

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129861/FH/2021

Date registered valid: 6 April 2021

Proposal: Erection of a single storey side and rear extension to provide additional living accommodation

Address: 45 Brooklawn Drive, Manchester, M20 3GY

Ward(s): Didsbury East Ward

Applicant: Mr Micheal Weldon 45 Brooklawn Drive, Manchester, M20 3GY

Agent (if any): Mr Martin Ashworth James Campbell Associates Campbell House,
173 Rochdale Road, Milnrow, Rochdale, OL16 3BN

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 June 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 April 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 April 2021 Expired: 30 April 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 semi-detached dwellinghouse that is predominantly brick built with bay windows and a tiled roof. An application in 2012 was approved for a dormer under planning reference: 098554/FH/2012/S2 there have been no other planning applications at this address.



Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The area is predominantly residential in nature which contains mostly two storey semi-detached dwellings, although there are examples of detached dwellinghouses.

Description of development

The applicant is seeking planning permission to erect a single storey side and rear extension to provide additional living accommodation

Consultations & Notification Responses

Local residents/public opinion – One representation was received neither objecting to nor supporting the application. The resident sought clarification of the distance to a shared boundary as they were concerned that the fence and an established fence are not compromised.

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.

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 – The applicant is seeking to erect a single storey side and rear extension. At the rear the extension would have a rearward projection of 4 metres and adjoin the existing single storey outrigger at the back. The proposed extension would have a lean to roof with a maximum height of 3.9 metres reducing to 3.6 metres at the side with an eaves height of 2.8 metres.

At the side the proposed extension would have a sideward projection of 2.97 metres which would leave a minimum of 150mm to the shared boundary with No. 47 Brooklawn Drive.

Saved Policy DC1.3 of the UDP states that the City Council would not normally approve extensions with rearward projections greater than 3.65 metres. However the inclusion of the word “normally” does allow scope for larger extension greater than 3.65 metres where appropriate. In this case whilst the projection is larger at a maximum of 4 metres, it has to be balanced against DC1.1C which requires that the Council consider the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs. In this case the extension would provide an enlarged kitchen whilst still provide outdoor amenity space in the form of a rear garden.

The fallback is a material consideration in the decision making process, of which the PD rights given by the Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to.

Subject to prior approved could have applied for a single storey extension with a 6 metres subject to a neighbour notification process, if no objection was received then provide the extension complied with Part 1, Schedule 2, Class A of the Town and Country (General Permitted Development) Order 2015 (as amended) it would have been permitted.

Therefore, the impacts of the rear extension would broadly similar to one that could be approved under the prior approval large homes extension permitted development route.

Therefore the proposal in terms of siting, scale and massing accords with policies 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 predominantly painted render. 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 - If the proposed development is approved there would still be sufficient space for outdoor amenity. 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.

A resident sought clarification on the gap to the shared boundary and officers did provide a response, no further comments were received at the time that this report was written.

Car Parking – Car Parking arrangement would remain unchanged.

Refuse Storage – It is unclear where refuse storage would be located therefore it is recommended that a condition is attached require these details together with a suitable enclosure for the bins is submitted to and approved by the Council to protect the visual amenity of the street.

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 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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but 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:

20.2245.10A stamped as received by City Council as Local Planning Authority, on the 29.03.2021

20.2245.11A stamped as received by City Council as Local Planning Authority, on the 02.06.2021

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 be similar in appearance to those used during the construction of the original dwellinghouse in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Prior to any above ground works commencing, details of a refuse bin store and location shall be submitted to and approved by the City Council as Local Planning Authority. The development should be carried out in accordance with the approved details and shall be available prior to the first use of the extension hereby approved and shall remain in situ.

Reason - In the interests of residential and visual amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

78 Brooklawn Drive, Manchester, M20 3GZ
76 Brooklawn Drive, Manchester, M20 3GZ
47 Brooklawn Drive, Manchester, M20 3GY
20 Westholme Road, Manchester, M20 3QN
3 Roseland Avenue, Manchester, M20 3QY
43 Brooklawn Drive, Manchester, M20 3GY

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