

Planning**Growth & Development****Delegated officer report for planning application**

Application no. 130825/FO/2021

Date registered valid: 10 June 2021

Proposal: Erection of a part single storey/part first floor rear extension together with part single/part two storey side extension to both properties and erection of a single storey outbuilding in the rear garden of both properties

Address: 23 - 25 Vaughan Road, Manchester, M21 0ZL

Ward(s): Chorlton Park Ward

Applicant: Mr R & Mrs FR Khan, 23 - 25 Vaughan Road, Manchester, M21 0ZL

Agent (if any): David Ormesher, Holborow and Ormesher, Station House, Adams Hill, W16 6DN

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 August 2021



Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: 26 July 2021
Standard consultations: No consultations have been printed and sent.
Neighbour notifications: Printed: 23 June 2021 Expired: 14 July 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 concerns a pair of gabled-ended, inter-war, semi-detached houses situated on the eastern side of Vaughan Road, south of Kings Road, in the Chorlton Park ward.

The gabled semi's have canopied bay windows on the ground floor front elevation, and a single storey joint extension across the rear elevation.

There are detached concrete garages in the rear gardens at both properties and off-road parking on front driveways alongside lawned front gardens.

The materials palette comprises red brick elevations and slate roofs.

A single outbuilding spanning the rear boundary of both properties has been partially built. Application 128172/FO/2020 approved outbuildings in the rear gardens of both Nos.23 and 25 Vaughan Road and those in situ have been the subject of enforcement action due to non-compliance with the approved plans under this application, specifically, as the buildings are joined and include an opening in the rear elevation of each (Ref: ENF/15207/21). This complaint is ongoing at the time of assessing the present application.



Description of area

The site is within a suburban residential area comprising a medium density inter-war estate housing of a similar typology.

There is some variation in the street scene in roof profiles with hipped roof properties either side and all incorporating relatively good size rear gardens.

The site lies between Chorlton District Centre 608 metres to the west and Moss Side District Centre 1.25Km to the north.

Description of development

Erection of a part single storey/part first floor rear extension together with part single/part two storey side extension to both properties and erection of a single storey outbuilding in the rear garden of both properties.

The application represents an amendment to 128172/FO/2020 to include an additional area of first-floor extension at the rear of each property.

The outbuilding in the submitted plans in the current application is shown as per the building in the above approval. The Compliance Officer noted on his site visit that:

Footprint of outbuilding appears to be in accordance with approved plans (128172/FO/2020) although there is currently no dividing wall between the two properties and window openings have been made in the rear elevation, which is not in accordance with the approved plans.

Consultations & Notification Responses

Neighbour notifications – 15 addresses were consulted by letter; 3 objections were received which raised the following concerns:

OBJECTION 1

There are two discrepancies in the submitted application:

- Sec.3: "Has the building work or change of use already started: -- No". This should be marked as Yes as building work began in March/April 2021 removing biodiversity and building the single storey detached ancillary building.

- Sec.15: "Are there trees or hedges on the proposed development site? -- No". This should be marked as yes as several trees and hedges at the time of submitting this application were in the regions of the proposed single-story ancillary building. As of writing this these have been removed in the process of building this ancillary building - as far as we are aware no Tree Survey has been performed.

Regarding impact on our quality of life, the primary purpose of the dwelling being extended is a second home rental. With the owners having not been inhabiting the site directly for over 8 years, we have become tolerant of frequent changeover of rental occupants. The road is primarily used by families, therefore as it is used as a rental this property is already out of step with the neighbourhood. With the proposed extension we fear there will be an increased number of rental occupants so further increasing traffic and reducing parking spaces, where there is already a limited number of spaces to park on the street. Additionally, to our knowledge there have been a number of drug raids within the property over the past 8 years by the Manchester Metropolitan Police, with one occurring 3rd March 2021 for both properties in question.

Daylight, sunlight and overshadowing:

The proposed two-story extension will significantly overshadow our building with a reduction in daylight and sunlight reaching our kitchen window (which provides the main source of light for our kitchen breakfast area) and upstairs corridor window (the only source of natural light in our upstairs hallway). Additionally, the proposed extension will overshadow our driveway, which we use as an outdoor sitting area as well as a greenspace in which we grow plants and vegetables

due to the availability of direct natural light.

Size and appearance:

The proposed extension will be one of a kind on the street, not keeping with the scale character or appearance of the area. Therefore the property would look significantly out of keeping with the rest of the street. Reduction in privacy: This proposed extension will have a significant impact on our privacy, the second floor windows will have views across the whole of our garden, as they will be situated at least two meters closer to our property, we would therefore have no private space at all. Also if the proposal were to be approved due to the location of the building work we fear we would lose our privacy to the working builders.

Noise and disturbance:

With the proposed scale of the extension the time of completion of the project will not be short, living next to a building site and the noise that comes with it, especially with members of the household working from home - the situation is less than ideal. There is also the concern of increased traffic and lack of parking due to builders' vehicles etc. In addition if the proposal were to be approved our neighbours would move at least two meters closer to our property which would result in additional noise and disturbance.

Air quality:

The proposed extension will result in increased air pollution due to dust particulates, we fear that as a result our garden and patio will become unusable, with summer approaching and COVID regulations still being in place we fear this will make the already challenging situation even worse.

Additionally there is a concern of not being able to open our windows in the summer months due to fear of reduced air quality within our house. From the plan it appears that the garage will need to be removed - we fear this is made from asbestos producing possible health risks - especially as it is not currently mentioned in the plans directly. There is also the concern of reduced movement of air between the two properties.

Loss in habitat:

We are fortunate to have several species of birds, and other animals like foxes, hedgehogs, squirrels and frogs who visit our garden. Due to the scale of the proposed extension to the house and back garden we are concerned that these animals will be scared away or maybe even killed.

The proposed outhouse will require the removal of several trees and hedges, again reducing habitat and potentially affecting the wildlife which visits our garden, it would be good to assess these trees for ecological importance before an approval decision is made.

OBJECTION 2

The size of the planned properties are out of character with the street. The small gap left between the houses, as with some others make the properties look far more like terraced houses rather than semi-detached.

I am also concerned that the dimensions of the extended properties will reduce sunlight in the gardens at 19 & 21 as well as make those gardens more overlooked.

Finally, the garden outbuildings look huge, particularly as they are one building, rather than being separate buildings. This gives the feeling of less green space ruins the look of the neighbouring back gardens.

OBJECTION 3

The size of the proposed development is completely out of place. The huge outbuilding already being built is clearly visible from our bedroom window and completely changes the atmosphere of the area. I question what such a structure will be used for and fear that there will be disturbance of the peace previously found in our rear gardens. There has already been considerable disruption during the construction process.

The scale of the side extensions will significantly impact the appearance of the street, overlooking neighbouring properties and blocking light from gardens.

A quiet garden where I can relax is a very significant part of maintaining my mental health.

Issues

Policies DC1 of the Unitary Development Plan

Policies SP1, DM1 and EN19 of the Manchester Core Strategy

Principle

The application is for extensions to a residential property which has previously been extended at ground floor and the majority of works approved in 2020.

As with the approved application, the proposal provides a study, WC, utility room and extended kitchen and living room at ground floor, and bathroom and extended bedroom 3 and 4 with en-suites at first floor. Each property also seeks an outbuilding which has an unspecified use on the submitted drawings.

Saved UDP policy DC1 permits residential extensions to meet changing household needs subject to satisfactory compliance with those policy areas covering residential and visual amenity, parking and bin storage.

Residential amenity

The proposal extends the ground floor of each property from the original rear wall by 5.9 metres following demolition of the existing 3 metre rear extension to each property and demolition of the free-standing garages. Although this depth is relatively long, current Permitted Development guidelines for larger home extensions permit single storey rear extensions up to 6 metres on semi-detached properties. The applicant could therefore proceed with this element of the proposal without recourse to an application through formal planning channels.

The impacts on both adjacent occupiers of this element of the proposal is likely to be minimal given both have single storey rear outriggers. No.27 also has a detached garage on the side boundary with No.25 and No.21 has a covered car port.



The single storey extensions form a wraparound to each side which gives a built width of 1.87 metres on each gable end and leaving a gap to each common boundary of 832 metres.

The proposed first-floor side extensions also have a width of 1.87 metres and are set back off each front elevation by 1.97 metres. Windows serving new en-suite bathrooms to each property are proposed on the front-facing elevation which are required to be obscurely glazed.

Each first-floor rear extension is now proposed to tie in with the first-floor side extension. As the depth of build at the rear is only 3 metres which is within saved UDP guidelines, with hipped roofs and gaps to each neighbouring boundary of over 800mm is retained, there are no concerns that this amended element of the proposal will be perceived as overbearing or will overshadow habitable rooms to any significant extent.

Notwithstanding this, the objector at No.21 has raised a concern that the side extension will overshadow kitchen and landing windows as well as part of the driveway at the side which is used for sitting out and growing vegetables. This property has a section of patio area between a small outrigger and the car port which receives some sunlight but is mostly overshadowed by No.23. This property also has a sizeable section of garden which is not overshadowed which includes a further section of patio on the rear boundary. As such, the level of amenity loss as a result of any approval would be minimal.

Concerns have also been raised by objectors with regards to overlooking and the size of the extensions. First floor window to window distances upon completion of the proposal would amount to 38.6 metres to No.26 and 34.27 metres to No.24 Wyverne Road. These distances are well within acceptable limits to ensure no intrusive overlooking occurs.

Concerns with the proposed outbuildings at the end of each rear garden have also been raised with one objector concerned about being overlooked. Each building would be sited 600mm off each rear boundary and 554 metres off each side. The height to eaves is 2.09 metres and 3.76 metres to the ridge with a width of 5.7 metres and depth of 3.09 metres. No windows are shown on the rear elevations of the outbuildings but there are two small openings in the partially built building in situ. This is currently the focus of a Compliance investigation, with the Compliance Officer having emailed the agent and visited the site. The requirement would be to fill in the openings so that no overlooking would ensue on completion.

A diving internal wall is also required to be installed as per the drawings to ensure compliance.

The buildings would be separated by the length of their rear gardens from the rear elevations of Nos. 24 and 26 Wyverne Road, these distances are considered to be acceptable. Given these variables, it is not considered that the buildings would have an adverse impact on occupiers to the rear.

Concerns have also been raised that the buildings are out of character. An assessment of the local character and of planning approvals, indicates that outbuildings on rear boundaries are a common feature in the local area with Nos. 19, 36, 38, 39, 40, 41, 42, 44 and 46 Vaughan Road and 46 and 46 Wyverne Road all having similar structures at the ends of rear gardens. Such buildings are also currently permitted development to within 50% of the external curtilage which could result in considerably larger structures than proposed in the present application.

A concern has also been raised that the houses and associated outbuildings will be used as rental accommodation. In the earlier above application, the agent confirmed that the properties were for private family use. The applicant also indicated this was the case to the Planning Officer on the site visit on the 26th of July 2021. As the outbuilding is required to be used solely

for the purposes associated with each dwellinghouse and ancillary to them, a condition is required to be appended to any approval to this effect, in the interests of residential amenity.

Visual amenity

The extensions have an acceptable impact on visual amenity. The 2-storey side extensions would only be visible in the street scene and are only 1.87 metres wide and set back at first floor by 1.97 metres with a set down roof. This is sufficient to maintain a sense of subservience and to avoid creation of a terracing effect which has also been raised as a concern by one objector. All materials are to match which will help the extension to assimilate well with the original dwellings. A condition is appended to this effect in the interests of visual amenity.

Parking

No development comes forward of the front elevation so no loss of the existing levels of parking at each property would result from any approval.

Bin storage

Acceptable gaps at the side of each property of over 800mm is retained which is enough to enable the storage of bins off the front elevation which has also been raised as a concern by objectors.

Other matters

Objectors have also raised concerns about noise and disturbance, loss of air quality, loss of wildlife and use of the dwellings as rental properties. Only the last point is relevant to the proposal and the agent has confirmed that the properties would remain as family dwellings.

On this basis, the proposals accord with saved UDP policy DC1 and Core Strategy policies SP1, DM1 and EN19.

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 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 proposed extensions raised

objections on consultation which have been taken into consideration in the assessment of the proposal.

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 10th of June 2021 or as stated:

Application Form

Drawing - Location Plan

Drawing - Existing Plans and Elevations 01

Drawing - Proposed Plans and Elevations 02 Rev D

Drawing - Site Plan and Elevations 03

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3. The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Application Form.

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 policy DM1 of the adopted Core Strategy for the City of Manchester.

4. Before first occupation of the extensions hereby approved, the first floor bathroom windows on the extended side elevations of each property shown on drawing ref: 02 Rev D received on the 10th June 2021, 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 and saved UDP policy DC1.

5. The outbuildings hereby approved shall only be used for purposes incidental to the enjoyment of the main dwellinghouses at 23 and 25 Vaughan Road only and shall not be used as a self-contained unit(s) or separate dwellinghouse(s) at any time.

Reason - To prevent any over intensive use of the property and to safeguard the amenity of neighbouring residential occupiers, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

22 Wyverne Road, Manchester, M21 0ZN
20 Wyverne Road, Manchester, M21 0ZN
29 Vaughan Road, Manchester, M21 0ZL
25 Vaughan Road, Manchester, M21 0ZL
21 Vaughan Road, Manchester, M21 0ZL
28 Vaughan Road, Manchester, M21 0YL
24 Vaughan Road, Manchester, M21 0YL
20 Vaughan Road, Manchester, M21 0YL
32 Wyverne Road, Manchester, M21 0ZN
22 Vaughan Road, Manchester, M21 0YL
18 Vaughan Road, Manchester, M21 0YL
19 Vaughan Road, Manchester, M21 0ZL
30 Wyverne Road, Manchester, M21 0ZN
24 Wyverne Road, Manchester, M21 0ZN
27 Vaughan Road, Manchester, M21 0ZL
26 Vaughan Road, Manchester, M21 0YL
28 Wyverne Road, Manchester, M21 0ZN
26 Wyverne Road, Manchester, M21 0ZN

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH