

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132410/FH/2021

Date registered valid: 6 December 2021

Proposal: Erection of a single storey rear extension and conversion of garage to form additional living accommodation

Address: 31 Marleyer Close, Manchester, M40 0AB

Ward(s): Moston Ward

Applicant: Mrs Cath Dowell 31 Marleyer Close, Manchester, M40 0AB

Agent (if any): Mr Lee Harper LH 3 Jesmond Grove, Cheadle Hulme, SK8 7DR

Case officer: Adam Mitchell
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Recommendation: APPROVE

Date of recommendation: 17.02.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14.01.2022

Standard consultations:

Printed: 8 December 2021 Expired: 29 December 2021

Neighbour notifications

Printed: 8 December 2021 Expired: 29 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

The property that is the subject of this householder application is identified as 31 Marleyer Close, it is a 2-storey brick built semi-detached dwellinghouse situated within a row of similar properties within a residential cul-de-sac accessed from St Mary's Road. It is located within the Moston ward of North Manchester. There is a long garden and driveway to the front of the property, with access to the rear being from down the side of the existing garage. The rear garden is subdivided into a terraced patio leading directly out from the rear of the house, with the other half of the garden a raised artificial lawn.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The property lies within a predominantly residential area of Moston, with the rail line and Moston Brook to the north east and residential properties to the south, east and west.

Description of development

The submitted application seeks consent for the erection of a single storey rear extension and conversion of existing garage to the side including elevational alterations to create additional living accommodation. The agent was advised early on in the planning application process surrounding concerns relating to impacts to visual and residential amenity in relation to the incorporating a window in the northern elevation of the rear extension.

Following negotiation, the proposal has been revised in the interest of visual and residential amenity. Clarification has been provided in relation to the fenestration elements within the

proposed rear extension, with a view to minimising impacts of the proposed development to residential amenity of the neighbouring properties.

The single storey rear extension accommodates a living area including 2 windows along the east elevation and French doors situated along the south elevation, and one obscurely glazed window along the northern elevation. The single storey rear extension would have approximate dimensions of Height 3.2m/ (at the eaves 2.3m) x Width 4.3m x Rearward Projection 5.8m. The extension would be sited approximately 0.6metres away from the shared common boundary with 29 Marleyer Close.

The proposal also involves elevational alterations to the existing garage, including 2 small window opening replacing the existing garage door in the front elevation and accommodates a Utility room, storage and WC.

Planning History

130602/FH/2021- Erection of single storey rear extension and conversion of garage to form additional living accommodation. APPROVED 27.07.2021

Consultations & Notification Responses

Local residents were notified however no comments were received.

Highway Services- Have no objections to the proposal

Policy

Unitary development Plan saved policies

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 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.

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

- a) rearward extensions greater than 3.65m (12ft) in length

National Planning Policy Framework

Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

- o An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
- o A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
- o An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies 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 including:-

- 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 or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.

- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Principle

The proposed development relates to a garage conversion and an extension to a residential dwelling. This is considered acceptable in principle as many people prefer to extend their homes rather than move in order 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.

A similar application to the host property was approved (130602/FH/2021) in July 2021.

Issues

Residential/Visual Amenity

It is not considered that the proposed development would give rise to any significant adverse impacts to residential amenity currently experienced by neighbouring occupiers. The two immediate neighbouring properties that have the most potential to be affected by this development are 29 and 33 Marleyer Close. Revised drawings were received 17 February 2022, the plans include the removal of the majority of the northern elevation windows, with only one obscurely glazed window setback from the main building line forming this elevation. Due to the proximity of the window to the boundary with the neighbouring property, it is however proposed to attach a condition to ensure that the window on the northern elevation remains obscurely glazed. It is considered that the revised drawings address the concerns relating to the potential impacts to residential amenity.

The proposed side (southern) elevation would incorporate a set of French doors. No. 33 Marleyer Close is set at an angle from the host property. The proposed rear extension would not be readily viewed from number 33, due to screening by the existing garage and the 2m high boundary treatment and very high conifers between the 2 properties.

The proposed extension would have a hipped roof with 2 windows proposed along the rear elevation, overlooking the applicants own garden. Although the rear extension would be 1.6m from the boundary at the rear, the rear boundary comprises a wanelap panel fence which would effectively screen the proposed windows openings, and reduce the potential from overlooking and loss of privacy of the occupiers to the east. The dimensions of the proposed extension would be Height 3.2m/ (at the eaves 2.3m) x Width 4.3m x Rearward Projection 5.8m. The proposed extension has been set in off the shared common boundary with the adjoining property no.29 Marleyer Close. The extension would provide additional accommodation in the form of a living room area.

The property benefits from a large rear garden area which is greater in wider than in length, and whilst the rearward projection is longer than referred to in DC1 with an overall length of 5.8 metres, it is below that which could be implemented as a maximum length under the larger

homes extension regulations. It is considered that the revised scheme would not give rise to significant adverse impacts to visual and residential amenity to the neighbouring properties as to warrant refusal of the proposed development. Furthermore, a previous application (130602/FH/2021) was granted an approval with similar single storey rear extension dimensions.

The proposal also involves elevational alterations to the existing attached garage. The existing single storey garage is located along the side of the property and it is proposed to replace the existing garage door with 2 small new window openings in the front elevation. The former garage would be converted internally to accommodate a utility room, storage and WC.

Overall, the proposed extension and external alterations are considered to be subservient to the existing property and therefore do not create any significant impact in terms of visual and residential amenity to either the host or neighbouring properties. Therefore, it is considered that the revised proposal accords with DC1 of the Saved Unitary Development Plan (Email dated 17 February 2022 and attached revised plans).

Design and Appearance

The proposed extension is in keeping with the original property and the proposed materials would match the existing materials of the existing house. The extension to the rear would not be visible in the context of the street scene, and is acceptable in design terms.

Velux type windows would be incorporated within the roof of the proposed extension to provide additional natural lighting. A condition shall be applied to any approval granted regarding no further windows in any of the elevations.

Bin Storage

The bins are currently stored alongside the property being brought kerbside on collection day. This arrangement will remain.

Car Parking

Despite the loss of the garage, the retention of the driveway ensures in-curtilage parking provision for more than one vehicle for the dwelling and therefore it is considered acceptable in principle.

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 problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner and with the attachment of appropriate conditions.

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:

L101 REV 1, L201 REV 1, and L301 REV 1

Stamped as received by the City Council, as the Local Planning Authority on 17 February 2022.

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(2012).

- 3) The external facing materials to be used on the extension hereby permitted shall match those of the existing building in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of the Manchester Core Strategy(2012).

- 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 plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

- 5) Before first use of extension hereby approved the window in the northern side elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and maintained in situ thereafter.

Reason- To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

6) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services

17 Marleyer Close, Manchester, M40 0AB
15 Marleyer Close, Manchester, M40 0AB
33 Marleyer Close, Manchester, M40 0AB
29 Marleyer Close, Manchester, M40 0AB
18 Shelley Street, Manchester, M40 0AS

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1