the eaves. Although it is considered that the proposed rear roof dormer would create no significant impact on the character of the property or general area in terms of visual amenity; it is however consider that given the design density of this housing type, the 2 proposed windows in such an elevated position present issues of privacy and overlooking, and therefore; it is recommended that a condition should be attached to ensure the residential amenity of the houses along the rear elevation is protected , by requiring the incorporation of obscurely glazing up to a height of 1.7m above internal floor level.

Design and appearance - In terms of facing materials for the rear single storey extensions, it is intended to use matching materials with the existing building, although a materials condition has been attached to ensure that that materials are adhered to. In terms of the materials to be used for the proposed rear dormer, it is unclear from the submitted information; therefore to ensure that would be no adverse impact on the character of the property or general area in terms of visual amenity, it is recommended that a condition is attached requiring the dormer walls are externally clad in slates matching the existing roof, along with the windows, fascia and guttering matching the existing house. For the reasons stated above and given its location at the rear of the application property, in context with the surrounding houses and the wider neighbourhood, it is not considered that the rear dormer would be acceptable.

Car parking - The existing arrangement would be unaffected.

Waste management - The existing arrangement would be unaffected. Wheeled bins can be stored within curtilage, screened behind boundary treatment and brought to the back of pavement on collection days, which is considered to be acceptable.

For the reasons outlined above, and subject to planning conditions, it is not therefore considered that the proposed single storey rear extensions, and the rear roof dormer extension would be unduly overbearing, nor would they 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

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 concerns to raise with the agent, but have attached the relevant 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:

- Location Plan, received by the City Council as the Local Planning Authority on 26 May 2020.
- Existing Site Plan, PS401, received by the City Council as the Local Planning Authority on 26 May 2020.
- Existing 3D Plans PS301, received by the City Council as the Local Planning Authority on 26 May 2020.
- Existing Elevations, PS201, received by the City Council as the Local Planning Authority on 26 May 2020.
- Existing Floor Plan, PS101, received by the City Council as the Local Planning Authority on 26 May 2020.
- Proposed Block Plan, PS402, received by the City Council as the Local Planning Authority on 26 May 2020.
- Proposed 3D Plan, PS302, received by the City Council as the Local Planning Authority on 26 May 2020.
- Proposed Elevations, PS202, received by the City Council as the Local Planning Authority on 26 May 2020.
- Proposed Floor Plans, PS102, received by the City Council as the Local Planning Authority on 26 May 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 materials annotated on the elevation plans, prior to erection of the above ground works, samples of the external facing materials to be used on the extension hereby permitted shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

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 materials annotated on the elevation plans, prior to erection of the above ground works, samples of the external facing materials to be used on the rear roof dormer extension hereby permitted shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved materials.

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.

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 extensions hereby approved other than those shown on: Proposed Block Plan - PS402, Proposed 3D Plan - PS302, Proposed Elevations - PS202, and Proposed Floor Plans - PS102, all received by the City Council as the Local Planning Authority on 26 May 2020.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

6) Before first occupation of the development thereby approved, the dormer windows facing the rear alleyway, as illustrated on: Proposed 3D Plan - PS302, Proposed Elevations - PS202, and Proposed Floor Plans - PS102, all received by the City Council as the Local Planning Authority on 26 May 2020, shall be obscurely glazed up to a height of 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 - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies EN1, SP1 and DM1 of the Core Strategy.

7) 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 resulting dwelling shall be used for any other purpose than 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 C3a.

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.

Appendix 1 – List of consultees & neighbours notified

27 Denham Street, Manchester, M13 0FJ
30 Eston Street, Manchester, M13 0FF
29 Denham Street, Manchester, M13 0FJ
32 Eston Street, Manchester, M13 0FF
28 Eston Street, Manchester, M13 0FF

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH2