

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133862/FH/2022

Date registered valid: 25 May 2022

Proposal: Erection of two storey rear extension to form additional living accommodation

Address: 438 Victoria Avenue East, Manchester, M40 5SH

Ward(s): Charlestown Ward

Applicant: Mr Andrew Cope 438 Victoria Avenue East, Manchester, Manchester, M40 5SH

Agent (if any): Mr Stuart Broadhurst Purple Plans Ltd 1 Central Avenue, Greenfield, Oldham, OL3 7DH

Case officer: Adam Mitchell
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Recommendation: Approve

Date of recommendation: 20.07.2022

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: 27 May 2022 Expired: 17 June 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application property relates to a detached two storey, red brick property located within a predominately residential area within the Charlestown ward of North Manchester. The property features amenity space to the front including space for two off street car parking spaces and a splayed spacious rear garden. Timber fencing comprises the rear and shared boundary treatment.

The remainder of the area is predominately residential in nature and are houses of similar style and design of the proposal site.

Description of development

The applicant is seeking planning permission for the erection of a two storey rear extension to form additional living accommodation. The ground floor element of the extension accommodates an extended lounge area including a window in the rear elevation. The first floor element would comprise an additional bedroom including one window in rear elevation. The extension would incorporate a drop down dimension (0.58 metres) from the original ridge height and would consist of the following dimensions; Height 6.7 metres /(at the eaves) 5.7 metres, Width 3.8 metres and Rear Projection 4.2 metres. Additionally, the extension would be sited approx. 0.5 metres (at its closest distance) and 4.5 metres away from the shared boundaries with 440 and 436 Victoria Avenue respectively. The roof profile would consist of a pitched hipped roof with the revised floor plans drawings received as stamped by the City Council on 20.07.2022 illustrating the design on the site layout plan.

Consultations & Notification Responses

Local residents were notified however none responded.

Environmental Health – recommend that the condition set out below is attached to any approval:

Residential sound insulation

a) Before the development commences a scheme for acoustically insulating the proposed residential accommodation against noise from Victoria Avenue East, M60 Motorway and surrounding roads shall be submitted to and approved in writing by the City Council as local planning authority. There may be other actual or potential sources of noise which require consideration on or near the site, including any local commercial/industrial premises. The approved noise insulation and ventilation scheme shall be completed before any of the dwelling units are occupied.

Noise survey data shall include measurements taken during a rush-hour period and night time to determine the appropriate sound insulation measures necessary. The following noise criteria shall be required to be achieved:

Bedrooms (night time - 23.00 - 07.00)	30 dB LAeq (individual noise events shall not exceed 45 dB L _{Amax,F} by more than 15 times)
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Living Rooms (daytime - 07.00 - 23.00)	35 dB LAeq
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b) Prior to first occupation of the residential units, a verification report shall be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic consultant's report. The report shall also undertake post completion testing to confirm that the internal noise criteria have been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the internal noise criteria.

Reason: To secure a reduction in noise from traffic or other sources in order to protect future residents from noise disturbance

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.1 states that the Council will have regard to:

- a) The general character of the property
- b) The effect upon the amenity of neighbouring occupiers
- c) The overall appearance of the proposal in the street scene;
- d) The effect of the loss of any on-site car-parking

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a) the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b) the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c) the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:

- 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Principle

The proposed development is for the erection of a two storey rear extension to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties.

Issues

As mentioned above the two storey rear extension will have the following dimensions Height 6.7 metres / (at the eaves) 5.7 metres, Width 3.8 metres and Rear Projection 4.2 metres. Additionally, the extension would be sited approx. 0.5 metres (at its closest distance) to the shared boundary with 440 Victoria Avenue East. It is considered given the set-in dimension from the shared boundary that overbearing and overshadowing impacts would be minimal. It should be noted that residents at 440 Victoria Avenue East would experience additional shadowing along their western boundary during the evening. Furthermore, the proposal would not give rise to any overlooking or privacy implications since there are no windows within the side elevation facing no. 440.

Given the gap between the two properties and the depth of the proposal (4.2 metres) it is not considered that the proposal would add an overdominate feature along the shared boundary. However, it should be noted that the rearward projection is greater than what is stated within Policy DC1.3 of the Saved Unitary Development Plan, it is below that which could be implemented as a maximum length under the larger homes extension regulations. It is considered that the revised scheme would not give rise to significant adverse impacts to visual and residential amenity to the neighbouring properties as to warrant refusal to the proposed development.

The proposed development would allow for amenity space to be retained along the front, side and rear of the application site, with the existing off-street car-parking to be maintained.

There are no windows proposed in the side elevations, and as such there is no detrimental impact relating to overlooking or loss of privacy to neighbouring properties. The windows and doors as well as the first floor window are located in the rear elevation and would overlook the applicants own garden. A condition would be attached to any consent granted to restrict the installation of any additional fenestration. Due to the above stated reasons the proposal is considered acceptable and in accordance with saved UDP policy DC1 and Core Strategy Policies DM1 and SP1.

Visual Amenity

The drop in ridge height of the roof assists in making the extension subservient to the existing property. The use of similar materials to the original dwelling in assimilating the extensions to the existing property and the wider street scene. Given the set back and gap to the boundary and the set back of the property from the street it is not considered that the proposal would give rise to concerns of terracing along the street. The proposal is to enlarge a detached property that sits within substantial grounds as such it is not considered to give rise to unacceptable impacts on the visual amenity or character of the area or the streetscene, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UDP policy DC1.

Design and Appearance

It is not considered that the proposed development would unduly harm the character of the building or the general area. The materials would match the existing, although it is recommended a materials condition is 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.

Height, Scale and Massing

The height of the proposed extensions appropriately relates to the height parameters of the existing building. It is considered that the proposed extension has been designed to take account of the design and siting of the neighbouring properties. On this basis, the proposed development has been appropriately related to Core Strategy policies SP1, EN1 and DM1, saved Unitary Development Planning policy DC1 and the National Planning Policy Framework.

It is therefore considered the development would be consistent with the aspirations of saved UDP Policy DC1 and Core Strategy Policy DM1, in regard to proposed developments making positive contribution to neighbourhoods taking into consideration the effects of development upon amenity, living conditions and wellbeing of residents.

Waste Management

There is sufficient land to the rear of the property to store the bins without causing any additional residential amenity.

Environmental Health Comments

The comments of Environmental Health has been noted , however , due to the location of the proposed extension to the rear of the house, effectively set behind and screened by a traditionally built detached house , it is considered to be an onerous requirement, and it is not proposed to attach this condition to any approval

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

Officers have worked with the agent/applicant in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the application.

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 date of three years beginning with the date of 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, stamped as received by the City Council as Local Planning Authority on 25 May 2022.

Drawing: Proposed Plans ref: 892-22-02 rev.B, stamped as received by the City Council as Local Planning Authority on 20 July 2022.

Drawing: Location Plan, stamped as received by the City Council as Local Planning Authority on 25 May 2022.

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.

- 3) The materials to be used on the external surfaces of the proposed extensions hereby submitted shall match those of the existing dwellinghouse, in type, size, colour and texture.

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.

Reason- In the interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1.

Appendix 1 – List of consultees & neighbours notified

436 Victoria Avenue East, Manchester, M40 5SH
841 Moston Lane, Manchester, M40 5RT
440 Victoria Avenue East, Manchester, M40 5SH

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH