

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132644/JO/2022

Date registered valid: 6 January 2022

Proposal: Variation of Condition 2 (specified plans) attached to planning permission 124824/FH/2019 for the erection of a single storey side and front extension to form additional living accommodation

Address: 88 Darley Avenue, Manchester, M21 7GG

Ward(s): Chorlton Park Ward

Applicant: Mr Khalid Ahmed, 88 Darley Avenue, Manchester, M21 7GG

Agent (if any): Mr Jason Cartwright, P4B Extend Ltd, 15 Memorial Road, Manchester, M28 3AQ

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

Recommendation: Approve

Date of recommendation: 03.03.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Householder

Date of site visit: 14 January 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 January 2022 Expired: 1 February 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 detached house applicable with two storey semi circular bay windows on the front (south) and west elevations. A conservatory has been added to the rear. The front elevation is stepped and there is a porch set back into the step. The building has a coarse white pebble dash finish above a brick plinth and a tile roof. There are gardens to the four sides of the property. The front garden contains a drive and there is a detached building in the rear garden. In the front garden is a tree the subject of a tree preservation order.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. To the west are the rear gardens of houses on Aldermay Road, to the north the rear gardens of house on Haddon Road and the east by the gable wall of a two storey house on Darley Avenue. There are further semi detached and detached houses facing the site across Darley Avenue.

Description of development

In November 2019 consent reference 124824/FH/2019 was granted to erect a single storey side extension infilling the area in front of the existing porch and projecting 3.885 metres from the side of the property. The extension would be flush with the front face of the main body of the building and extend to the edge of the bay window on the side elevation. The extension will have a small pitched roof at the front that ties into the existing porch roof slope and there would be a flat roof with a parapet behind. The extension would have a window and a new entrance in

the front elevation and two windows in the rear elevation. There would be no windows in the side elevation. The finishes of the extension would match the existing building.

This application seeks to amend the earlier consent by adding a hipped pitched roof in place of the flat roof and a bay window to replicate those on the existing building on the front elevation in place of the approved flat window.



Proposed

Approved

In addition the mono pitch roof above the entrance would be replaced with a dual pitch roof with a front gable.

Consultations & Notification Responses

Local Residents

One resident has written in regarding the proposed development. The issues raised are summarised below.

- The original consent was granted prior to moving into their house and they are only agreeable to the extension if the existing foliage and fence is retained.
- If the fence and foliage is removed there would be a loss of privacy.
- They believe the development will impact on the value of their home.
- The works will disrupt the environment and wildlife.
- The site edged red does not match the Land Registry plans

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 Unitary Development Plan policy is DC1 which sets down the criteria to be met in determining applications for residential extensions. It establishes the principle of extending a property to meet the occupiers changing needs and the need to protect the amenity of adjoining properties.

Issues

Principle

The principle of the proposed extension was established with the granting of planning permission reference 124824/FH/2019. The issues to be considered in this application are the impact of the changes to the scheme namely the roof and the bay window.

Roof

The addition of the hipped roof does not raise any issues in terms of design or scale of the proposed extension.

Porch Roof

The design of the porch roof with the small gable is considered to be acceptable.

Bay Window

Bay windows are a feature of this property and the addition of a shall curved bay is in keeping with the rest of the property.

Residential amenity

Whilst the new roof increases the height of the extension is it set in from the boundary and slopes away from the adjacent property. It is not therefore considered that the additional height would have an overbearing impact.

There are no windows in the side of the proposed extension so there would be no privacy issues.

Ecology

The objector has expressed concern about the loss of trees, hedges and shrubs and the potential impact on wildlife. The trees and hedges in question are not protected by planning legislation and therefore the consent of the Council was not needed. The objector was advised that there is a threshold for the volume of the wood generated by tree felling, above which a license is required from the Forestry Commission and it is understood that they have made contact in this respect.

The objector was also advised that should any offence be committed in respect of the Wildlife and Countryside Act they should contact Greater Manchester Police.

The removal of the trees and hedges, which it is understood, has now taken place does not breach any planning legislation and could legitimately have been carried out as part of a remodelling of the garden without the consent of the Council.

Site Edged Red

The applicant was made aware of the objectors concerns in this respect and has submitted an amended plan.

Conclusion

The proposed alterations to the extension are acceptable in all respects and accords with Council policy

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 in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this 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 6 November 2022.

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:

02 received 6 January 2022

03 received 6 January 2022

04 received 6 January 2022

05 revision A received 6 January 2022
06 received 6 January 2022
07 revision A received 6 January 2022
08 received 6 January 2022
09 revision B received 6 January 2022
10 revision B received 6 January 2022
11 revision A received 6 January 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 constructed using materials that match those used in the original building in terms of size, colour and texture.

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.

Appendix 1 – List of consultees & neighbours notified

39 Aldermay Road, Manchester, M21 7QW
91 Darley Avenue, Manchester, M21 7QR
89 Darley Avenue, Manchester, M21 7QR
7 Haddon Road, Manchester, M21 7QU
86 Darley Avenue, Manchester, M21 7GG
45 Aldermay Road, Manchester, M21 7QW
85 Darley Avenue, Manchester, M21 7QR
47 Aldermay Road, Manchester, M21 7QW
43 Aldermay Road, Manchester, M21 7QW
41 Aldermay Road, Manchester, M21 7QW
37 Aldermay Road, Manchester, M21 7QW
87 Darley Avenue, Manchester, M21 7QR
90 Darley Avenue, Manchester, M21 7GG
9 Haddon Road, Manchester, M21 7QU

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