

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131440/FH/2021

Date registered valid: 19 August 2021

Proposal: Erection of a part single/part two storey side and rear extension together with single storey attached rear extension to form additional living accommodation

Address: 15 Oakleigh Avenue, Manchester, M19 2WP

Ward(s): Burnage Ward

Applicant: Claire O Hara, 15 Oakleigh Avenue, Manchester, M19 2WP

Agent (if any): Mrs Amy Axon, Guy Taylor Associates Trafalgar House, 5-7 High Lane, Manchester, M21 9DJ

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 October 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06.09.2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications:

Printed: 02 September 2021 Expired: 23 September 2021

Printed: 10 September 2021 Expired: 24 September 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The application site is a modern link-detached gable fronted end dwelling situated on the corner of Oakleigh Avenue and Moorton Avenue in the Burnage ward.

The property occupies a larger than average (325m²) plot with front driveway and wide side garden which runs parallel to Moorton Avenue. To the rear is an 8-metre long garden which faces the side elevation of No.32 Moorton Avenue.

Description of area

The property is in a residential area east of Burnage Lane. To the south are inter-war semi's whilst facing the site to the east are several Victorian terraced houses. Similar modern link-detached houses infill the area to the north and west.

Description of development

Erection of a part single/part two storey side and rear extension together with single storey attached rear extension to form additional living accommodation.

The application has been revised to reduce the length of the attached rear bike store, and to introduce some screening to ground floor windows on the extended east elevation following the receipt of comments on notification.

The architect / agent also forwarded a window to window distance drawing on receipt of comments following notification of the revised scheme.

Consultations & Notification Responses

Neighbour notifications

1st Notification - 1 objection received

I am concerned to see an entire wall of new windows to the side elevation of ground floor (East). The only windows to the current side elevation are two obscured-glass bathroom windows.

I live at XX Moorton Avenue which is adjacent to the development property and am concerned about losing my privacy as the new windows would closely overlook my living room window (12mt away from the proposed windows) and front garden (9mt distance). Unfortunately, my property is already closely overlooked by a house to the rear, which lies just 10m from my home. Windows overlooking the front of my property would impact on the enjoyment of my

home as I would then need to have my blinds closed to both the front and back living spaces to experience privacy.

Please note, I only have a single window to the front ground floor of my home and so if this is overlooked, there will be a complete loss to privacy.

I've attached a copy of the plan indicating the windows of concern (ringed in blue).

2nd notification comments:

I can see the plans have now been revised to include some exterior 'privacy screening' to the top of the windows on the east aspect. It is not clear how a small portion of panelling at the top of the windows will provide any privacy to neighbouring properties, it will only give the occupants of the development more privacy.

I do not object to the build structure, but I do object to windows on the east aspect - It's simply too close to the facing properties on Moorton Avenue. Surely this would contravene some distance limits for overlooking?

Checking from my main bedroom, even when standing at the very back of my room, I would be overlooked by the ground floor windows of the development.

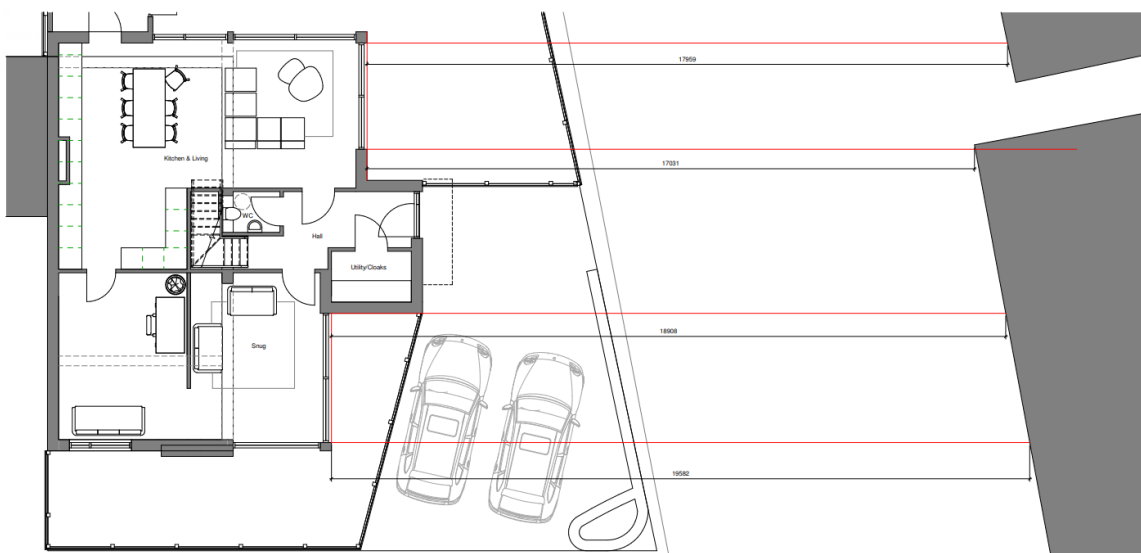
Issues

Saved UDP policies DC1

Core Strategy policies SP1 and DM1

Residential Amenity

The proposal as amended is considered to have acceptable impacts on residential amenity. The Council raised a concern with the original proposal and an 8-metre long x 2.5-metre high bike store which was proposed to run along the full length of the rear garden boundary with No.13 to the west, creating an oppressive and intrusive installation. This was amended to reduce its length to 3.2 metres which gives some relief to the adjoining occupier.



The other elements of the proposal are acceptable.

Development is proposed mainly on the side elevation but with a small (680mm) rear extension at ground floor. At the side, a 2.6-metre wide snug is proposed which aligns with the front elevation. Behind this an extended hallway and an extended kitchen/lounge (3.6 metres wide) wraps around to the small increase in footprint at the rear.

At first floor, a 3.75-metre wide main bedroom with dressing room and enlarged bedroom 3 is proposed at the side.

Large picture windows on the east elevation at ground floor with brise soleil screening at the top and obscure glazing to the snug window have been added to mitigate the effects of overlooking which was raised by a neighbour on Moorton Avenue.

The concern with overlooking is considered to be adequately addressed in the revised scheme. The agent also provided a window-to-window distance drawing which demonstrates that, at its closest, new windows would be sited 17-metres from windows facing on Moorton Avenue, with the snug window being 19-metres away. An assessment of average window distances in the street demonstrates that 16-metres is the prevailing character, although it is acknowledged that this section of Moorton Avenue is narrower which can give rise to the perception of being overlooked, especially if the intervening shrubs were removed at some point in future.

No side-facing windows are proposed at first floor, and rear facing windows would face the side elevation of No.32 Moorton Avenue where no habitable room windows are located.

The distances to the side boundary (over 8 metres) and rear (8 metres) is adequate to avoid any overshadowing.

Visual Amenity

The extensions will have an acceptable impact on visual amenity. They are sited and designed to respond to the internal constraints, and opportunities to create larger areas of useable floorspace whilst adding visual interest to otherwise low-key elevations.

Development at ground floor is sited in the location of the car port and existing single storey side extension. The latter will be re-configured internally to extend the kitchen/dining room. The elevations will be largely glazed as noted above; additionally, vertical timber cladding will be added that contrasts with the original red brick and proposed grey window frames. A new dark grey metal canopy will extend over the new entrance and side kitchen/lounge window. An Informative is appended notifying the applicant /agent of the need to ensure adequate fire protection in the use of timber materials.

Development is proportionate to the scale of the original dwelling and the larger than average plot size, with sufficient gaps to the side boundary (5.5 metres at its closest) to avoid being overbearing. It will sit within the building line of No.32 to the north, which is off set from both Moorton Avenue and the application site.

The first-floor side extension will be most visible in the street scene. It will be sited 5-metres back off the front elevation, extend back for 6.3 metres and has a flat roof that sits 858mm off the ridge of the original and so appears subservient to the main dwelling.

The elevations are proposed to be rendered in a pale colour and front and rear elevations will be punctuated by 2no. windows which will relieve the otherwise blank elevations.

Overall, the design and materials palette are intended to distinguish the extensions from the original dwelling and in a contemporary design language. They add visual interest to an otherwise utilitarian dwelling design whilst enabling the original to remain legible.

The footprint is proportionate to the original and both car parking and bin storage are capable of being accommodated within the site curtilage.

On this basis, the proposal accords with saved UDP policy DC1 and Core Strategy policies SP1 and DM1.

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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received one objection on notification which was taken into consideration and resulted in amendments to the proposal to include a brise soleil and obscure glazing at ground floor.

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 received on the 19th of August 2021 or as stated:

Application form

Existing Floor Plans and Location Plan Ref: 21-0018-00-200 Rev P01

Existing Elevations Ref: 21-0018-00-201 Rev P01

Proposed Floor Plans Ref: 21-0018-20-200 Rev P02 received on the 9th of September 2021

Proposed Elevations Ref: 21-0018-20-201 Rev P03 received on the 6th of October 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 materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the details as set out in the approved plans specified in Condition 2 of this permission.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Informative

Building Regulations - Fire Safety

The applicant should ensure that any external elevation treatments, including for the side/rear extensions approved for planning purposes, are discussed in full with Building Control to ensure they meet with the guidance contained in the Building Regulations for fire safety. Should it be necessary to change the external facade treatment due to conflicts with Building Regulations, you should also discuss the changes with the Planning team to ensure they do not materially affect your permission.

Appendix 1 – List of consultees & neighbours notified

21 Moorton Avenue, Manchester, M19 2NQ
9 Oakleigh Avenue, Manchester, M19 2WP
8 Oakleigh Avenue, Manchester, M19 2WP
11 Oakleigh Avenue, Manchester, M19 2WP
10 Oakleigh Avenue, Manchester, M19 2WP
34 Moorton Avenue, Manchester, M19 2NQ
23 Moorton Avenue, Manchester, M19 2NQ
Flat 5, 25 Moorton Avenue, Manchester, M19 2NQ
Flat 2, 25 Moorton Avenue, Manchester, M19 2NQ
17 Moorton Avenue, Manchester, M19 2NQ
Flat 4, 25 Moorton Avenue, Manchester, M19 2NQ
Flat 3, 25 Moorton Avenue, Manchester, M19 2NQ
Flat 1, 25 Moorton Avenue, Manchester, M19 2NQ
32 Moorton Avenue, Manchester, M19 2NQ
19 Moorton Avenue, Manchester, M19 2NQ

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH