MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	126056/FH/2020
Date registered valid:	30 March 2020
Proposal:	Erection of a single storey rear to provide additional living accommodation
Address:	9 Roseleigh Avenue, Manchester, M19 2NP
Ward(s):	Burnage Ward
Applicant:	Katy-Louyse Tottman 9 Roseleigh Avenue, Manchester, M19 2NP
Agent (if any):	Cubik Design Ltd 157 Harcourt Street, Stockport, SK5 6UP
Case officer:	Harriet Aidoo Tel: 0161 234 4532 Email: h.aidoo@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	19 May 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 February 2020

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 23 April 2020 Expired: 14 May 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

This application relates to a bay fronted semi-detached house with amenity space to the front, side and rear of the property. There is an existing garden shed/outbuilding sited at the bottom of the rear garden, close the common boundary with no.11 Roseleigh Avenue and Acacias Community Primary School. The existing house has a red-brick construction with rosemary roof tiles. The surrounding area is characterised by similar houses. Neighbouring houses have a variety of single storey and 2-storey extensions. The most notable extension in the immediate vicinity of the site is a substantial timber dormer roof extension at no. 11. The rear of the application property incorporates a single storey lean-to rear extension, which is stepped-away from the common boundary with no.11.

Description of development

The initially submitted scheme has been slightly revised in the interest of privacy and overlooking impacts on the occupiers of no.7 Roseliegh Avenue.

The 1no. proposed linear slot window along the side elevation would be opaquely glazed; the elevational alteration involving the proposed ground floor utility room window would also be opaquely glazed, and the proposed elevational alteration involving the ground floor door has

been omitted from the scheme, (Email from agent dated 30/03/2020 and attached plans and documents):

- Certificate B
- Proposed Ground Floor, Drawing Number TP05, REV A
- Proposed Elevations, Drawing Number TP08, REV A
- Copy of Email from Neighbour

The proposed single storey rear extension would measure, 4m (length) x 5.8m (width) x 3.2m (height). A flat roof design is proposed which will incorporate a window / roof lantern along the roof elevation. A glazed crittall door is proposed along the rear elevation facing the garden. The proposed linear slot window along the side elevation facing the common shared boundary with no.7 Roseliegh Avenue would be opaquely glazed, and the elevational alterations and internal reconfiguration are proposed at ground floor level, along the side elevation facing the common boundary with no.7 Roseliegh Avenue, with the introduction of a window to serve a utility room, which will also be opaquely glazed.

In terms of materials, it is proposed to use dark brick, and PVC aluminium windows, crittall doors and roof tiles.

Consultations & Notification Responses

1. Local residents

Occupiers of properties surrounding the application site were notified of the proposal. 1 objection, comments were received, (Public comment received 21/02/2020)

Following amendment to the initial plan, neighbours were re-consulted. No further objections were received. Comments were however received supporting the proposal and to withdraw the initial objection, (Email from agent dated 30/03/2020 attached plans and document; and Email from neighbour dated 11/03/2020)

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.

o 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.

o 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.

o Paragraph 2.14 goes on to says: 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 2.16 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, the initially submitted scheme has been slightly revised in the interest of privacy and overlooking impacts on the occupiers of no.7 Roseliegh Avenue.

The 1no. proposed linear slot window along the side elevation would be opaquely glazed; the elevational alteration involving the proposed ground floor utility room window would also be opaquely glazed, and the proposed elevational alteration involving the ground floor door has been omitted from the scheme, (Email from agent dated 30/03/2020 and attached plans and documents):

- Certificate B
- Proposed Ground Floor, Drawing Number TP05, REV A
- Proposed Elevations, Drawing Number TP08, REV A
- Copy of email from Neighbour

The proposed single storey rear extension would measure, 4m (length) x 5.8m (width) x 3.2m (height). A flat roof design is proposed which will incorporate a window/roof lantern along the roof elevation. A glazed crittall door is proposed along the rear elevation facing the garden. The proposed linear slot window along the side elevation facing the common shared boundary with no.7 Roseliegh Avenue would be opaquely glazed, and the elevational alterations and internal reconfiguration are proposed at ground floor level, along the side elevation facing the common boundary with no.7 Roseliegh Avenue, with the introduction of a window to serve a utility room, which will also be opaquely glazed.

In terms of materials, it is proposed to use dark brick, and PVC aluminium windows, crittall doors and roof tiles.

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.

Height, scale and massing

In terms of height, scale and massing; given the footprint and height of the existing single storey rear, lean-to extension, the proposed single storey rear extension is considered to be proportionate, as it would come forward of and sit along the common shared boundary with no. 11 Roseliegh Avenue (Certificate B has been submitted), and project slightly forward into the rear garden than the existing. The proposed single storey rear extension would measure, 4m (length) x 5.8m (width) x 3.2m (height). The existing access along the side elevation of the application property and shared common boundary with no.7 Roseliegh Avenue would be unaffected.

A flat roof design is proposed which will incorporate a window/roof lantern into the roof elevation. Given the proposed height and scale, it is therefore considered that the proposed development would be a proportionate addition to the house and would be subservient to the existing property. Therefore on balance, it is considered that the proposed extension would create no significant adverse impact in terms of height, scale and massing on the amenities of the neighbouring occupiers, pursuant to the requirements of Core Strategy policies EN1, DM1 and SP1.

Siting

In terms of siting, the proposed single storey rear extension would come forward of and sit along the common shared boundary with no. 11 Roseliegh Avenue (Certificate B has been submitted), and project slightly forward into the rear garden than the existing. The existing access along the side elevation of the application property and shared common boundary with no.7 Roseliegh Avenue would be unaffected. It is not considered that the proposal would adversely affect the streetscene or neighbouring houses. It would not be readily visible along the streetscene and can only be seen by the occupiers of the immediate site, specifically; those at no. 7 and 11 Roseliegh Avenue, and Acacias Community Primary School. There is also significant separation from those properties along the rear of the application site. On balance, it is therefore considered that the development meets the requirements of Core Strategy policies EN1, DM1 and SP1 and saved UDP policy DC1.

Residential amenity

It is considered that the proposed development would allow the adaptation of the existing dwelling to meet the changing needs of the occupiers, and given the revisions to the initial plans, the proposed linear slot window along the side elevation would be opaquely glazed; the elevational alteration involving the proposed ground floor utility room window would also be opaquely glazed, and the proposed elevational alteration involving the ground floor door having been omitted from the scheme mitigates the issues raised with the agent regarding privacy impacts. It is recommended that a condition is also attached to any planning permission in this

regard, given the contextual relationship with no. 7 Roseliegh Avenue, to ensure it is to be kept in perpetuity. For this reason, it is not considered that the development would result in undue overlooking or loss of privacy, and the proposed development would not affect the relationship of the site for configuration of neighbouring houses. In addition, a further condition has been recommended to ensure that only approved windows are incorporated into the proposed extension. On this basis, it is considered that the development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

Design and appearance

Given the revisions to the initial plan, it is not considered that the proposed development would unduly harm the character of the building or the general area. In terms of materials, it is proposed to use dark brick, and PVC aluminium windows, crittall doors and roof tiles which is considered acceptable in design terms given the existing materials on the original dwellinghouse. 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.

Waste Management

The existing waste management arrangements would be unaffected. Bins can still be store within curtilage, sufficiently screened behind boundary treatment and brought to the back of pavement on collection days; pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

Car Parking / Highways issues

The existing arrangement would be unaffected by the proposal, pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

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. In this instance, it has been negotiated that the proposed linear slot window along the side elevation would be opaquely glazed; the elevational alteration involving the proposed ground floor utility room window would also be opaquely glazed, and the proposed elevational alteration involving the ground floor door has been omitted from the scheme, (Email from agent dated 30/03/2020 and attached plans and documents). 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.

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:

- Householder Application for Planning Permission for works or extension to a dwelling forms, received by the City Council as the Local Planning Authority on 30 January 2020.
- Existing Dwelling Energy Efficiency Checklist, received by the City Council as the Local Planning Authority on 30 January 2020.
- Location Plan, Drawing Number TP01, received by the City Council as the Local Planning Authority on 30 January 2020.
- Existing Floor Plans, Drawing Number TP02, received by the City Council as the Local Planning Authority on 30 January 2020.
- Existing Elevations, Drawing Number TP03, received by the City Council as the Local Planning Authority on 30 January 2020.

- Existing Elevations, Drawing Number TP04, received by the City Council as the Local Planning Authority on 30 January 2020.

- Proposed First Floor Plan, Drawing Number TP06, received by the City Council as the Local Planning Authority on 30 January 2020.

- Proposed Elevations, Drawing Number TP07, received by the City Council as the Local Planning Authority on 30 January 2020.

- Sections, Drawing Number TP09, received by the City Council as the Local Planning Authority on 30 January 2020.

- Email from neighbour dated 11/03/2020

- Email from agent dated 30/03/2020 and attached plans and documents:

- Certificate B
- Proposed Ground Floor, Drawing Number TP05, REV A
- Proposed Elevations, Drawing Number TP08, REV A
- Copy of Email from Neighbour

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 building in terms of type, colour, texture and scale and as stated on the application form and 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 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:

- Proposed First Floor Plan, Drawing Number TP06, received by the City Council as the Local Planning Authority on 30 January 2020.

- Proposed Elevations, Drawing Number TP07, received by the City Council as the Local Planning Authority on 30 January 2020.

- Sections, Drawing Number TP09, received by the City Council as the Local Planning Authority on 30 January 2020.

- Email from agent dated 30/03/2020 and attached plans: Proposed Ground Floor, Drawing Number TP05, REV A, and Proposed Elevations, Drawing Number TP08, REV A.

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.

5) Before first occupation of the development thereby approved, the proposed linear slot window along the side elevation and the elevational alteration involving the proposed ground floor utility room window as shown on Email from agent dated 30/03/2020 and attached plans:

- Proposed Ground Floor, Drawing Number TP05, REV A, and Proposed Elevations, Drawing Number TP08, REV A, shall be opaquely 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, pursuant to The Manchester Core Strategy Development Plan Document, policies DM1 and SP1.

6) 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

7 Roseleigh Avenue, Manchester, M19 2NP
11 Roseleigh Avenue, Manchester, M19 2NP
13 Roseleigh Avenue, Manchester, M19 2NP
15 Roseleigh Avenue, Manchester, M19 2NP

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
Area Team Boundary - Name: NORTH2