

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132939/FH/2022
Date registered valid: 25 February 2022
Proposal: Erection of ground floor rear extension to form additional living accommodation
Address: 82 Broom Avenue, Manchester, M19 2UP
Ward(s): Levenshulme Ward

Applicant: Ms Ozma Khan
Agent (if any): Ms Ozma Khan
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 8 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 09.03.2023

Standard consultations:

Printed: 28 February 2022 Expired: 21 March 2022

Neighbour notifications

Printed: 28 February 2022 Expired: 21 March 2022

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

The application relates to a Victorian end terraced dwellinghouse in Levenshulme Ward. The property is located at the junction of Broom Avenue and Ventnor Avenue . A canopy has been erected over the yard area to the south and west of the rear outrigger, which has been in situ for a period well in excess of 4 years, and as such is lawful.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The dwellinghouse is located within a predominantly residential area with houses to the west and south . St. Andrews primary school and nursery are located to the north west of the property , and Highfield Country Park to the north across Broom Avenue, and also to the east of the terrace of houses within which this dwelling is located .

Description of development

Consent is sought the erection of a single storey rear extension to the rear of the existing outrigger. The proposed single storey extension would be 2.6m in width and 4.2m in length, with a pitch roof. The proposed extension would create a bathroom and small utility area to meet the needs of the occupier. An obscurely glazed window is proposed to the westerly elevation , with the eastern, and south elevation comprising a blank gable and rear wall respectively.

The single storey rear extension would be 2.2m in height to eaves, and 4.07m in height to the top of the roof slope .

Consultations & Notification Responses

Local residents – an objection was received in relation to the originally submitted plans. Concerns were expressed that the proposed structure would adversely impact on the levels of light to adjoining occupiers, due to the height of the proposed sloped roof to the extension, with the new roof meeting the existing structure at the bottom of the current first floor window. The comments received confirmed the presence a temporary (mostly wooden) structure to the rear of the property with a sloped roof, which the resident cites effects the levels of sunlight to adjoining dwellings.

The resident states that they do not object to the extension itself, but wish to raise concerns about the height of the roof specifically.

A further objection has been received from the same resident on 08.09.2023, advising they have reviewed the scheme and comparing it against the current canopy that is in place. They reiterate their concerns in relation to the height and angle of the proposed roof, and that in their view it will lead to overshadowing and loss of sunlight. They feel the roof seems unnecessarily high angled and would be 4- 5ft higher than their current canopy, which already reduces the levels of in the afternoon and evening. Furthermore, the scheme does not show drainage/guttering for the extension. They wish to raise this matter, as they advise the applicant has recently installed guttering and downpipe for the canopy that overhangs into and is within the boundaries of the ginnel to the rear, together with paving that also covers the cobbles there. They question whether the applicant has been allowed to do this and whether the proposed extension will rely on the installed rainwater goods for drainage.

Environmental Health – Have no comments.

Issues

POLICIES

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Notwithstanding the requirements within the National Planning Policy Framework, an assessment of the impact of the proposal needs to be considered within the context of other documents as outlined below:

Manchester Core Strategy

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

Relevant policies are policy SP1 (Spatial Principles), policy DM1 (Development Management) and policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies:

Large elements of the UDP have been superseded by the Core Strategy. Saved policies DC1.1, DC1.2, DC1.3, DC1.4 and DC1.5 which relate to determining planning applications for extensions to residential properties are of relevance in the consideration of this application.

DC1.5 The council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

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 guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

It advises that high quality design is a vital attribute of successful neighbourhoods. 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.

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

Principle

The submitted application is for a proposed rearward extension to an existing outrigger. The principle of the proposal is considered to be acceptable in that it is intended to benefit the needs of the occupier residing at the dwellinghouse that requires accommodation at ground floor level to meet their needs. On balance it is considered that the proposal represents a proportionate addition to the existing building to create improved accessible accommodation. It is therefore considered that the development responds positively to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1 of the Unitary Development Plan.

Residential / Visual Amenity

Approval is sought for a single storey rear extension 4.2 m in depth and 2.6m in width, with a pitched roof. The proposed extension would be located alongside the boundary with the adjacent terraced house, and would extend part way across the rear elevation of the existing outrigger. An obscurely glazed window is proposed in the western elevation adjoining the retained yard area, and a further window would be incorporated within the roof slope. Whilst it is

not considered that an obscure glazing condition would be needed , given the location of the window openings, and the screening provided by the retained existing boundary treatment , it is however, proposed to attach a condition to prevent the installation of additional windows without the benefit of permission to safeguard residential amenity. On this basis, it is considered that development responds positively to Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Height, scale and massing

Concerns by a local resident in relation of loss of light and the height and slope of the proposed roof have been noted . Due to the southward orientation of the proposed rear extension , it is acknowledged that the occupiers of the adjoining terraced dwellinghouse to the south east would experience some loss of sunlight during evenings. However, given the proposed roof arrangement and the single storey nature of the proposed development , it is not considered that the reduction in the levels of sunlight would be so significant to warrant refusal of the proposed development. Furthermore , this matter needs to be balanced with the needs of the occupier to create a bathroom at ground floor level.

It is considered that the scale of the development and its massing in relation to the surrounding context would be acceptable.

Siting

The proposed extension would be contained within the existing curtilage of the property. The proposed extension would be 4.2 m in length, and 2.6m in width, and would extend part way across the rear elevation of the existing outrigger, not projecting beyond the north western elevation of the outrigger .

It is considered that the proposal would not detract from the character and appearance of the existing house, due to the context, and siting, and that the proposed siting of the rear extension would not adversely affect neighbouring houses, and meets the requirements of Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

Overall, the proposal has been designed to be in keeping with the design and character of the existing house. It would therefore not adversely affect the appearance of the existing dwelling or visual amenity within the area, and is considered to be acceptable.

Design and Appearance

As outlined above, the submitted application relates to the proposed installation of a single storey pitched roof rear extension, extending from the existing rear outrigger

It is proposed that the materials to be used would match the forming the existing dwellinghouse. A materials condition, however, is proposed to be attached to ensure that the specified materials are adhered to, and colouration is in keeping with the character of the dwellinghouse.

Car parking

There is no off street parking associated with the dwellinghouse, but there are no restrictions in relation to on street parking in front or to the side of the property. The proposed development is not considered to give rise parking issues.

Refuse storage

The existing arrangements for refuse storage would be affected by the proposals, as space would be retained within the rear yard which can be used for the storage of bins , which can be brought out via a pedestrian gated access onto Ventnor Avenue for collection.

Ground conditions

The dwellinghouse lies in proximity to Highfield Country Park, part of which in proximity to Broom Avenue was formerly used as a landfill site. Environmental health officers have not sought the attachment of a gas membrane condition, due to the on-going monitoring of this landfill and the available data resulting from the on-going monitoring.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner in order to achieve solutions to problems arising from the consideration of this planning application. In this instance, clarification was sought in regard to matters relating to existing structures on site..

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 ref: P101 received 15th February 2022;

Proposed site plan ref: P103 rev.A received 23rd February 2022;

Proposed Plan and elevations plan ref: P105rev.D received 06.09.2023

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 external facing materials to be used to form the extension hereby permitted shall match those of the existing building 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 policies DM1 and SP1 of the Manchester Core Strategy(2012).

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 development hereby approved other than those shown on: Proposed layout and Elevation drawing ref: P105 rev. D received by the City Council as the Local Planning Authority on 6th September 2023.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy SP1 and DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Environmental Health

84 Broom Avenue, Manchester, M19 2UP
2 Ventnor Avenue, Manchester, M19 2UF
3 Ventnor Avenue, Manchester, M19 2UF
86 Broom Avenue, Manchester, M19 2UP
80 Broom Avenue, Manchester, M19 2UP
1 Ventnor Avenue, Manchester, M19 2UF
St Andrews CE Primary School, Broom Avenue, Manchester, M19 2UH
78 Broom Avenue, Manchester, M19 2UP
4 Ventnor Avenue, Manchester, M19 2UF

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: NORTH