

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131133/FH/2021

Date registered valid: 24 July 2021

Proposal: Erection of a part two, part single storey rear extension to form additional living accommodation

Address: 27 Clumber Road, Manchester, M18 7LX

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr John Ly 27 Clumber Road, Manchester, M18 7LX

Agent (if any): Mr Alun Jones A.F Architectural Designs Llys Y Coed, 54 Ffordd Byrnwr Gwair, Mold, CH7 1FQ

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 30 July 2021 Expired: 20 August 2021

Neighbour notifications

Printed: 21 September 2021 Expired: 28 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

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to a semi-detached property in a mostly residential area. On the side of the rear elevation, closest to the common boundary with no.29 Clumber Road, there is a projecting element, which links bay windows to the ground and first floor. This projects approximately 1 metre, from the main house and matches a similar structure on no.29. The application property also has a single storey outrigger covering the remaining half of the rear elevation of the property (i.e. the side away from the adjoining property and adjacent to the gable end of the property).

It is proposed to demolish these structures and to erect a new part single storey part two storey extension at the rear of the property. The extension would cover the majority of the rear elevation of the property, being set-in slightly from the common boundary with no.29. The single storey element would project 3 metres, from the rear wall of the property, whilst the upper floor extension would project 1.5 metres. The single storey element would have a sloping roof and the upper floor extension would have a hipped roof with a slope that matches that of the main house. In addition, four rooflights are proposed, in the sloping roof of the single storey element, with one rooflight proposed in the hipped roof to the upper floor extension.

Materials would match the existing.

Consultations & Notification Responses

Local residents - The occupiers of the attached semi-detached property object to the proposal for the following reasons:

- The extension would completely diminish sunlight, to the rear of their house, at all times of year. They use the area, adjacent to their rear wall, as a patio so it is regularly used space and light to this area would be significantly affected, spoiling the enjoyment of this area.
- The proposed extension would be overbearing, being two storeys high so close to the boundary. Their rear dining room is already dark and the proposed extension would further darken this space.
- The gable roof design is not in keeping with the area, in which all other rooves are hipped. This makes the extension even more imposing.
- It would prevent them from adding a conservatory to their property, as it would be overshadowed by the proposed extension.
- The adjoining property has alternative options that would form a better form of development by way of a side extension and/or single storey rear extension.
- There have been several extensions added in the area, in recent years, with the vast majority of two storey extensions being on the side of the property, leading to less impact for neighbours. There is therefore limited precedent in the area, for an extension of this kind.

Strategic Area and Citywide Support Manager - Recommended that a condition/informative be attached, to any planning permission, in relation to the acoustic insulation of the premises.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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

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

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy 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.

DC1.3 States that, notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) 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 councils guidelines on privacy distances (which are published as supplementary guidance).

Impact of works - The single storey element would have a floor area of approximately 18 square metres which is significantly less than 50% of the existing garden area. The roof line would be visible, above the common boundary wall with no. 29 Clumber Avenue, but at approximately 2.85 metres to eaves level, and 3.8 metres at its highest level, this element of the development could potentially be built as permitted development and it is not considered that this element of the extension would have a harmful impact upon adjoining occupiers. The upper floor element

originally projected 2 metres, from the rear wall, of the house, but the projection has now been reduced to 1.5 metres.

The occupiers of the adjoining semi-detached property are concerned about the loss of light to the rear of their property and garden area and it is accepted that there will be some impact as additional built form would be created. However, the projection, of the upper floor element, has been reduced to 1.5 metres and regard has to be given to the fact that the adjoining property has bay windows that project 0.5 metres from their house, meaning that the rearmost part of the upper floor extension would be just one metre beyond the bay window. In addition, the roof design, of the upper floor element, has been amended to provide a hipped roof rather than a hipped gable roof, which further reduces the scale of the extension.

The extension also includes roof lights, in both the single storey and upper floor elements, of the extension, but these are positioned so as not to lead to any potential impact on the privacy of any neighbours.

The views of the adjoining residents need to be balanced against the needs of a homeowner to extend their property in an appropriate manner. It is accepted that the proposal would have some impact upon the occupiers of the neighbouring property, but it is considered that the revised scheme, and reduction in scale, of the proposed extension, has significantly reduced this potential impact to the extent that the proposed scale of works are now considered to be appropriate.

Generally, in terms of design, scale and appearance, and aided by the reductions in scale of the proposed extension, it is not therefore considered that the proposal would have a significantly adverse impact upon the amenities of local residents or the visual amenity of the surrounding area.

Acoustic insulation - Environmental Health Officers originally recommended that an acoustic insulation condition be attached to any permission, to protect future occupiers of the extension against noise from Hyde Road. However, the extension is at the rear of the property, on a road that runs parallel to Hyde Road, and is further separated, from Hyde Road, by two additional rows of properties and is approximately 85 metres from Hyde Road. It was consequently felt that the extension was a sufficiently enough distance from Hyde Road, with a number of buildings forming a sound barrier between the rear of the property and Hyde Road, that the impact of noise from Hyde Road would be mitigated to the extent that the condition was not warranted and that an informative was more appropriate and no objections were raised to this approach from Environmental Health.

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. In this case, negotiations were entered into, which resulted in a reduction in scale of the upper floor element of the extension.

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:

Existing plans and elevation drawing, stamped as received by the City Council, as Local Planning Authority, on 20 July 2021

Site location plan, stamped as received by the City Council, as Local Planning Authority, on 24 July 2021

Proposed plans and elevation drawing, dated 20 September 2021 and stamped as received by the City Council, as Local Planning Authority, on 22 September 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) The materials used to construct the external elevations of the extension 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.

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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings ref: Proposed plans and elevation drawing, dated 20 September 2021 and stamped as received by the City Council, as Local Planning Authority, on 22 September 2021, unless Planning Permission is specifically granted.

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

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) It is recommended that the proposed extension is acoustically insulated against noise from Hyde Road and other potential sources of noise near the site.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

4 Rufford Place, Manchester, M18 7LF
2 Rufford Place, Manchester, M18 7LF
1 Deverill Avenue, Manchester, M18 7LY
25 Clumber Road, Manchester, M18 7LX
23 Clumber Road, Manchester, M18 7LX
3 Deverill Avenue, Manchester, M18 7LY
2 Deverill Avenue, Manchester, M18 7LY
29 Clumber Road, Manchester, M18 7LX

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH2