

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132454/FH/2021

Date registered valid: 9 December 2021

Proposal: Erection of a two storey side and single-storey rear extension to form additional living accommodation

Address: 75 Darley Avenue, Manchester, M21 7GP

Ward(s): Chorlton Park Ward

Applicant: Mr Rik Berry, 75 Darley Avenue, Manchester, M21 7GP

Agent (if any): Mr Paul Lillie, Insight (NW) Ltd, 1 St Leonards Drive, Altrincham, WA15 7RS

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

Recommendation: Approve

Date of recommendation: 27.01.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 January 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 December 2021

Expired: 5 January 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 on the south side of Darley Avenue between the junctions with Manor Drive. The property is finished in white render and has a hipped roof. There are no lean to's or extensions. There is a deep front garden used for parking a passage at the side of the property and a 13 metre long rear garden.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

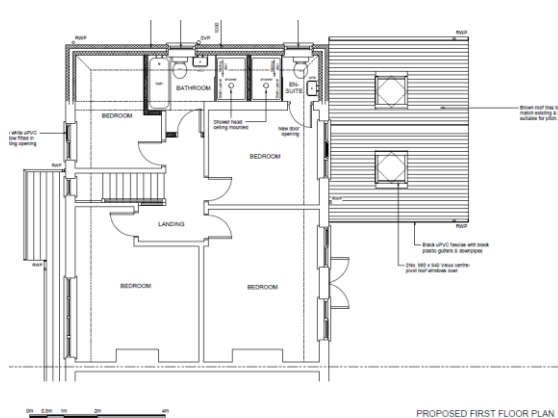
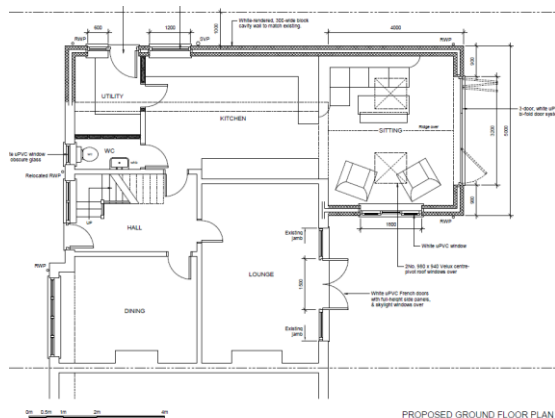
The adjoining property to the west is as built with no extensions. To the east is a two storey semi detached property with a two storey side extension that extends to approximately 1 metre

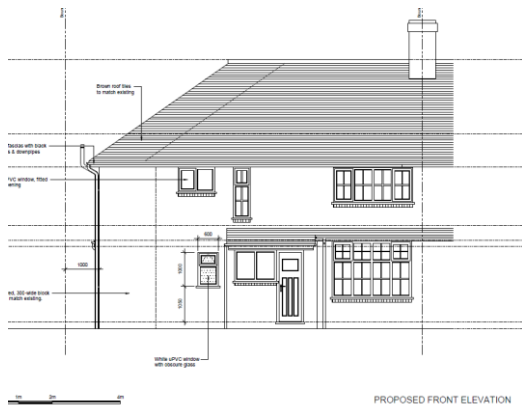
of the boundary. It has no rear extensions. To the south the rear of the garden joins the rear gardens of properties on Macefin Avenue. There are modern three storey dwellings facing the site across Darley Avenue.



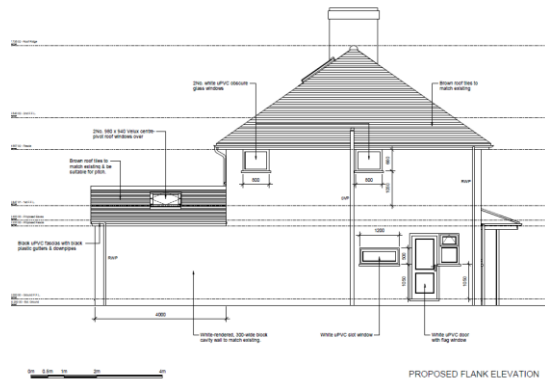
Description of development

Consent is sought to erect a two storey side extension projection 1.5 metres. There is no setback and the extension is the full depth of the property on both floors. The extension would be finished in render with a hipped roof. A single storey rear extension projecting 4 metres would be positioned on the rear of the side extension and part of the existing building. The extension would be 5 metres wide and be finished in render with a dual pitch roof. The ground floor would have no windows in the front elevation two windows and a door in the side elevation a set of bi folding doors in the rear elevation and a window looking across the rear face of the property. At first floor level there would be two windows in the side elevation. The single storey extension would also have a roof light on each roof slope.

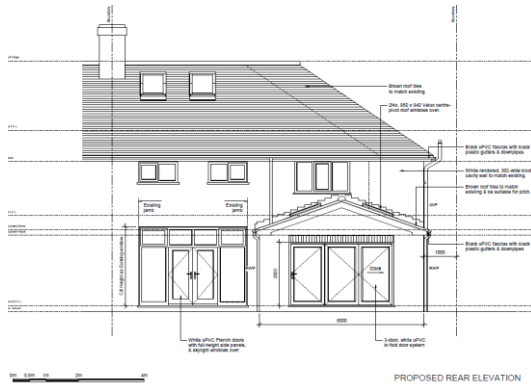




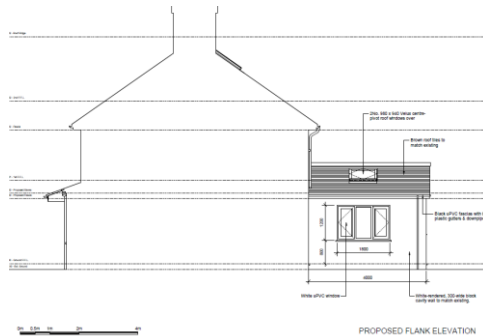
PROPOSED FRONT ELEVATION



PROPOSED FLANK ELEVATION



PROPOSED REAR ELEVATION



PROPOSED FLANK 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 sets down the criteria to be considered in determining applications for residential extensions. The policy establishes the principle of extending a property to meet the changing needs of the occupiers whilst seeking to protect the amenity of neighbouring properties.

Issues

Principle

The principle of extending a property to meet the changing needs of the occupiers is established by policy DC1

Scale

The proposed side extension replicated that on the adjacent property and leaves a space to the site boundary and reflects that approved on the adjacent property reference 088887/FH/2009/S1, approved April 2009. The proposed rear extension with a projection of 4 metres is in line with what would be allowed under the larger homes extensions. It is considered that the scale of the proposed extensions is subservient to the host property and generally acceptable.

Design

There are no issues with the design of the extensions which reflect the host property.

Terracing

There is no set back at first floor level, however, the extension is set in by 1 metre and the adjacent property has a similar extension also set in approximately 1 metre from the boundary. It is considered that the gap would be sufficient to avoid terracing.

Residential amenity

The principle windows look down the rear garden and do not raise any privacy issues. The windows in the side elevation are primarily to ancillary rooms although one a shallow high level window is to the kitchen. An obscure glazing condition is proposed for these windows. Finally the window in the side of the rear extension looks across the rear face of the property towards the boundary fence. It is not considered that this secondary window would result in a significant loss of privacy.

The extension is sufficiently far from the shared boundary for there not to be any significant over bearing impact.

Refuse

There is sufficient space to enable bins to be stored at the rear of the property.

Conclusion

The proposed development is considered to accord with Council policy and is in all respects acceptable.

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 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:

20211102/NW1773/101 received 9 December 2021

20211102/NW1773/102 received 9 December 2021

20211102/NW1773/103 received 9 December 2021

20211102/NW1773/104 received 9 December 2021

20211102/NW1773/105 received 9 December 2021

20211102/NW1773/106 received 9 December 2021

20211102/NW1773/107 received 9 December 2021

Site layout drawing 75 Darley Avenue, dated 9 December 2021 received on 9 December 2021

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 the materials specified on the approved drawings.

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.

4) As part of the development all the windows and doors in the 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 shall remain so in perpetuity.

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

Appendix 1 – List of consultees & neighbours notified

62 Darley Avenue, Manchester, M21 7GG
60 Darley Avenue, Manchester, M21 7GG
58 Darley Avenue, Manchester, M21 7GG
16 Macefin Avenue, Manchester, M21 7QQ
12 Macefin Avenue, Manchester, M21 7QQ
73 Darley Avenue, Manchester, M21 7GP
77 Darley Avenue, Manchester, M21 7GP
14 Macefin Avenue, Manchester, M21 7QQ

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