MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131309/FH/2021
Date registered valid:	11 August 2021
Proposal:	Erection of two storey side extension following demolition of existing garage to provide additional living accommodation together with the erection of single storey front porch
Address:	1 Chasetown Close, Manchester, M23 9NS
Ward(s):	Brooklands Ward
Applicant:	Mr & Mrs Stanton, 1 Chasetown Close, Manchester, M23 9NS
Agent (if any):	Ms Sarah Bolsover, Smashbox Architecture, 97 Alderley Road, SK9 1PT
Case officer:	Robert Tyrer Tel: 0161 234 4068 Email: robert.tyrer@manchester.gov.uk
Recommendation:	REFUSE
Date of recommendation:	11 January 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 28 September 2021

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 16 August 2021 Expired: 6 September 2021

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 site relates to a two storey detached dwellinghouse that has a semi-detached garage located next to the shared boundary with no.37 Amberwood Drive.

The property is brick built with a concrete tiled roof. The property has a grey render at first floor with brick at ground floor.

There is no previous planning history for this site, however it has been extended with a single storey conservatory at the rear of the property.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is located in an estate of similar aged and detailed two storey housing.

Description of development

The applicant is seeking planning permission to erect a two storey side extension following demolition of existing garage to provide additional living accommodation together with the erection of single storey front porch.

Consultations & Notification Responses

Local Residents/Public Opinion - One response was received to the notification process raising concerns with the submitted proposals. The comments made are set out below:

We strongly oppose the plans to build the two storey extension. The structure would significantly restrict and reduce our natural day light on the rear of our property for the majority of the day, namely our garden area and also all internal rooms at the rear of the house during the morning.

The structure would be significantly imposing on our garden and house, given its close proximity to our house and is not in keeping with other properties in the area.

While, we understand the requirement to remove the current garage, due to its age and also potential risks with asbestos, it is felt the two storey extension is not replacing this requirement.

At present the light is restricted on 50% of our garden as the garage is directly on our boundary with no fence or divide. We encounter debris from the current garages and have tried to limit this by fitting facia board. Therefore, would welcome a like for like structure replacement.

While there are other reason which I understand you would not consider valid reasons, I feel I should note this at this time to ensure my concerns are raised.

There would be significant disruption and damage to our current garden during the building phases the extension would also become a boundary wall to our garden.

If the proposed plans were to go ahead on a single or double storey there would be no access to the rear of the property from the left side. We would like to understand in the event access needed to be gained to the rear of the property how this would be achieved.

In addition the applicants agent forwarded an email in support of the proposals from a neighbour.

Policy

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
And,

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design52, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Issues

The Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out several criteria against which proposals for extensions will be assessed.

Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

Development in this application proposes a two storey side extension following demolition of existing garage porch to which there is no objection in principle, subject to satisfactory impacts on residential and visual amenity, parking and bin storage in accordance with the above development plan policies, as set out below in this instance the proposals are considered to give rise to unacceptable impacts and are contrary to the adopted planning policies in place.

Residential Amenity– The proposals seek the erection of a two storey side extension following the demolition of an existing detached single storey garage. A similar detached garage of scale and height is on the boundary situated in the rear garden of number 37 Amberwood drive. The two storey side extension would extend across from the side wall of the existing detached property filling in the space to the side and where the existing detached garage is located. The side and rear wall of the extension would be constructed up to the rear boundaries of the gardens of numbers 35 and 37 Amberwood Drive. The ground floor would form a garage with an additional bedroom above at first floor.

The extension would result in the extended side wall of the property being approximately 6.1 metres from the rear of number 37 Amberwood which is located to the west of 1 Chasetown Close. As such it is considered that the proposals would give rise to unacceptable impacts on the residential amenity of the occupiers of the property creating an overbearing and intrusive feature on the boundary in close proximity to number 37 Amberwood.

The boundary of the application property and the proposed extension would also create a two storey built form to the rear garden boundary of number 35 Amberwood Drive. Given the depth of the garden and distance from the property its is considered that a two storey extension as proposed would create an overbearing feature to that property its rear private amenity space and would extend the periods of the day and extent of the garden that would be in shadow to the detriment of the residential amenity of the occupiers of that property.

Visual Amenity – The proposed side extension has been designed to be subservient to the existing property by having a roof ridge lower than that of the main house. However, the proposed extension would reduce the visual openness between the side of the application property and the rear amenity spaces of the properties on Amberwood Avenue. It is considered that this loss of openness would be harmful to the character of the streetscene.

Bin storage – Access through the garage to the rear garden would be retained to allow either storage of waste bins in the garage or to the rear garden. If the proposals were considered acceptable a condition would be attached for confirmation of the storage of waste bins to ensure this took place away from the front of the property.

Parking – It was noted that the front of the property has been given over to hardstanding and that space would be retained at the front of the property to provide off street car parking.

Conclusion - The extension is considered to be contrary to SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP and cannot be supported for the reasons set out above.

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 polices 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: REFUSE

Article 35 Declaration

Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed development by reason of its proximity to the shared boundary, together with the, size, scale, bulk and massing of the proposal, it is considered that the proposed side extension would have an overbearing impact and would create an intrusive feature in the form of expanse of brickwork along this boundary in close proximity to nearby residential properties, to the detriment of the residential amenity to the occupiers of 35 and 37 Amberwood Drive.

The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policies DC1.1 and DC1.4 and the guidance within the National Planning Policy Framework.

2) The proposed development would be detrimental to the visual amenity and character of the area. In particular it would create a visually intrusive feature in the street scene by reason of its siting and scale and would be detrimental to the visual amenities of adjacent properties and would in consequence be out of character with the area generally. As such the proposal is contrary to the City Council's Core Strategy Policies SP1, DM1, and saved Unitary Development Plan policies DC1.1 and DC1.4.

Appendix 1 – List of consultees & neighbours notified

3 Chasetown Close, Manchester, M23 9NS
33 Amberwood Drive, Manchester, M23 9ND
31 Amberwood Drive, Manchester, M23 9ND
37 Amberwood Drive, Manchester, M23 9ND
35 Amberwood Drive, Manchester, M23 9ND
23 Amberwood Drive, Manchester, M23 9ND
39 Amberwood Drive, Manchester, M23 9NZ

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
Area Team Boundary - Name: SOUTH