MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129959/FH/2021
Date registered valid:	7 April 2021
Proposal:	Installation of rear dormer to form additional living accommodation
Address:	4 Crimsworth Avenue, Manchester, M16 0FB
Ward(s):	Chorlton Ward
Applicant:	Mr R Fayzur, 4 Crimsworth Avenue, Manchester, M16 0FB
Agent (if any):	Mr Stephen Nicholls, Richmond Consultants, 63 Ellwood Road, Stockport, SK1 4BE
Case officer:	Robert Tyrer Tel: 0161 234 4068 Email: robert.tyrer@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	27 July 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 May 2021

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 application site relates to a two storey dwelling house with front bay windows. The dwelling house is brick built, with decorative hanging tiles to the bay windows and concrete roof tiles.



Photograph 1 Application site as viewed from Crimsworth Avenue.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: **None**

Description of area

The application site is located within a predominantly residential area of similar design, density and scale of housing located to the north of Chorlton District Centre.

Description of development

The applicant seeks planning permission to install a rear dormer to form additional living accommodation

Consultations & Notification Responses

Local Residents/Public Opinion – There has been one representation objecting to the application as the dormer overlooks the gardens and residential properties to the rear. The resident also express concerns that the dormer was built without consultation with the neighbours or planning permission.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

124. The creation of high quality 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. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.
And,

127. 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 visually 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.

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential

extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The application initial sought to amend a dormer and hip to gable roof conversion that had been completed to an advanced stage as shown in photographs 2 and 3.



Photograph 2 Rear Elevation, photograph provided by the applicant



Photograph 3 Application site as viewed from no. 2 Crimsworth Avenue, provided by the applicant.

However, the proposal has been amended following concerns raised by officers that the original proposed changes to the built dormer would still result in an incongruous and overly dominant feature at rear of the property that would fail to be subservient to the original dwelling house.

These drawings will be considered below.

Matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Siting, Scale and Massing – As discussed in the principle section the proposed dormer has been amended so that it is set in within the roof space by at least 20centimetres from eaves and bargeboards. The dormer is also no higher than the highest part of the existing roof space, thus together with reduction in size will result in a dormer window that is subservient to the original dwellinghouse and would not be a bulky addition. Had the application not been retrospective then the dormer would likely have been allowed under permitted development rights as it would have complied with Part B of the Town and Country (General Permitted Development) Order 2015 (as amended).

Therefore the proposal in terms of siting, scale and massing accords with polices with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Design and Appearance – The extension has been designed to complement the existing dwellinghouse with materials shown to be similar in appearance to those on the existing dwellinghouse. There are no concerns with the design or appearance, it is recommended that materials are dealt with by means of a planning condition.

Residential Amenity – Concerns have been raised regarding impact on privacy in the form of overlooking to the neighbouring properties particularly to the rear, there is also a side window which faces towards no.6 Crimsworth Avenue. Overlooking is a material planning consideration and there are properties to the rear and side that could be impacted by the development. Drawing 1 is the site location plan, provided by the applicant, the plan shows the unusual plot layout, measurements by officers reveal that there is between 12 and 15 metres to the end of the garden from the rear of the dwellinghouse (excluding the outrigger). The drawing also shows that view towards the rear dwellinghouse would be at oblique angle and therefore the proposal would not have direct view towards habitable rooms. It is considered that whilst there would be some overlooking of rear gardens, due to the distances and that habitable rooms would not be overlooked by the development, the impact is considered to be minor and thus acceptable as it would not warrant the refusal of this application. The amended drawings also show that the side window will be removed that faces towards no.6 Crimsworth Avenue.



Drawing 1 Site Location Plan

The siting, scale and massing of the proposal have been discussed previously in this report and are found not to cause any detrimental impact on residential amenity. The proposal is therefore considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP

Car Parking and Refuse Storage – There will be no impact on the current arrangements.

Conclusion - The extension is considered to be in accordance with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

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 polices 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. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

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:

Drawing 05-21 CA100 Rev A, 05-21 CA101 Rev A and 05-21 CA102 Rev A stamped as received by the City Council as Local Planning Authority, on the 20.07.2021

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 carried out in accordance with the materials as set out in drawings:

Drawing 05-21 CA100 Rev A, 05-21 CA101 Rev A and 05-21 CA102 Rev A stamped as received by the City Council as Local Planning Authority, on the 20.07.2021

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.

Appendix 1 – List of consultees & neighbours notified

14 Crimsworth Avenue, Manchester, M16 0FB
18 Crimsworth Avenue, Manchester, M16 0FB
6 Macauley Road, Manchester, M16 0FA
1 Macauley Road, Manchester, M16 0FA
3 Crimsworth Avenue, Manchester, M16 0EB
1 Crimsworth Avenue, Manchester, M16 0EB
6 Crimsworth Avenue, Manchester, M16 0FB
2 Crimsworth Avenue, Manchester, M16 0FB
16 Crimsworth Avenue, Manchester, M16 0FB
4 Macauley Road, Manchester, M16 0FA

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