

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132880/FH/2022

Date registered valid: 8 March 2022

Proposal: Erection of part single, part two storey side extension and installation of two dormers to rear to provide additional living accommodation

Address: 99 Dudley Road, Manchester, M16 8BW

Ward(s): Whalley Range Ward

Applicant: Mr Haroon Fiaz, 99 Dudley Road, Manchester, M16 8BW

Agent (if any): Mr Dean King, NK Architectural, 19 Hexagon Close, Manchester, M9 8RN

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 31 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 May 2022

Standard consultations: Printed: 16 March 2022 Expired: 6 April 2022

Neighbour notifications: Printed: 20 May 2022 Expired: 27 May 2022

Site notice: Posted: 23 March 2022 Expired: 13 April 2022

Press advert: Published: 22 March 2022 Expired: 12 April 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The application relates to a two storey, semi-detached C3 dwellinghouse of red brick and white render with a slate gable roof. The property features bay windows to the front, a small outrigger to the rear and an existing polycarbonate carport. The plot includes a driveway and garden to the front, with a small paved yard to the side and a small garden to the rear.

Description of area

Dudley Road is residential in nature and sits within the Whalley Range Conservation area. This southern end of the road is characterised by medium to large Victorian dwellinghouses arranged in semis, many featuring front gables over large bay windows and elements of white render.

Description of development

The applicant is seeking permission to build a part single, part two storey side extension and two rear dormers, to provide additional living accommodation in the form of 3 additional bedrooms, for a family dwellinghouse.

Consultations & Notification Responses

Local residents, as per appendix 1 – 5 letters of objection were received, from 3 objectors, spanning two notifications. They raised the following concerns:

- Two storey side extension would be overbearing for neighbours on Manor Ave
- Two storey side extension would overshadow neighbours on Manor Ave

- Loss of sunlight would darken rear rooms at No's 1 and 3 Manor Ave
- Rear windows would overlook rooms and gardens of No's 1 and 3 Manor Ave, leading to a loss of privacy
- Two storey side would form a terracing effect with No.97's single storey side
- Brickwork and roof slates may not match existing building
- Deemed an overdevelopment of the site
- Increase in vehicles will affect on-street parking issues
- Dormers are out of character with conservation area

Whalley Range Conservation Area Group – No comments received.

Whalley Range Forum – No comments received.

Policies

The following policies are considered relevant in the consideration of this application. Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions
- Policy DC18 - Conservation Areas

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Issues

Principle – The principle of building a part single, part two storey side extension along with rear dormers, to provide additional living space for a family dwellinghouse is acceptable given the provisions of policy DC1 of the UDP, however consideration must be given to the proposals siting, scale and massing, appearance, impact upon existing levels of residential and visual amenity as well as the degree of harm upon the character of the conservation area.

Siting, scale and massing – The extension would project from the north-east side elevation, with a width of 3.3m and a depth of 7.2m at ground floor, 5.3m at first floor. It would have a setback of 2m from the principal elevation at first floor and would be set 2.48m from the original rear elevation. The first floor would have a ridge set 1m lower than existing and the 2m deep single storey side element would have a height of 4.37m. The two storey side extension would be sited 0.15m from the boundary shared with No.97 to the side and 1.8m from the rear boundary shared with No.1 Manor Avenue. Although it is sited close to the side boundary, the first floor is set significantly back from the front, set down from the ridge, does not project beyond the original rear and does not exceed half the width of the original house (9.1m) hence the siting, scale and massing of the side element is acceptable. The 2no rear dormers project

3.1m from the main rear slope, with a height of 1.5m and a width each of 2.87m. The resulting additional roof space would be less than 13.3 cubic metres. They would be set in 0.45m from the gable and party wall and 1.5m from the eaves. Originally the dormers were larger, as was the side extension but following negotiations both were reduced in scale slightly. The revised dormers and extension are considered subservient to the host dwelling and appropriately sited and scaled considering the location within a conservation area.

Design and impact upon visual amenity and conservation area – The extension would be constructed of materials to match the existing house, including matching brickwork, roof slates, white render and white uPVC windows. An objector raised a concern regarding the brickwork, highlighting that the brickwork to the front is different to that of the side and rear and that the materials key/schedule makes no reference to requiring two different types of brick, therefore a condition requiring specifications of the materials prior to above ground works has been attached. The side extension features a 2m setback and 1m lowered ridge with a gable pitch to match existing, to ensure a subservient and appropriate addition, protecting the visual amenity of the house and area, and to avoid any future terracing effect should No.97 build over their single storey side. Due to matching materials and sympathetic design, the extension and dormers as viewed from the street would be in-keeping with the property and appropriate for the conservation setting. Whalley Range Conservation Area Group and Whalley Range Forum were consulted but neither provided any comments. Objections were received from local residents relating to:

- Overdevelopment – The footprint of the property would only increase by 23.76m³, the extension is truly subservient, the dormers are relatively small and plenty of garden space remains, hence the works are not considered to constitute an overdevelopment of the plot.
- Terracing effect – There is to be a 2m setback and a 1m lowered ridge, which ensures that, should No.97 build a first floor side along the boundary, it will not create a terracing effect.
- Materials not matching – A materials TBC condition has been attached to ensure the bricks chosen will match each elevation.
- Dormer design out of character – Dormers are not a very common feature of the conservation area but they do exist. There's a large metal-clad dormer at No.41 Wood Road (116059/FH/2017), another similar box dormer at No.15 Whalley Road (131353/FH/2021), one at No.117 Dudley (114120/FH/2016) and dormers were recently approved for No.94 Dudley (133145/FH/2022), No.100 Dudley (129261/FH/2021), hence a precedence has been set.

Both policy EN3 and saved policy DC18 state that applications within conservation areas should preserve or enhance the appearance and character of the conservation area and that it is desirable for retention of existing features, such as boundary walls, gardens, trees and, where possible, preserving, enhancing the character, setting within the conservation area. The proposal retains the important features of the property, such as bay windows and replicates the style and materials. The original boundary wall and timber sash windows have already been removed previously. The existing frontage would remain unchanged aside from installing a small rooflight, as many neighbouring properties have already done. The dated, lightweight carport to be demolished bares no historic or architectural merit and therefore its loss would have a positive impact on the conservation area. Due to design, appropriate scale and quality matching materials, it is not considered that the proposal will have an unduly detrimental impact upon the character of the Whalley Range Conservation Area and as a result it is considered that the proposal will lead to less than substantial harm to the significance of this designated heritage asset.

Residential amenity – Local residents were notified of the development via letters and a site notice. 5no objections were received, with 2no in relation to the original submission and 3no in relation to the revised scheme. They raised the following concerns:

- Overbearing for properties on Manor Ave – The two storey side extension will come close (1.8m) to the rear boundary shared with No.1 Manor Ave, however due to this gap (exceeding

the 1.52m gap prescribed by policy DC1 of the UDP) and the unusual arrangement of these properties, the revised scheme is not considered to form an unduly overbearing feature as viewed from neighbouring plots.

- Loss of sunlight for properties on Manor Ave – Due to the orientation, the side extension will block some late evening sunlight to Manor Ave in summer, however this is not considered significant given the degree to which this would alter the existing situation, because No.1 and 3 Manor Ave have fairly enclosed north-facing gardens which already benefit from little direct afternoon sunlight. The loss of light due to these works would not be so great as to warrant a refusal.

- Loss of a view for properties on Manor Ave – There is no right to a view under planning law, hence this issue is not a material concern.

- Loss of privacy from side extension rear windows – The windows in question are to be obscured glazed and non-opening below 1.7m from floor level (which has been conditioned).

- Parking issues – The drive will retain space for 2-3 cars off the street which is more than adequate for a single family dwelling.

Therefore, on balance, the revised scheme is not considered to cause an undue loss of residential amenity for surrounding occupiers, pursuant to policies DC1, DM1 and SP1.

Refuse storage and parking – Currently the bins can be stored under the carport, however when this is replaced by a two storey side extension along the shared boundary, there will be no access to the rear, therefore a timber bin store has included at the front and this has been conditioned to be in place prior to first occupation of the extension. A large portion of the driveway would be retained, with space for 2 cars (possibly 3) as shown on the revised site plan, therefore off-street parking provision and the storage of refuse accords with policy DM1.

Conclusion – The proposal broadly complies with policies DM1, DC1, SP1 and the NPPF. Although it received objections, following detailed assessment and negotiations, the revised scheme is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor cause substantial harm to visual amenity and the character of Whalley Range Conservation Area. The proposed development is therefore deemed acceptable and may commence in accordance with the following conditions and approved drawings.

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 agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

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 revised drawings numbered 'A100 Rev A', 'A103 Rev A', 'A104 Rev A' and 'A106 Rev A', stamped as received by the City Council as Local Planning Authority on the 19th May 2022.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy.

3) No above-ground works shall commence unless and until samples and/or specifications of all materials to be used on all external elevations of the development, including new hardstanding, have been submitted to and approved in writing by the City Council as local planning authority.

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.

4) The proposed bin store, shown on revised drawings 'A100 Rev A' and 'A103 Rev A', shall be implemented and be in place prior to the first use/occupation of the extension(s) and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

5) Both windows within the rear elevation of the side extension, facing No.1 Manor Avenue, 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

Whalley Range Conservation Area Group
Whalley Range Forum

101 Dudley Road, Manchester, M16 8BW

1 Manor Avenue, Manchester, M16 8DX
98 Dudley Road, Manchester, M16 8BR
97 Dudley Road, Manchester, M16 8BW
96 Dudley Road, Manchester, M16 8BR
100 Dudley Road, Manchester, M16 8BR

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
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH