

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133273/JO/2022

Date registered valid: 21 March 2022

Proposal: Variation of Condition 2 (specified plans) attached to planning permission 131863/FO/2021 to allow for the additions of rear dormers.

Address: 142 Manchester Road, Chorlton, Manchester, M16 0DZ

Ward(s): Chorlton Ward

Applicant: Messrs S Khokhar, H Iqbal & B Iqbal 142 Manchester Road, Chorlton, Manchester, M16 0DZ

Agent (if any): R Anwar, RA Design & Project Management Ltd, Suite 4 The White House, 42-44 Chorley New Road, Bolton, Lancashire, BL1 4AP

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 16.05.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Notifications

Date of site visit: 22 April 2022

Standard consultations:

Printed: 31 March 2022 Expired: 21 April 2022

Neighbour notifications

Printed: 1 April 2022 Expired: 22 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

142 Manchester Road is a two storey detached house with a hipped roof. 142a Manchester Road is a single storey side extension that projects beyond the rear of the property and also occupies a single storey lean to on the rear of number 142. There is a 6 metre deep front garden and a 25.5 metre long rear garden which is canted at an angle. Whilst 142 is 1.7 metres from the southwest boundary of the site and 2.8 metres from the northeast boundary, 142a occupies the width of the side passage on the northeast side.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. There are detached properties to the northeast and southwest, both of which have substantial rear extensions. The rear garden adjoins the rear gardens of properties on Strathmore Avenue. There are further residential facing the site across Manchester Road.

Description of development

In December 2021 planning permission reference 131863/FO/2021, was granted for the erection of a two storey rear extension with a hipped roof, a hip to gable conversion on both sides of the existing property and a single storey extension on the rear of the existing single storey side and rear extension. This latter extension is not being constructed in accordance with the approve plans.

This application seek to increase the amount of accommodation available by initially enlarging the roof. In response to concerns raised the scheme has been modified and now comprises flat roofed dormers either side of the extension roof at the rear of the property. The dormers would occupy the full width of the extension with a nominal set back from the gables and the eaves. There would be a single window either side of the extension roof.



This revised application show the rear extension as approved, not as built.

Consultations & Notification Responses

Local residents

One letter has been received from a resident who is concerned that the property will be converted into flats.

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DM1 which sets down the criteria to be considered in determining applications for residential extensions. The policy establishes the principle of extending a property to meet the changing needs of the occupiers it also requires extensions to be subservient to the host property.

Issues

Principle

The principle of the rear extensions and the hip to gable extension have been established with the granting of planning permission reference 131863/FO/2021. This application is concerned solely with the impact that the dormers would have.

Scale

This is a large detached house on a sizable plot and this has been reflected in the scale of the extensions allowed. It is however considered that having already converted the hips to gables the addition of the large rear dormers would significantly increase the scale of the gable, in a manner that would appear excessive. On balance it is considered that the additional scale created by the proposed dormers would adversely impact on the character of the area.

Design

The proposed dormers are simple flats roofed additions with a single window. In other circumstances the design of the dormer would be considered acceptable.

Subservience.

This is a large detached house on a sizable plot which has been reflected in the scale of the extensions allowed. It is considered that by adding to the property at roof level it will significantly increase the apparent scale of the property in a manner that ceases to be subservient to the host property. This additional bulk it is considered would impact both on the adjoining properties and the character of the area.

Residential Amenity

The windows in the dormer would face down the garden and therefore there would only be oblique overlooking of adjacent properties. It is therefore considered that there would be no significant privacy issues with the dormers.

In terms of overbearing impact the addition of the gables could with the dormers it is considered result in some overshadowing or overbearing impact of the adjacent properties.



Conclusion.

The existing extensions to the property are generous and it is considered that any further extension would have an unacceptable impact on the amenity of the area and the adjacent properties.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The cumulative impact of adding rear dormers to the extensions approved under reference 131863/FO/2021 would result in the extensions no longer being subservient to the host property to the detriment of the amenity of the occupiers of the adjacent properties and the character of the area. The proposed amendment to planning permission 131863/FO/2021 would therefore be contrary to Core Strategy policy DM1 and saved Unitary Development Plan policy DC1

Appendix 1 – List of consultees & neighbours notified

Chorlton Voice

6 Strathmore Avenue, Manchester, M16 0BU

142A Manchester Road, Chorlton, Manchester, M16 0DZ

155 Manchester Road, Chorlton, Manchester, M16 0FE

Shassab Residential Care Home, 144 Manchester Road, Chorlton, Manchester, M16 0DZ

159 Manchester Road, Chorlton, Manchester, M16 0FE

157 Manchester Road, Chorlton, Manchester, M16 0FE

140 Manchester Road, Chorlton, Manchester, M16 0DZ

8 Strathmore Avenue, Manchester, M16 0BU

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) -

Area Team Boundary - Name: SOUTH