

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133382/FH/2022

Date registered valid: 30 March 2022

Proposal: Partial demolition of existing garage and conversion to garage store, new internal and external structural openings/replacement and widening the rear ground windows with new aluminium bifold doors and windows, and external cladding and erection of rear dormer with rooflights

Address: 17 Linden Park, Manchester, M19 2PQ

Ward(s): Burnage Ward

Applicant: Mr Joe Daly & Miss Polly Checkland 17 Linden Park, Manchester, Manchester, M19 2PQ

Agent (if any): Mr Michael Collins Michael Collins Architect LLP Suite 4A, 30 Bancroft, Hitchin, SG5 1LE

Case officer: Ian Jarvis
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Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 May 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 12 April 2022 Expired: 3 May 2022

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 two storey semi-detached property, in a row of similar properties. The property is centrally located in the row, with a row of semi-detached properties behind. There is a shared driveway/passageway between the property and the adjoining property (19 Linden Park) and there is a single storey garage in the rear garden, although it does not appear that the existing driveway/passageway is used for vehicular access.

A Certificate of Lawful Development has recently been granted on the site, for the demolition of the existing garage, new internal and external structural openings, installation of rear dormer and erection of new single storey outbuilding at the rear of the site (131791/LP/2021 - Approved December 2021)

That application included the following works: the following works:

- Changes to the ground floor rear elevation to create additional glazing with new aluminium sliding windows and oxidised copper external cladding along with various internal works
- A rear dormer extension - This would be no higher than the apex of the existing roof and would be set-in from the roof edges, and at its base, by over 20 centimetres from the eaves. It would have a height of approximately 2.2 metres from eaves level, a width of approximately 6 metres and would project approximately 4.5 metres from the apex of the roof. The dormer extension would therefore have a volume of approximately 29.5 cubic metres. The material proposed would be oxidised copper cladding of a similar colour to the existing roof and installed in strips to compliment the existing roof tiles.

- Erection of a single storey detached 'garden studio' at the bottom of the garden - This would have dimensions of approximately 2.7 metres long x 5 metres wide x 2.5 metres high A pergola would also be attached to the front and side of this structure, being no higher than the height of that structure. This would be finished in a charred timber cladding.
- Installation of two roof lights in the roof plane of the front elevation of the house.

Following the granting of this LDC, the following changes to the scheme were proposed:

- The single-story garden studio has now been removed from the plans. Instead, the existing garage will be reduced in size and converted into a garden store.
- Material colour change for the proposed dormer
- A change in location and size of the proposed rooflights

The oxidised copper cladding, previously proposed as the finish for the dormer extension, was of a similar colour to the existing roof and therefore met permitted development requirements. The applicant is now proposing a different cladding material which is a zinc grey/green cladding. As this does not match the colour of the existing roof, an application for planning permission is therefore required. At the same time, the applicant is also including elements that are covered by the LDC, but in the interests of having all the proposed works covered in one application.

The proposed works, subject of this application, therefore now comprise:

- Changes to the ground floor rear elevation composed of additional glazing, green cladding and stained timber, along with various internal works.
- A rear dormer extension - This would be no higher than the apex of the existing roof and would be set-in from the roof edges, and at its base, by over 20 centimetres from the eaves. It would have a height of approximately 2.2 metres from eaves level, a width of approximately 6 metres and would project approximately 4.5 metres from the apex of the roof. The dormer extension would therefore have a volume of approximately 29.5 cubic metres. The material proposed would be a zinc green/grey cladding.
- New aluminium casement windows in green PPC finish
- New aluminium bifold doors/windows in green PPC finish
- New raised planters
- Installation of a large glass rooflight on the dormer roof
- Installation of 4 rooflights on the front elevation
- Repositioning of door on side elevation

Consultations & Notification Responses

local residents - No comments received.

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:

- The general character of the property;
- The effect upon the amenity of the neighbouring occupiers;
- The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- The overall appearance of the proposal in the a street scene;
- 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:

- 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);
- They do not create undue loss of sunlight, daylight or privacy;
- 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).

Changes from previous consent for Certificate of Lawful Development - Compared to the previous approval, additional elements are proposed by way of some new rooflights, on the front elevation, and the repositioning of a door on the side elevation. These elements do not require planning permission, in their own right. Otherwise, a previously indicated outbuilding is being removed from the scheme, and an existing outbuilding is to be reduced in size. Again these changes would not have warranted a new planning application. The key change, that has resulted in an application being required is the change in the colour of the cladding finish relating to the proposed roof dormer.

Impact of proposed rear dormer - Other than the change in material, the size/position/design, of the proposed dormer, is no different to that previously granted an Lawful Development Certificate. However, the fact that planning permission needs to be obtained, means that all impacts, of the proposed dormer need to be assessed. The dormer previously included a large full length window, and the current application originally proposed a similar full length window. However, notwithstanding the previous Lawful Development Certificate consent, it was considered that this full length window would create the potential for the overlooking of garden areas of nearby properties. Consequently, the proposed design was amended and the glazed area was reduced by lifting the window sill height in the dormer, which in combination with a heavy transom, at 1100mm above floor level, helps minimise views through the lower part of the glazing, and thereby helps to restrict lines of sight overlooking neighbouring properties. Given that the applicant could legitimately construct a dormer with full length windows, as previously approved, this is considered to be a positive improvement to the scheme, which will assist in protecting the amenity of local residents.

In terms of the proposed change, in the colour of the cladding finish, this is indicated as 'Pigmento Green', but a sample has been submitted, which shows this to be more of a grey-green sage colour, that is quite subdued and it is considered that this finish, whilst not matching the colour of the existing roof, would be in keeping with the house, and proposed changes, overall, and would not represent a strident visual feature that would have a detrimental impact upon surrounding occupiers.

Conclusion - Given the dormer that could be installed, due to permitted development rights, the sample of material submitted, and the reduction in proposed glazing, it is not considered that the proposal would have a more detrimental impact, upon surrounding occupiers, than that allowed by the existing LDC consent, and on balance, the proposal is therefore considered to be acceptable.

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 a reduction in the proposed glazing to the dormer, to reduce their potential impact upon surrounding occupiers.

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:

Drawings numbered 095-001, 095-002, 095-003, 095-004, 095-005, 095-006, 095-007, 095-020 and 095-021, all stamped as received by the City Council, as Local Planning Authority on 30 March 2022.

The Design and Access Statement, dated March 2022, and stamped as received by the City Council, as Local Planning Authority on 30 March 2022, as amended by drawings numbered 095-022 rev C, 095-023 rev C, 095-024 rev D and 095-025 rev D, all stamped as received by the City Council as Local Planning Authority on 23 May 2022.

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 development shall only be implemented using the approved materials, as indicated in the Design and Access Statement, dated March 2022, and stamped as received by the City Council, as Local Planning Authority on 30 March 2022, as amended by drawing 095-025 rev D, stamped as received by the City Council as Local Planning Authority on 23 May 2022.

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, 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 drawing numbered 095-025 rev D, stamped as received by the City Council, as Local Planning Authority, on 23 May 2022, 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.

Appendix 1 – List of consultees & neighbours notified

22 Milwain Road, Manchester, M19 2PS
20 Linden Park, Manchester, M19 2PW
16 Linden Park, Manchester, M19 2PW
18 Linden Park, Manchester, M19 2PW
20 Milwain Road, Manchester, M19 2PS
18 Milwain Road, Manchester, M19 2PS
16 Milwain Road, Manchester, M19 2PS
19 Linden Park, Manchester, M19 2PQ
15 Linden Park, Manchester, M19 2PQ

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 - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH2