

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 133348/FH/2022

**Date registered valid:** 29 March 2022

**Proposal:** Erection of a single storey side and rear extension together with a hip to gable roof extension and installation of rear roof dormer to form additional living accommodation

**Address:** 18 Rutland Avenue, Manchester, M20 1JD

**Ward(s):** Old Moat Ward

**Applicant:** Mr MacKenzie & Mrs Dyson, 18 Rutland Avenue, Manchester, M20 1JD

**Agent (if any):** Mr Adam Watson, Watson Stirrup Architects, 10 Kenmore Road, Northenden, Manchester, M22 4AF

**Case officer:** Janet Lawless  
Tel: 0161 234 4535  
Email: [janet.lawless@manchester.gov.uk](mailto:janet.lawless@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 23 May 2022

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 10<sup>th</sup> May 2022

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 6 April 2022      Expired: 27 April 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**

The property that is the subject of this householder application is identified as 18 Rutland Avenue it is a brick built bay fronted semi- detached property. It has a hipped roof with a side dormer, and a single storey wrap around extension, which is set back from the frontage of the property about two thirds of the way, and returns half way along the rear elevation. This element currently has a glazed roof. It has garden area to the front and rear, which is accessed alongside through a side gate. The boundary treatment comprises of concrete post and timber panel fence with established hedges, trees and shrubbery. The boundary to the frontage is a low wall. There is space to the front in curtilage for the parking of a vehicle. The property is located within the Old Moat ward of the City.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

## **Description of area**

The area is predominantly residential in nature, with properties of a similar size, age and style to the host property.

## **Description of development**

The proposal is for the erection of a single storey side and rear extension together with a hip to gable roof extension and installation of rear roof dormer. The additional dimensions of the proposed side extension that would sit to the front of the existing side extension are 1.725 m wide (the same as existing) by 3.375 m length. The single storey rear extension is stepped with a maximum rearward projection of 2.925 m. The proposed rear dormer would occupy approximately half the width of the roof and would have a dual pitched roof. The single storey

side and rear extension would have a tiled roof and would house Velux type rooflights to provide additional natural lighting. The materials proposed would match those of the existing property.

## **Consultations & Notification Responses**

Local residents were informed- one representation has been received stating that the side extension seems to go close to the fence along the boundary with number 20 Rutland Avenue.

## **Issues**

### **Policy**

Core Strategy - 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 DM 1, Development Management, - Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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.

Policy SP1 'Spatial Principles' which states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

## Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o 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 the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

### **Principle**

As the proposal seeks to extend a residential property in an established residential area to create additional living accommodation, 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 single-storey rear extension has a maximum rearwards projection of 2.92 metres, stepping in as it approaches the boundary with number 20 Rutland Avenue. It would form an 'L' shaped wrap around and has a mono-pitch roof. The roof of the existing property would also be converted from hipped to a gable and a rear dormer installed.

The single-storey rear extension is considered to be subservient to the main house and would not form an incongruous feature 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 nor the area within which it is located.

### **Residential /Visual Amenity**

The rear extension has a limited height and modest rearward projection, and again it is an infill to be attached to the existing wrap around single storey extension. It projects a further 1 metre off the rear of the property for a width of 4.035 m and brings it in line with the single storey rear extension on the property at number 16 Rutland Avenue which is the other half of the pair of semis. The property to the other side identified as number 20 Rutland Avenue has also benefitted from a hip to gable and a dormer extension as proposed in this application for number 18 Rutland Avenue. It is considered that the proposed development has an acceptable relationship with these 2 neighbouring properties. The same gap is retained to the boundary with number 20 and it is not considered that the development would create any undue loss of light to neighbouring occupiers.

The dormer extension to the rear is modest and again matches that constructed within the roof of number 20 Rutland Avenue. Given the precedents of this and other similar development within the immediate vicinity of the site it would not be an incongruous feature.

There would be one additional window within the gable elevation, however with the same gap being maintained between properties, and the fact that the window would be obscurely glazed serving a bathroom, it is considered acceptable. The remaining additional windows and patio doors overlook the applicants own garden area. As such there would be no overlooking or loss of privacy. It is not considered that the proposal would have a detrimental impact upon either the residential or visual amenity of the host property, neighbouring properties, or on the character of the area within which it is located.

## **Waste Management**

The waste bins are currently stored alongside the property, however whilst this may still be possible, they would be closer to the frontage, and as such a condition requiring the detail and subsequent construction of a bin store would be attached to any consent granted.

## **Parking**

The parking is not impacted by the proposal.

## **Comments on representations received-**

A comment was received which stated that the proposed single storey side extension seemed to be going close to the fencing along the boundary. The single storey extension along the side is following the same building line as the existing smaller extension, and as such is taking the host property no closer to the fence than currently exists, it is however increasing the length of the extension. It is not considered given the boundary treatments and the existing extension on the neighbouring property in the same location to have a detrimental impact upon either the residential or visual amenity of the neighbouring properties.

## **Conclusion**

It is 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. The application has been determined in a timely manner in accordance with both local and national policies, and appropriate conditions have been attached.

### **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:

P200- Proposed Block Plan

P201- Proposed Floor Plan

P206- Location Plan

P300- Proposed Elevations

P301- Proposed Elevations

All received 29th March 2022

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, including the mortar and patching in.

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) 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 windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

5) Before first occupation, the windows serving the second floor landing and shower room in the new gable (southern 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 the adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

6) Prior to the occupation of the development hereby approved, full details of secure and ventilated bin storage , including its location and elevations, shall be submitted to and approved in writing by the City Council as local planning authority. The bin storage area shall be implemented in accordance with the approved scheme and be in place prior to the first use of the development and shall be retained and maintained thereafter so long as the development hereby approved is in use.

Reason - In the interests of the provision of adequate waste storage, and 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.

## **Appendix 1 – List of consultees & neighbours notified**

23 Rutland Avenue, Manchester, M20 1JD  
Flat D, 25 Goulden Road, Manchester, M20 4ZE  
Flat C, 25 Goulden Road, Manchester, M20 4ZE  
Flat B, 25 Goulden Road, Manchester, M20 4ZE  
Flat A, 25 Goulden Road, Manchester, M20 4ZE  
Flat 4, 27 Goulden Road, Manchester, M20 4ZE  
Flat 3, 27 Goulden Road, Manchester, M20 4ZE  
Flat 2, 27 Goulden Road, Manchester, M20 4ZE  
Flat 1, 27 Goulden Road, Manchester, M20 4ZE  
19 Rutland Avenue, Manchester, M20 1JD  
16 Rutland Avenue, Manchester, M20 1JD  
21 Rutland Avenue, Manchester, M20 1JD  
20 Rutland Avenue, Manchester, M20 1JD

## **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) -  
Area Team Boundary - Name: SOUTH