

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134511/FH/2022

Date registered valid: 27 July 2022

Proposal: Erection of single storey rear extension and rear roof dormer to create additional living accommodation

Address: 14 Elsham Gardens, Manchester, M18 7DJ

Ward(s): Longsight Ward

Applicant: Mr Mohammed Younus, 14 Elsham Gardens, Manchester, M18 7DJ

Agent (if any): Mr Dean King, NK Architectural, 19 Hexagon Close, Manchester, M8 5EB

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 02 November 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8 August 2022

Standard consultations:

Printed: 2 August 2022 Expired: 23 August 2022

Neighbour notifications

Printed: 2 August 2022 Expired: 23 August 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site / building / area

14 Elsham Gardens is a two-storey mid-terrace dwellinghouse situated within a row of six properties, within a predominantly residential area of properties of similar type. The application property benefits from amenity space to the front and rear elevations, off-street car parking along the frontage, including boundary treatment. There is an existing shared access between nos. 12 and 14 Elsham Gardens which leads to separate gated access to the rear garden of each property. Within the rear garden of the application site are two small outbuildings, sited close to the common shared boundary with 12 Elsham Gardens. The existing depth of rear garden is approximately 7.1 metres from the rear building line of the application building to the common shared boundary fence with Gorebrook Court.

Description of development

The submitted proposal relates to erection of single storey rear extension and rear roof dormer to create additional living accommodation.

Following negotiations, the initially submitted plan has been slightly revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 14/09/2022 and 21/09/2022). The revised plan would comprise of:

- The initially proposed rearward projection of the single storey extension has been reduced in depth and would not exceed 3500mm.
- The initially proposed outward opening door into the shared ginnel, has been removed.
- The initially proposed width of the single storey rear extension has been pulled in and stepped away from the common shared with 12 Elsham Gardens, and 1no. door would be located along this elevation.

The proposed single storey rear extension which would lead to the creation of an extended kitchen/dining/living area and would measure: (approximately length 3500mm x width 4853mm x maximum height 2786mm). It would sit along the common shared boundary with 16 Elsham Gardens, and would retain a separation distance of approximately 1106mm from the common shared boundary with 12 Elsham Gardens, whilst covering the significant width of the original dwellinghouse. The proposed single storey rear extension would have a flat roof - which would incorporate 1.no window along this elevation; bi-fold doors along the rear elevation, including 1.no door along the side elevation.

In terms of the proposed rear dormer roof extension, it would measure approximately (width 5930mm x depth 3117mm x height 2333mm), has been positioned centrally within the rear roof plane, set-away from the boundaries and it is also set below the original roof ridge and above the eaves, with windows facing the rear garden.

In terms of external facing materials, it is intended to use materials matching those on the existing house, including the dormer wall which would be clad in "Cembrit Fibre Cement Dark Grey" hanging tiles.

Consultations & Notification Responses

1. Local residents

No comments, objections or representation received.

2. Environmental Health

Informative to be attached relating to a Contaminated Land Watching Brief: -

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

POLICIES

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local

people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework has been related to the proposed development, with particular emphasis given to the following:

- Chapter 8: Promoting healthy and safe communities.
- Chapter 12: Achieving well-designed places.

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

The following policies are relevant to the proposed development:

- 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.

- Saved 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 - The document aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. It advises that high quality design is a vital attribute of successful neighbourhoods.

The following paragraphs are of particular relevance:

i. Section 2 Design - Discusses the importance of the design of new development in relation to surrounding neighbourhoods and the character of its streets, in terms of its layout, design, scale, massing and orientation of its buildings to achieve a unified urban form to enliven the neighbourhood and its sustainability. The density of the development should also be informed by the characteristics of an area and the specific circumstances of the proposals. It is considered that these design principles have been satisfactorily incorporated into the development.

ii. Section 8 Community Safety and Crime Prevention - Relates the importance of creating safe environments through the incorporation of informal surveillance and crime prevention measures as an integral part of new development. These objectives have been related to the assessment of the proposed design and layout of the development.

ISSUES

Following negotiations, the initially submitted plan has been slightly revised in the interest of residential amenity, and revised plans subsequently submitted, (dated, 14/09/2022 and 21/09/2022)

Principle of development

The principle of the proposal 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 (single storey rear extension) - In light of the revised plans, and given the existing contextual relationship of the proposed extension to the rear and side boundaries, the single storey nature of the extension to the rear of the property it is considered that there would be no significant impact in terms of massing from the extension, it is therefore considered that the proposal would not have an undue impact to the neighbouring houses, specifically; nos.12 and 16 Elsham Gardens. Furthermore , there are considered to be no significant impacts in regard to overshadowing or loss of privacy . Therefore, on balance and subject to planning conditions, it is considered that the proposed extension could be accommodated in this location. It is however recommended that given the relationship of the proposal to the rear boundaries, and the proposed depth of rear garden that would be retained, a condition is attached requiring that no outbuildings, sheds or extensions shall be erected without the express consent of the City Council as the Local Planning Authority to safeguard residential amenity.

Impact of works (rear roof dormer extension) - It is not considered that the proposed rear roof dormer would create an undue impact on the character of the property or general area in terms of visual amenity The dormer has been positioned centrally within the rear roof plane, set-away from the boundaries and it is also set below the original roof ridge and above the eaves and it would also reflect similar developments in the immediate area. It is however recommended that the proposed dormer window to serve the room (annotated as "EN-SUITE") is conditioned requiring it to be obscurely glazed, including a materials condition to ensure materials are adhered to.

Impact of works (Design and appearance) - In terms of external facing materials, it is intended to use materials matching those on the existing house, including the dormer walls which would be clad in "Cembrit Fibre Cement Dark Grey" hanging tiles. For the reasons stated above and given the contextual relationship with the surrounding houses and the wider neighbourhood, it is not considered that the proposed development would be acceptable in design terms. Additionally, the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset. However, a condition has been attached to ensure that materials are adhered to.

Impact of works (Car Parking) - The existing arrangement would be unaffected.

Impact of works (Waste Management) - The existing arrangement would be unaffected; however, it is also intended to locate a bin store along the front driveway, (revised plans, dated 21/09/2022). Bins would be stored in this location and brought to the back of pavement on collection days.

Conclusion - For the reasons outlined above, and subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (July 2021); policies SP1, DM1, EN1, T2 and EN19 of The Manchester Core Strategy Development Plan Document (July 2012); saved policy DC1 of the Unitary Development Plan (1995); and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007).

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

In assessing the merits of a planning application officers will seek to work with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application. In this instance, the initially submitted plan has been slightly revised in the interest of residential amenity, (dated, 14/09/2022 and 21/09/2022). The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, the Core Strategy, the National Planning Policy Framework and all other material considerations. The local planning authority had no other issues to raise with the 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 and documents:

- Householder Application for Planning Permission for works or extension to a dwelling form, received by the City Council as the Local Planning Authority on 27 July 2022.
- Site Plan and Location Plan with application site edged in red, drawing number A106, received by the City Council as the Local Planning Authority on 27 July 2022.
- Existing Floor Plans, drawing number A100, received by the City Council as the Local Planning Authority on 27 July 2022.
- Existing Elevations, drawing number A101, received by the City Council as the Local Planning Authority on 27 July 2022.
- Proposed Floor Plans, drawing number A102A, received by the City Council as the Local Planning Authority on 14 September 2022.
- Proposed Elevations, drawing number A104B, received by the City Council as the Local Planning Authority on 21 September 2022.

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 materials used to construct the external elevations of the single storey rear extension hereby approved shall match the existing dwellinghouse, in terms of colour, type, scale and method of coursing and pointing and as stated on the application form and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The rear roof dormer extension hereby approve shall be clad in "Cembrit Fibre Cement Dark Grey" hanging tiles and as stated on the submitted information and approved drawings.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of 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 development hereby approved other than those stated on:

- Proposed Floor Plans, drawing number A102A, received by the City Council as the Local Planning Authority on 14 September 2022, and Proposed Elevations, drawing number A104B, received by the City Council as the Local Planning Authority on 21 September 2022.

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

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 outbuildings, sheds or extensions shall be erected without the express consent of the City Council as the Local Planning Authority.

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

7) Before first occupation of the development thereby approved, the proposed dormer window to serve the room (annotated as "EN-SUITE") and as shown on: Proposed Floor Plans, drawing number A102A, received by the City Council as the Local Planning Authority on 14 September 2022 and Proposed Elevations, drawing number A104B, received by the City Council as the Local Planning Authority on 21 September 2022, shall be obscurely 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 - In the interest of privacy and in accordance with policies EN1, SP1 and DM1 of the Core Strategy.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

Informative

- 1) In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to

cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

20 Elsham Gardens, Manchester, M18 7DJ
12 Elsham Gardens, Manchester, M18 7DJ
18 Elsham Gardens, Manchester, M18 7DJ
16 Elsham Gardens, Manchester, M18 7DJ
10 Elsham Gardens, Manchester, M18 7DJ

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA