

List No. 2

Crumpsall Ward	Application Number 082460/FH/2007/N1	Date of Appln 9th Mar 2007	Committee Date 31st May 2007
Proposal	Two storey side extension and part single storey part two storey extension following demolition of existing garage		
Location	24 Boardman Road, Crumpsall, Manchester, M8 4FH,		
Applicant	Mr A Mahmood 24 Boardman Road, Crumpsall, Manchester, M8 4FH,		
Agent	Basetech Limited 24 Maple Grove, Worsley, Manchester, M28 7FB		

Description

The application site relates to a two storey semi-detached dwelling house, situated at the corner of Boardman Road and Dales Avenue. The site is additionally occupied by a large detached domestic garage, which is located to the side and rear towards Dales Avenue. The proposal would involve the erection of a two storey side and rear extension to comprise additional living accommodation, following demolition of the existing detached garage. External materials would match existing.

Planning permission was previously sought for the erection of two-storey side and rear extensions and two single storey rear extensions on 18 August 2006 (080475). The application was withdrawn on 6 October 2006 following concerns regarding car parking and visual impact.

Consultations

Local Residents/Local Businesses - Four letters of objection have been received. These relate to concerns regarding visual impact, car parking, loss of privacy, loss of daylight, insufficient amenity space, and disruption from building works.

Head of Regulatory & Enforcement Services - Confirmed no objections.

Issues

Unitary Development Plan for the City of Manchester (adopted 1995)
Policy DC1 of the Unitary Development Plan for the City of Manchester (adopted 1995) seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed.

Policy H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995) seeks to maintain and where necessary improve the quality of the housing stock and residential environments. The matters which the Council will consider in coming to such decisions will include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

There are no policies contained within RPG13 which specifically affect the proposal.

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Visual impact

There is an existing detached garage occupying part of the site of the proposed extension. The garage is sizeable, and by virtue of this size and its position in close proximity to the Dales Avenue boundary it is visually dominant. Dales Avenue is otherwise open in character and this is clearly demonstrated at the side of 22 Boardman Road where the original building line is intact. However there is not a strong common building line along Dales Avenue by virtue of the arrangement of buildings including 24 Boardman Road.

The proposed extension would be subservient to the existing building and would not in itself be unduly large relative to it. It would also be further from the boundary with Dales Avenue than the existing garage.

Given all of the above factors in combination, it is not considered that the proposed extension would have such an enclosing effect or visual impact on the street scene over and above the existing situation as to warrant refusal of the application.

It is noted that the applicant has reduced the size of the extension to address the concerns expressed previously.

Other issues raised by objectors

Loss of light: the two-storey extension would be sufficiently distant from habitable room windows at no.26, and of such a rearward extent, as to preclude any significant loss of daylight to those windows which would warrant refusal of the application. The single storey extension would not have a significant effect on the basis of its height and its rearward extent.

Overshadowing: the extension would be situated to the south of no.26. Therefore there would be overshadowing of some of that property for part of the day as a result of the extension. However, as this would affect only part of the property for part of the day, it is not considered that it would be overshadowed to such a degree as to warrant refusal of the application.

Overlooking and loss of privacy: the proposal does not include any side windows facing towards no.26 and as such there would not be an associated loss of privacy as a result of the extension. The proposal includes a first floor window at the rear however this would face towards the front garden of no.1 Dales and as such it is not considered that it would lead to a significant loss of privacy to occupiers.

Highway safety

The proposal incorporates an open car port. A reasonable amount of in-curtilage car parking would remain following the erection of the extension, allowing car parking for one car, and including the driveway the open parking area would be greater than 5.5m in length. It is therefore not expected that a parked car in the driveway would be likely to overhang the footway.

Private useable outdoor amenity space

The extension would be erected following demolition of the existing garage. Therefore it is considered that a sufficient amount of private useable outdoor amenity space would remain following the erection of the extension.

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Car parking

Off-street car parking would remain available following the erection of the extension. It is considered reasonable to require the retention of one off-street car parking space per residential dwelling. It is not within the scope of the development control process in this case to deal with inconsiderate or unauthorised car parking. The matter of inconsiderate parking and limited availability of car parking within the site therefore carries little weight in determining the application in this case and would not warrant refusal.

Disruption from building works

Building works for the extension would potentially cause some disturbance in terms of noise, dust and additional parking requirements for builders' vehicles. However this would be a temporary situation and is to be expected on occasion. Such problems during construction are within the remit of the Head of Regulatory Services where appropriate and given the above do not carry sufficient weight to warrant refusal of the application.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Approve in light of the development plan, including policies H2.2 and DC1 of the Unitary Development Plan for the City of Manchester (adopted 1995), on the basis that the proposal would not have a significant detrimental effect on the street scene or neighbour amenities while accommodating the demand for more living space.

Conditions and/or Reasons

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.

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2) The development hereby approved shall be carried out in accordance with the drawings numbered 01 rev B, 02, 04, and 08, each date stamped as received by the local planning authority on 9 March 2007, and 05 revC date stamped as received by the local planning authority on 11 May 2007, unless otherwise agreed in writing by the City Council as local planning authority.

Reason

To ensure that the development is carried out in accordance with the approved plans, pursuant to policy DC1 of the Unitary Development Plan for the City of Manchester (adopted 1995).

3) No trade or business shall be carried out in the garage because the use of the garage for trade or business purposes would require a separate grant of planning permission.

Reason

The use of the garage for any use other than ancillary to residential use would constitute development requiring planning permission.

4) The development hereby approved shall not commence until such time as the existing detached garage has been demolished and removed in its entirety.

Reason

In the interests of visual amenity and to secure an appropriate amount of private outdoor amenity space, pursuant to policy DC1 of the Unitary Development Plan for the City of Manchester (adopted 1995).

5) Unless otherwise approved in writing by the City Council as local planning authority, all new external work and finishes, and work of making good, shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance.

Reason

To ensure that the appearance of the development is acceptable to the City Council as local planning authority, in the interests of the visual amenity of the area within which the site is located, pursuant to policy DC1 of the Unitary Development Plan for the City of Manchester (adopted 1995).

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 082460/FH/2007/N1 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Head of Regulatory and Enforcement Services
1-8 Dales Avenue, Manchester, M8 4NU

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26-29 Boardman Road, Manchester, M8 4WS
31 Boardman Road, Manchester, M8 4WS
33 Boardman Road, Manchester, M8 4WS
35 Boardman Road, Manchester, M8 4WS
37 Boardman Road, Manchester, M8 4WS
39 Boardman Road, Manchester, M8 4WS
41 Boardman Road, Manchester, M8 4WS
43 Boardman Road, Manchester, M8 4WS
45 Boardman Road, Manchester, M8 4WS
47 Boardman Road, Manchester, M8 4WS
22 Boardman Road, Manchester, M8 4FH

Representations were received from the following third parties:

Head of Regulatory and Enforcement Services
Mr Quinn, 33 Boardman Road, Manchester, M8 4WS
Sir/Madam, 39 Boardman Road, Manchester, M8 4WS
Carol Quinn, 26 Boardman Road, Manchester, M8 4FH
Mr And Mrs Williams, 28 Boardman Road, Manchester, M8 4FH

Relevant Contact Officer: : Robert Lilburn
Telephone No. : 0161 234 4166
Email : r.lilburn@manchester.gov.uk