

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133252/FH/2022

Date registered valid: 18 March 2022

Proposal: Erection of two storey side and single storey front extension to provide additional living accommodation

Address: 3 Fitton Avenue, Manchester, M21 7HU

Ward(s): Chorlton Park Ward

Applicant: Gardner, 3 Fitton Avenue, Manchester, M21 7HU

Agent (if any): Mr Simon Casey, BlueChip Architecture Ltd, 18 Botany Road, Winton, Manchester, M30 8JS

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 13.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 1 April 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 March 2022 Expired: 15 April 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

This application relates to a two storey semi detached house. The property is on the southwest side of Fitton Avenue and occupies a broadly triangular site. There is a deep front harden, a large side garden and a small rear garden. The property has an L shaped footprint with a shared bay with a large gable on the front elevation. The property has not been extended in any way.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

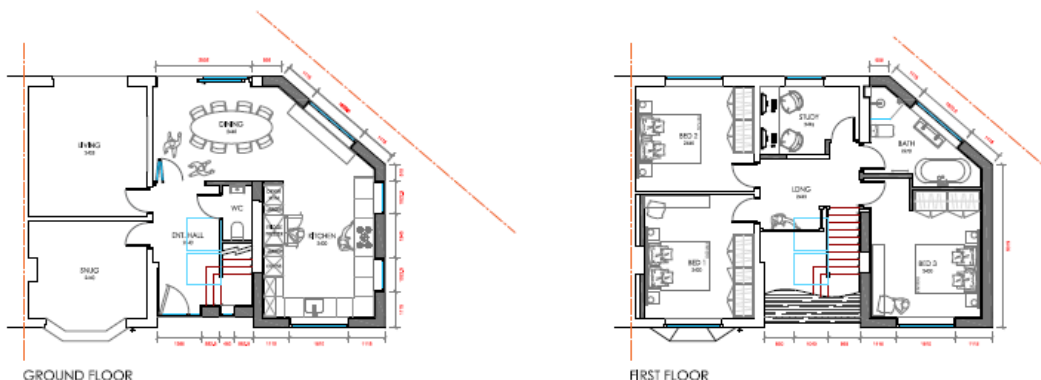
The adjoining property is to the south east and has a similar shaped plot. It has been extended with a single storey side and front extension.

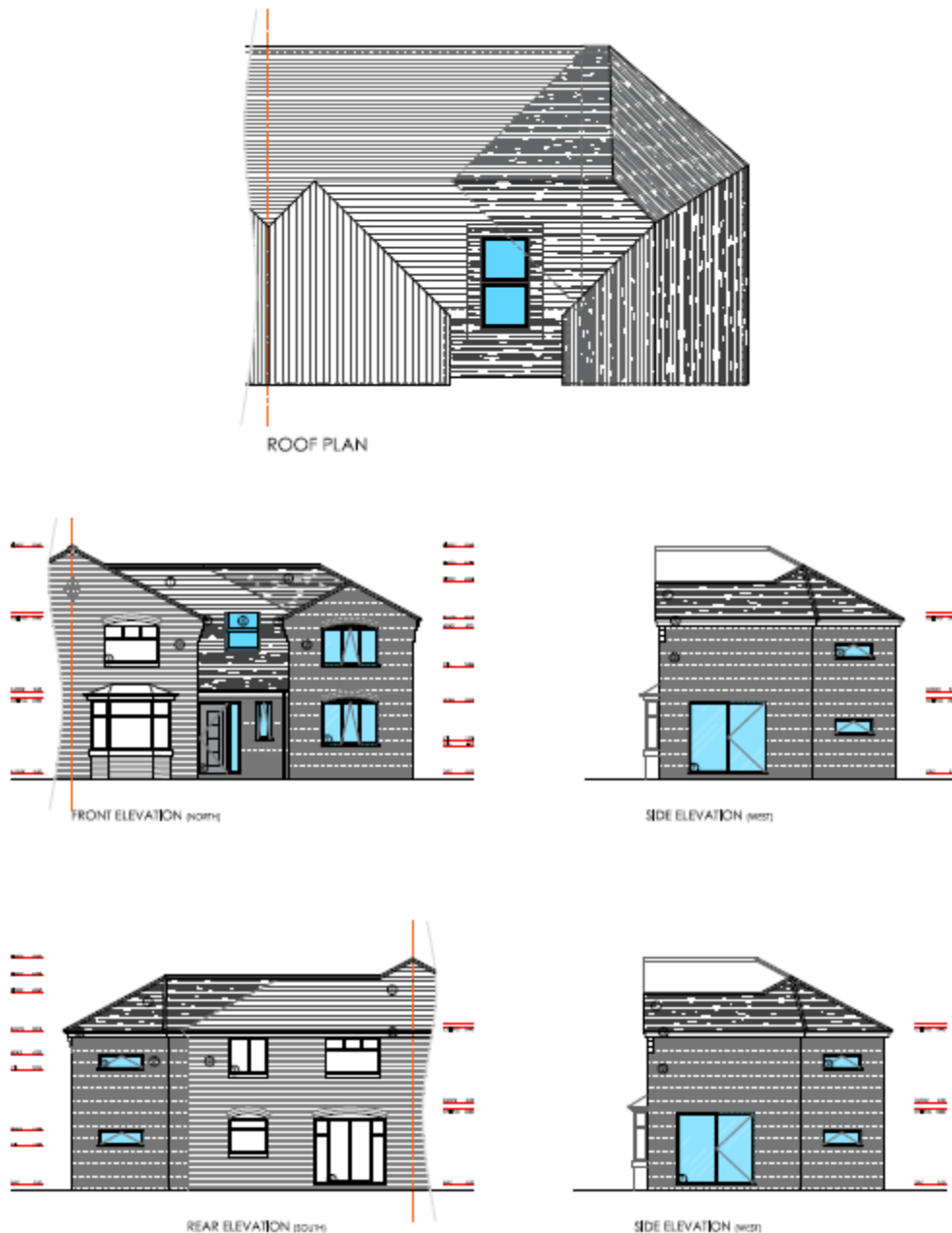


5 Fitton Avenue is at right angles to the application site, it too has a triangular plot with a boundary shared with the application property. The site extends across the whole of the rear of the application site. The property has not been extended. 5 Fitton Avenue is a different house style with a smaller footprint. There are further residential properties facing the site across Fitton Avenue.

Description of development

Consent is sought to erect a two storey side extension and a single storey front extension. The side extension would project forward to the forwardmost line of the existing building and the rear, which extends to the rear face of the property, would be chamfered to accommodate the angled site boundary. The extension would have a hipped roof with a gable facing Fitton Avenue. It is also proposed to erect a single storey front extension infilling the recess between the existing and proposed front projections. This extension would have a mansard style roof linking into the main roof, which will incorporate a roof light.





The front elevation would contain a new front door with the roof light above and two windows, one per floor in the two storey side extension. There is a drafting error between the side elevation and the floor plan. The elevation shows a set of patio doors whilst the floorplans show two smaller windows. The chamfered section of the extension contains two high level windows. The floorplans also suggest that an existing window in the rear elevation would be replaced with patio doors although this is not shown on the elevation.

Consultations & Notification Responses

Local Residents

No representations received.

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DC1 which establishes the principle of extending a property to meet the changing needs of the occupiers. The policy also seeks to protect the amenity of adjoining properties and the character of the area.

Issues

Principle

The principle of extending a property to meet the changing needs of residents is contained within policy DC1. However, this is only one of the considerations and the issues surrounding this proposal are assessed in the following sections.

Scale

Terracing is not an issue with this proposal due to the layout of the properties on the street, as a consequence creating what is in effect a double fronted property is not considered excessive. The extension is of a similar proportion to the host property and on balance it is considered that the scale is acceptable.

Design

The design seeks to replicate the host property and is largely acceptable, however, there is an issue with the mansard roof above the single storey front extension. There are no precedents for this type of roof in the immediate area and it is considered that this feature would appear out of character and incongruous. The applicant has been asked to amend the plans, however no response has been received.

It is considered that in its current form the design of the proposed extension is unacceptable.

Residential amenity

In terms of privacy an overlooking concern is expressed as to the close proximity of the windows to the boundary and the potential for a loss of privacy either rear or perceived as a consequence. The high level windows whilst at best offering a restricted view would be approximately 1 metre from the boundary of the garden of the adjacent property. Whilst it would be necessary to make a concerted effort to look out of the windows to people in the garden there would be a sense of overlooking and not knowing if you were being overlooked. It is therefore considered that these windows are unacceptable. The applicant has been asked to delete the windows, but no response was received.

It is assumed that in terms of the windows in the side elevation, the floorplan is correct as this shows kitchen units which would obstruct patio doors. These windows would be approximately 2.5 and 5 metres from the boundary which is significantly closer than the existing side window which is approximately 7 metres from the boundary.

It is therefore considered that the proposed development could result in a loss of privacy to the adjacent property.

In terms of the windows in the front elevation it is considered that these will not raise any privacy issues as the nearest property is across the street and its relationship to the new windows would be no different to the existing windows.

Having regard to the orientation of the property and its relationship to the adjacent property and its gardens it is not considered that any overbearing impact would be significant.

Conclusion

With some changes the proposed development could be acceptable, however, no response has been received and in its current form the proposal cannot be supported.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) The proposed mansard roof to the single storey front extension would form an over dominant and incongruous feature to the detriment of the character of the property and the visual amenity of the area. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC1.

2) By reason of their close position to the shared boundary with the adjacent property the proposed high level windows and the windows in the side elevation would result in a loss of privacy, either real or perceived to the detriment of the amenity of the occupiers of the adjacent property. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1 and saved Unitary Development Plan policy DC1.

Appendix 1 – List of consultees & neighbours notified

14 Thorneycroft Avenue, Manchester, M21 7HT
5 Fitton Avenue, Manchester, M21 7HU
12 Thorneycroft Avenue, Manchester, M21 7HT
4 Fitton Avenue, Manchester, M21 7HU
2 Fitton Avenue, Manchester, M21 7HU
8 Fitton Avenue, Manchester, M21 7HU
7 Fitton Avenue, Manchester, M21 7HU
6 Fitton Avenue, Manchester, M21 7HU
10 Fitton Avenue, Manchester, M21 7HU
1 Fitton Avenue, Manchester, M21 7HU

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) -
Area Team Boundary - Name: SOUTH