

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129712/JO/2021
Date registered valid: 22 March 2021
Proposal: Variation of Condition 2 (specified plans) attached to planning permission 126695/FH/2020 to allow alterations to detached outbuilding including increase in height, inclusion of additional windows and inclusion of solar panels
Address: 260 Errwood Road, Manchester, M19 1HY
Ward(s): Burnage Ward

Applicant: Mrs Katarzyna Ali 260 Errwood Road, Manchester, M19 1HY
Agent (if any):
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 25th May 2021



Application details

Type of application:	Variation or Removal of Condition
Development type:	Householder
Date of site visit:	Site photos provided by applicant
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 24 March 2021 Expired: 14 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 property is a two storey semi-detached house located in the Burnage ward area of Manchester. The property benefits from a front and rear garden with timber boundary treatment to the rear.



Listed building:	Not applicable
Conservation area:	Not applicable
Tree Preservation Order:	Not applicable

Description of area

This is primarily a residential area in nature

Description of development

Variation of Condition 2 (specified plans) attached to planning permission 126695/FH/2020 to allow alterations to detached outbuilding including increase in height, inclusion of additional windows and inclusion of solar panels

Consultations & Notification Responses

Local residents, as per Appendix 1 - Two letters of objection have been received in respect of this application, summary of comments as follows:

- Concerns about privacy relating to the additional windows requested in the new planning proposals. The development is very close to the border of property.
- The building height (not including the roof) appears to differ depending on which elevation you look at, e.g 02 shows 2520 and 04 shows 2400.
- The main concerns are that the outside appearance will change from what was agreed previously.
- The inclusion of additional windows will infringe on the view from our property. Windows would not be necessary on our side as there are large patio glass doors planned facing the main house.
- The increase in height will reduce the light in our garden and obstruct our view.
- The use of this space as accommodation will create additional noise close to our house.
- The quality of the new building that has recently been built in the grounds of the garden is poor.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 19 - Waste Management
- o The National Planning Policy Framework (NPPF)

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

The City Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the development of an outbuilding in this location has previously been considered acceptable under the original planning approval. In this instance further consideration is required of the proposed amendments including the inclusion of windows to side and rear elevations and the increase in height of the outbuilding.

History

There are four previous planning applications relating to this site as follows:

101990/FH/2013/S2 - Application Refused - 03.06.2013 - Erection of part single, part two storey rear extension to form additional living accommodation

104298/FH/2013/S2 - Application Approved - 12.02.2014 - Erection of a part single, part two storey rear extension to form additional living accommodation

105898/FH/2014/S2 - Application Approved - 24.09.2014 - Erection of single-storey detached outbuilding within rear garden to form additional living accommodation

126695/FH/2020 – Application Approved – 25.06.2020 - Erection of single-storey detached outbuilding within rear garden to form additional living accommodation

Residential Amenity

The proposal is to the far end of the rear garden and is an application for a variation of condition 2 (specified plans) attached to planning permission 126695/FH/2020 to allow alterations to detached outbuilding including increase in height, inclusion of additional windows and inclusion of solar panels.

Concerns were raised by local residents in relation to the proximity of the proposal to the boundary, the height of the outbuilding, loss of privacy, the use of the outbuilding as accommodation and the design.

The applicant proposes to increase the height of the outbuilding from the approved height of 3.4 metres to 3.812 metres to accommodate the introduction of solar panels. The roof would remain the same being hipped. The length of 8.0 metres and a width of 6.6 metres remains unchanged. The garden itself can accommodate an outbuilding of this size. The outbuilding has a close relationship of the outbuilding to the boundaries of the surrounding properties however the design of the roof helps to alleviate the visual impact on the surrounding properties. The City Council considers the change to the roof design as acceptable, the inclusion of solar panels to the outbuilding is to be welcomed. Given the main height of the roof is centrally located given the roof profile it is not considered that the proposals would give rise to unacceptable impacts in terms of loss of light or overshadowing of neighbouring gardens and properties.

Concerns were raised in relation to loss of privacy given by the introduction of additional windows on the outbuilding, these concerns were raised with the applicant. The applicant confirmed that the additional windows are for safety reasons for means of escape. The proposal has been changed reducing the number of windows proposed however it is proposed to attach a suitably worded condition to ensure that these are obscure glazing to address the potential of overlooking

and loss of privacy issues of neighbouring gardens. One window is proposed on the rear elevation facing no. 24 Pearn Road, one window proposed on the side elevation facing no's 25 and 27 Fair Oak Road, two windows on the side elevation facing no.258 Errwood Road and bi folding doors facing the rear elevation of 260 Errwood Road.

Further concerns were raised with regards to the outbuilding and its use as accommodation. The City Council considers that the use of the outbuilding is ancillary to the existing property and therefore is considered to be acceptable, however, to ensure that it is not used as a separate residential dwelling to the property a condition has been attached for ancillary use.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

Scale and Massing

In context to the existing rear garden, the outbuilding is acceptable. The scale and massing of the outbuilding is considered would not cause undue harm to the current levels of amenity being enjoyed by the occupiers of surrounding properties. The extension would not present an unusual feature in the immediate area and due to the existence of other similar extensions to a variety of house types in the immediate area, the size of the extension is considered acceptable within the surrounding environmental context and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties.

It is therefore considered that the design, scale and appearance of the proposed extension is satisfactory and is considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching materials by way of brick and tile. The design is detailed as what is normally expected of such a structure and would not unduly impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

For the above reasons, the proposal is considered to have an acceptable impact on residential amenity in accordance with the guidance contained within policy DM1 of the Core Strategy.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 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

Positive and proactive working - 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. No significant problems have arisen during the consideration of this application.

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 planning permission reference 126695/FH/2020 that date being 25th June 2020

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:

Received on 19th May 2021 numbered A101 Proposed Location and Site Plan

Received on 19th May 2021 numbered A102 Proposed 3D impression

Received on 19th May 2021 numbered A103 Proposed Plans

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 hereby permitted shall match those as specified on the application form/drawings 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) Before first occupation all windows in the side and rear elevations 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.

5) The detached outbuilding hereby approved shall not be occupied at any time other than for purposes ancillary to the use of the dwelling known as number 260 Errwood Road, M19 1HY.

Reason - To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

24 Pearn Road, Manchester, M19 1DS
258 Errwood Road, Manchester, M19 1HY
260 Errwood Road, Manchester, M19 1HY
262 Errwood Road, Manchester, M19 1HY
264 Errwood Road, Manchester, M19 1HY
25 Fair Oak Road, Manchester, M19 1DT
27 Fair Oak Road, Manchester, M19 1DT
29 Fair Oak Road, Manchester, M19 1DT
31 Fair Oak Road, Manchester, M19 1DT
5 Woodview Avenue, Manchester, M19 1PD
7 Woodview Avenue, Manchester, M19 1PD

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
Area Team Boundary - Name: SOUTH