

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133111/FH/2022

Date registered valid: 3 March 2022

Proposal: Erection of two storey side and part single, part two storey rear extensions to provide additional living accommodation

Address: 22 Bentley Road, Manchester, M21 9WD

Ward(s): Chorlton Ward

Applicant: Mr David Gilmore, Chilli Properties Limited, 109 Gravel Lane, Wilmslow, Cheshire, SK9 6LZ

Agent (if any): Mr Matthew Condron, Condron Design Consultants Ltd, 79 Ash Drive, Wardley, M27 9RU

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 March 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 10 March 2022 Expired: 31 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached dwellinghouse of red brick and white render, with a grey tiled hipped roof, front facing bay windows. The property sits on a regular oblong plot which includes front and rear gardens.

Description of area

Bentley Road is a short residential cul-de-sac within the Chorlton ward, which benefits from its proximity to the district centre, tram stop and both Longford Park and Turn Moss.

Description of development

Erection of two storey side and part single, part two storey rear extensions to provide additional living accommodation

One previous planning application at the address is referenced below:

087062/FH/2008/S1 Erection of a two storey side extension to form additional living accommodation following demolition of existing garage. The proposed scheme has been approved previously.

Negotiations

The proposal has been modified by reducing the rearward projection of the first-floor extension by 3 metres to reduce the distance from the common boundary that runs between the properties on Nicolas Road and the application site.

Consultations & Notification Responses

The first consultations exercise, three objection letters were received. Concerns raised by the objectors, include the rear windows would give rise to overlooking, impacting on the occupier's privacy due to the proximity of the extension and due to the position would reduce the light levels at certain parts of the year.

The proposal was modified by reducing the first-floor rearward projection to alleviate the concerns of overlooking to the properties on Nicolas Road and 7 day re consultation exercise was carried out and two letters of objection were received reiterating concerns that have already been raised. Both objectors commented that despite the amendments to the proposal the issues of overlooking and privacy still remain and one objector commented that a 7 day re consultation period was insufficient in terms of time for neighbour to object.

The

Issues

Issues

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o 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, in particular policy 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.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity

The applicant proposes to erect a two-storey side and part single part two storey rear extension to form additional living accommodation.

The property is located on at the head of a Cul de Sac within a predominantly residential area.

Ground Floor

The ground and first floor element of the proposal would be set back from the front of the property, extending along the side and project beyond the rear elevation of the existing single storey extension by approximately 3m. The side extension has elements which are staggered measuring 5m overall. A significant gap between the gable of the extension is maintained due to the boundary being splayed. There are no windows proposed on the side facing the no adjoining property and due to its position and distance from the neighbouring property no 21 Bentley Road this intervention would not give rise to overlooking or loss of privacy on the adjacent neighbouring property.

First Floor

The first-floor element of the proposal terminates with the original elevation of the dwelling house. The apex roof would be set down significantly from the existing ridge height to reflect the existing roof design of the property. No Windows would be located on the side facing the none adjoining property. The rear two-storey extension brings build form closer to the properties to the rear and side of the application site however, due to the distance between the extension and the neighbouring properties there is no overlooking or loss of privacy on the adjacent neighbouring properties.

Given the retained gap to the shared boundary of the adjacent semi-detached property and the distance between the properties, rear of the application site together with the orientation of the property, it is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers. Furthermore, given the relationship to the adjacent property no . 21 Bentley Road and the setback provided by the extension, it is considered that the proposal would not provide terracing or any loss of amenity within the street scene.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials it is intended to use brick, tiles and render as specified in the application form and the render are is indicated on the drawings. Overall, the design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Refuse Bins

Bins storage is not affected by this proposal as there is adequate space along the side for the movement and storage of bins and therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Off street car parking space would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

Issues Raised by Objector.

Concerns of overlooking and impact on sunlight on the nearby properties, due to the size and position of the extension has been raised by residents. The issues relate to the two-storey side extension. It is considered, given, the distance between the properties, rear of the application site being situated over 18 metres away from the rear elevation of the proposed extension and built form bring the first floor rear window closer to the boundary by only 3 metres more than the current window arrangement, coupled with the distance and the orientation of the building would not result in extensive shadowing or overlooking, it is not considered that the proposal would not result in any undue harm or be detrimental to amenity for the occupiers of the surrounding properties. The comments received regarding the length of the re consultation excise has been considered and a 7 day re consultation due to an amend scheme reducing the impact of the extension is considered to be an adequate period of time to receive further representations from local residents.

Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and

appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

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 applicant / agent 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 planning application. Further information was sought from officers during the application and amendments were made to the proposal.

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, stamped as received on the 3 March 2022, Proposed Ground Floor, First Floor and Elevations, stamped as received on the 29 April 2022, and the email from Condron Design Consultants Ltd, dated 25 April 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 development hereby approved shall be carried out in accordance with the materials as set out in drawings titled, 'Proposed Ground Floor, First Floor and Elevation', stamped as

received on the 3 March 2022 and the application form, stamped as received on the 3 March 2022 and the email from Condron Design Consultants Ltd, dated 25 April 2022.

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, as specified in policies SP1 and DM1 of the 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 drawings.

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

5) Prior to the first occupation of the development, the ground floor wc and the first floor en suite, shown on the proposed drawings, stamped as received on the 29 April 2022, shall be obscure 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 and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

20 Bentley Road, Manchester, M21 9WD
77 Nicolas Road, Manchester, M21 9LS
21 Bentley Road, Manchester, M21 9WD
79 Nicolas Road, Manchester, M21 9LS
75 Nicolas Road, Manchester, M21 9LS
73 Nicolas Road, Manchester, M21 9LS

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH