

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129966/FH/2021

Date registered valid: 8 April 2021

Proposal: Erection of a single storey front, side and rear extensions together with installation of a rear dormer to form additional living accommodation

Address: 37 Sandhurst Avenue, Manchester, M20 1ED

Ward(s): Old Moat Ward

Applicant: Mr & Mrs Allwood 37 Sandhurst Avenue, Manchester, M20 1ED

Agent (if any): Mr Ian Birchall IPB Architecture 9 Kendal Grove, Manchester, WN7 4ES

Case officer: Melanie Tann
Tel: 0161 234 4538
Email: melanie.tann@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2nd June 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 12 April 2021 Expired: 3 May 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 is a traditional, detached, two-storey house with gardens to the front and rear, and also has an existing outbuilding.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is residential in character.

Description of development

Erection of a single storey front, side and rear extensions together with installation of a rear dormer to form additional living accommodation

Consultations & Notification Responses

Neighbours – 6 letters of objection were received. The main comments are as follows:

- The proposed development is excessively large and bulky resulting in a structure that is not subservient to original houses and projects out too far in front of the original building contrary to Policy DC1.2.
- It will also result in an undue loss of sunlight, daylight and privacy for neighbouring dwellings.
- The proposal is out of character with the 1930s style of development in the area and the surrounding street scene by virtue of design, use of materials and constructional details.
- The proposal will also result in the loss of on-street car-parking in a situation where there is an existing on-street parking.

- If the council are minded to approve this development, suggest the proposal is clearly conditioned to use materials that match the existing red glazed Blackburn brick and red roof tiles in particular.
- The proposal is an overdevelopment of the site. The extension protrudes 1.5m beyond the existing building line and it is not subservient to the existing house.
- The council refused a similar retrospective planning application at 35 Sandhurst Avenue that extended beyond the existing building line on very good grounds although unfortunately the application was won on appeal. Nevertheless many of the reasons given for that refusal are equally applicable to this proposal: "The development is detrimental to the visual amenity and character of the area, and forms an incongruous feature in the street scene by virtue of the cumulative impact of the extension, rear dormer, front porch together with the choice of materials and is therefore contrary to saved UDP policies DC1.1 and DC1.2 and policies DM1 and SP1 of the Core Strategy, and the NPPF."
- Also consider that many of the reasons given for the refusal of a similar (albeit two storey side extension) planning application 122778/FH/2019 at nearby 8 Abberton Road are applicable to this proposal: "Due to its design, scale, massing and siting forward of the building line, the proposal would not be subservient to the main house and would result in an overly dominant and visually obtrusive feature in the street scene, to the detriment of the general character of the property and the visual amenity of the area, contrary to Policies SP1 and DM1 of the Core Strategy and Saved Policies DC1.1 and DC1.2 of the UDP."
- Consider that this planning application can be refused for the same reason as it is contrary to policy DC1.1 and conflicts with the general 1930s character of the property and has a negative impact upon the amenity of neighbouring occupiers. In particular the proposed full width dormer is excessive and overlooks neighbouring gardens.
- Similarly the overall appearance of the proposal has a negative impact on the street-scene as Sandhurst Avenue has a predominant 1930s residential amenity. Only the aforementioned 35 has a porch that extends beyond the building line, the houses that have porches tend to be lean too porches that respect the building line.
- Note that the applicant claims no trees will be removed as a result of this proposal, however, the occupants have already removed substantial trees from their front garden which may have been the subject of TPOs and the proposed demolition of the front wall and parking on the front garden will reduce on-street car parking and is unsustainable as it decreases natural drainage.
- Note the application states bricks and tiles to match the existing although this is not clear from the drawings (tiles shaded grey). I also note that the dormer has vertical tiling which if permitted should match the existing roof tiling.
- Have no objections at all to the erection of a single storey front, side and rear extension. However, am concerned that the installation of the rear dormer windows will directly overlook gardens to the rear, kitchen and bedroom and object to the increased lack of privacy this would cause. This is a concern due to the relatively short distance between properties, and as trees which gave some coverage have previously been removed. Would therefore appreciate if these issues were taken into consideration.

Policies

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 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).

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.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, the NPPF states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted

National guidance can be found in the National Planning Policy Framework (NPPF). The central theme to the NPPF is to achieve sustainable development. The Government states that there are three overarching objectives to achieving sustainable development: an economic objective, a social objective and an environmental objective (paragraph 8).

Issues

Principle

As the proposal seeks to extend a residential property policy DM1 and saved policy DC1 are applicable. Consideration has, however, been given as to whether the scale, massing, design and appearance of the extension is acceptable. In addition, consideration has been given to any impact the proposed development may have on the residential and visual amenity of neighbouring occupiers and the residential area.

Scale, Massing and Design

The proposed single-storey rear extension would have a rearwards projection of 4 metres and would have a mono-pitched roof and would not run the full width of the rear of the property.

The proposed single-storey front and side extension would project to the front by 1.5 metres, would sit just off the shared boundary with no. 39 and would wrap around to the rear extending 1.8 metres beyond the rear of the existing house to attach to the existing outbuilding. This extension would have a hipped roof.

It is also proposed to install a dormer to the rear. The proposed rear dormer would be stepped in from the sides and sit below the ridge, and above the eaves.

The proposed extensions are considered to be subservient to the main house and would not form incongruous features within the street scene.

The design and choice of materials for the proposal reflect the existing house and neighbouring properties. This is considered to be acceptable in this location and is not considered to be detrimental to the character of the property and would not form an incongruous feature within the street scene.

Residential amenity/loss of light/visual amenity

The proposed extensions would be to the north-east and north-west elevations, however, given the siting, limited height and rearward projection of the proposed extensions and the relationship with neighbouring properties it is not considered that the proposals would create any undue loss of light to neighbouring occupiers.

The proposed extensions are considered to be in-keeping with the aesthetic of the original house and matching materials are proposed to be used. This would be significantly more in keeping than the development at the neighbouring property that was allowed on appeal.

The depth of the rear garden of approximately 21metres would ensure that the dormer would not provide unacceptable loss of privacy or overlooking of properties on Meltham Avenue.

It is not considered that the proposal would give rise to any significant loss of privacy or increase in the levels of overlooking of neighbouring properties.

Other issues

The property would still be capable of providing at least one off road parking space and bins can still be stored to the rear.

Conclusion

It is therefore considered that the proposals are in accordance with City Council saved policies DC1.1, DC1.2, DC1.3 of the Unitary Development Plan and policies DM1, SP1 of the Core Strategy.

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.

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:

Proposed plans and elevations A102, stamped as received 8th April 2021;

Proposed second-floor plan A203, stamped as received 8th April 2021;

Proposed site plan A303, stamped as received 8th April 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 match those of the existing building in type, size, colour and texture.

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 and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

4) Before first occupation the windows 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

55 Meltham Avenue, Manchester, M20 1FE
49 Meltham Avenue, Manchester, M20 1FE
35 Sandhurst Avenue, Manchester, M20 1ED
26 Sandhurst Avenue, Manchester, M20 1ED
53 Meltham Avenue, Manchester, M20 1FE
51 Meltham Avenue, Manchester, M20 1FE
39 Sandhurst Avenue, Manchester, M20 1ED
28 Sandhurst Avenue, Manchester, M20 1ED

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