

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132343/FH/2021

Date registered valid: 29 November 2021

Proposal: Erection of a single storey rear extension including raised decking area together with installation of rear dormer to form additional living accommodation

Address: 2 Kenslow Avenue, Manchester, M8 4FF

Ward(s): Crumpsall Ward

Applicant: Mrs Dawn Buchanan 2 Kenslow Avenue, Manchester, M8 4FF

Agent (if any): Mr Steven Allcock Steven Allcock Consulting 7 County Close , Chorley, PR6 7AT

Case officer: Katie Raw
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Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 January 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 5 January 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 December 2021 Expired: 24 December 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to 2 Kenslow Avenue within the Crumpsall ward of north Manchester. The application property is a two-storey semi-detached dwellinghouse, which is located within a crescent shaped cul-de-sac of Kenslow Avenue. The side elevation of the existing property, due to its position at the front of the cul-de-sac faces onto the rear gardens of 42 and 40 Holland Road. The property has a long rear garden which adjoins to the rear garden boundaries of 4 properties on Holland Road.

Description of development

The submitted application seeks planning permission for the erection of a single storey rear extension including raised decking area together with installation of rear dormer to form additional living accommodation.

The rear extension would have approximate dimensions of Height: 2.53 (to the eaves)/ 3.59 (at the highest point) x Length: 3.25 x Width: 5.87 metres. The extension would be sited 0.19 metres away from the neighbouring property 4 Kenslow Avenue. The extension would include new patio doors and a new window within the rear elevation, and 3 skylights within the extension roof. The extension would create an enlarged kitchen/sitting room.

The raised decking would lead off the rear patio doors and would lead into the rear garden. Steps from the garden allow access to the rear of the house via the patio. The raised decking would be sited 3.41 metres away from the neighbouring property 4 Kenslow Avenue and would align to the host property's side building line facing 40 Holland Road. The decking would be sited approximately 0.5 metres from the ground level, although it is to be acknowledged that there is a sloping topography in the rear garden.

The rear dormer would have approximate dimensions of Height: 1.7 (at the highest point) x Length: 3.22 (at the longest point) x Width: 2.94 metres. The dormer window would be positioned against the boundary roof line with 4 Kenslow Avenue, set above the eaves by 0.66 metres and would be set very slightly below the ridge line of the main roof. A window would be positioned within the dormer. The dormer extension would create a 3rd bedroom. The proposal details have been amended following conversations with the agent. The cedar wood cladding on the rear dormer was changed to match the materials of the host property, so that it was more in keeping with the existing house.

Materials to be used, to match existing, include brown UPVC windows and doors, vertically hung tiles to match the existing and new tiles for the roof. Decking materials would also be used.

Planning history

128794/FH/2020- Erection of two storey rear extension with associated raised deck.
Refused- 26 January 2021. Appeal dismissed

Consultations & Notification Responses

Local residents

One neighbour made a written objection to the proposed rear extension as it would impeach on the light for the neighbouring property and the rear dormer would encroach on the roof and party wall.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time

to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.

ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of development

The submitted development application is for the erection of a single storey rear extension including raised decking area together with installation of rear dormer to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Rear extension

As stated above, the extension would be sited approximately 0.19 metres away from the neighbouring property 4 Kenslow Avenue and 2.45 metres from the rear gardens of the properties along Holland Road. 4 Kenslow Avenue may experience some loss of light and overshadowing implications, but since the rear extension is of a single storey, negative impacts would be minimal. In addition, 4 Kenslow Avenue already has a small outrigger which extends beyond the rear building line. At the time of the site visit, the rear gardens from Holland Road look into the applicant's property due to low boundary treatment. The rear gardens along Holland Road would look onto the proposal but there is not imagined to be any significant loss of light or overshadowing effects. As the extension has no windows within the side elevation,

there should be no privacy implications to those rear gardens along Holland Road or to the extension itself.

A patio door and a window would be inserted within the rear elevation and skylights would be inserted within the new roof plane. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

The residents would lose a small amount of amenity space to the rear of the property. The plot would still benefit from amenity space and the residential amenity of the property would increase as the additional living accommodation would meet the changing residential needs of the family.

Raised decking

As stated above, the raised decking would be sited 3.41 metres away from the boundary with neighbouring property 4 Kenslow Avenue and would align to the host property's side building line facing 40 Holland Road. The decking would be sited approximately 0.5 metres from the ground level, although it is to be acknowledged that there is a sloping topography in the rear garden. Due to the 3.41 metre distance from the shared boundary, this would help eliminate any opportunities for overlooking into the neighbouring garden. The height of the decking is considered to be acceptable.

Rear dormer

The dormer may create some overlooking implications to the neighbouring properties, including those properties along Holland Road. There would be no overshadowing implications as a result of the proposal.

Since the ridge height of the dormers is no higher than the existing and the dormer does not project further than the roof plane, it is considered to be an acceptable addition to the roof of the property. Since the size, positioning and footprint of the dormers are sensible, the dormer is not considered to be a detrimental and overpowering feature. The dormer is hidden from the streetscene. As such, it is not believed to impact the visual amenity of the area.

The installation of the dormer window would not negatively impact the amenity space within the curtilage of the property and would instead add additional storage space for the residents.

Overall, it is not considered that the proposal would have an adverse impact upon visual or residential amenity.

Design and Appearance

Rear extension

The proposed rear extension has been designed sympathetically to relate to the existing property. The extension would be made of materials to match the existing property. A condition to that effect would be attached to any consent granted. Therefore, the design of the extension would not adversely affect the appearance of the existing dwelling.

The rear extension is considered small in nature and conforms to the UDP Policy DC1.3 which states that rear extensions beyond 3.65m would not be approved. The extension is not considered bulky or out of character with the style of development in the surrounding neighbourhood and is therefore pursuant to Policy DC1.2 of the UDP.

Raised decking

The decking is considered appropriate to the proposal and would be similar to the decking currently in situ at the property, pursuant to Policy DC1.2 of the UDP.

Rear dormer

The design of the dormer has been tailored to fit the shape of the existing property/plot and respects the relationship with the neighbouring property. It is considered acceptable and detailed as what is normally expected. The design of the proposal would be in keeping with the existing and surrounding properties in the area. The proposed materials would match the existing roof.

The proposed dormer would be sited and designed to ensure that it is subservient to the original dwellinghouse and is not excessively large or bulky. This is pursuant to Policy DC1 within the UDP. Amended drawings altering the materials used on the dormer window would ensure there is continuity between the host property and dormer roof. Therefore, the siting and form is considered acceptable. It is to be reminded that dormer extensions such as this may be achievable through the route of Permitted Development.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity. The amended drawings offer a more appropriate design.

Objection from the neighbour

It is acknowledged that the neighbour objected to the proposal due to the impact to light as a result of the proposal. The previous application for the applicant property- 128794/FH/2020-erection of two storey rear extension with associated raised deck was refused on the basis of residential amenity. The current application seeks a design which is more sympathetic to the residential amenity of the neighbouring property and so such risks are thought to be minimised through this application.

Bin storage

At the time of the site visit, bins were not stored in the rear garden and so such provision would not be affected by this proposal.

Car parking

Car parking would be unaffected by this proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner by requesting further information relating to the scheme.

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:

- Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 29 November 2021.
- Drawing- Proposed- Plans and Elevations, numbered AL01 REV D, stamped as received by the City Council as Local Planning Authority on 12 January 2022.
- Drawing- Existing- Plans and Elevations, numbered AS01 REV A, stamped as received by the City Council as Local Planning Authority on 29 November 2021.

- Drawing- Location Plan, AP01, stamped as received by the City Council as Local Planning Authority on 29 November 2021.
- Drawing- Site Plan, numbered AP02, stamped as received by the City Council as Local Planning Authority on 29 November 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) The materials used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

17 Highclere Road, Manchester, M8 4FE
34 Holland Road, Manchester, M8 4NQ
36 Holland Road, Manchester, M8 4NQ
15 Highclere Road, Manchester, M8 4FE
38 Holland Road, Manchester, M8 4NQ
4 Kenslow Avenue, Manchester, M8 4FF
42 Holland Road, Manchester, M8 4NQ
40 Holland Road, Manchester, M8 4NQ

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1