

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133012/FH/2022

Date registered valid: 1 March 2022

Proposal: Erection of single storey rear and side extension, hip to gable conversion, including a dormer to the rear and rooflight to the front to provide additional living accommodation

Address: 8 Kelby Avenue, Manchester, M23 1AT

Ward(s): Baguley Ward

Applicant: Mr John Lorimer, 8 Kelby Avenue, Manchester, M23 1AT

Agent (if any): Mr David Cryer, 161 Edith Terrace, Compstall, SK6 5JF

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: Approval

Date of recommendation: 16.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 March 2022 Expired: 24 March 2022

Printed: 4 May 2022 Expired: 11 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The site comprises a semidetached bungalow in the Baguley area of South Manchester. The property benefits from a large front and splayed rear garden and hardstanding driveway with access along the side. A small outbuilding is present in the rear garden close to the shared boundary with 7 Kelby Avenue. The property is bounded by timber fencing.

Description of development

The application seeks consent for the erection of a single storey rear and side extension and the installation of a rear dormer, to form additional living accommodation. The agent was advised early on in the planning application surrounding the rear dormer's subservience to the original dwelling and the excessively large balcony.

Following negotiation, the proposal has been revised in the interest of visual and residential amenity. Clarification has been provided in relation to the rear dormer's footprint and position and removing the dormer's external floorspace replacing this with a Juliet balcony. The revised drawings are consistent and accords with DC1 of the Saved Unitary Development Plan (Email dated 26.04.2022 and attached revised plans)

DRAWING: Floor Plans ref. DR-A-200101D and Proposed Elevations

The single storey side extension accommodates a porch and bathroom to the front with an open plan living area towards the rear of the property, including two small side elevation windows and

one rear elevation window. The proposed extension will incorporate a 3.6 metre setback from the principal elevation. The extension will have approx. dimensions of Height 2.7m x Width 2.1m x Depth 7.7m. The proposed side extension would be sited 2.3metres from the shared boundary with 7 Kelby Avenue at its closest distance.

The proposed single storey rear extension accommodates an open plan living area including a set of French sliding doors and one rooflight. The proposed extension incorporates the full width of the existing rear elevation becoming flush with the shared boundary with 6 Kelby Avenue. The extension will have approx. dimensions of Height 2.7m x Width 6m x Rear Projection 3.3m.

The proposed rear dormer will be sited along the original roof and have approx. dimensions of Height 2.1m x Width 5.8m x Depth 3.4m. Additionally, the dormer would be set in from the eaves by 0.2metres and set slightly below the original roof ridge height. The proposal would create an additional bedroom and en-suite area. The dormer would include the installation of a Juliet balcony overlooking the rear garden.

Consultations & Notification Responses

Local residents were notified to the original application and objection letters were received. The information of the letters are stated below:

Objector 1: *This will overlook up to four property's at the rear.*

Objector 2: *I wish to appose this application for the dorma bungalow extension due to the fact that it backs onto our rear garden and it will invade our privacy. This is one of the reasons we bought our bungalow because we weren't overlooked we spend a lot of time in the garden as we are retired.*

Objector 3: *We do not want our garden/house overlooked. Further, when we submitted a planning application for an extension to our house which included a proposed balcony it was rejected due to objections from the neighbours on grounds of overlooking.*

The proposal has been revised since those objection letters were received, removing the external floorspace of the balcony and replacing with a Juliet balcony. Neighbours were re-consulted and one additional letter was received. Similarly, the objector made reference to the perceived overlooking impacts and invading their privacy. The objection is listed below:

Objector 2: *I Wish to oppose this application for dorma bungalow because the window of the dorma will overlook our garden hence invade our privacy.*

Comments on Objections: The objections all centre around the perceived overlooking and loss of privacy neighbouring properties would experience from this application. It should be noted this has been taken into consideration with the revised plans and is evaluated in the sections below.

Policy

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

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.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

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:

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

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- 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.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how: -Both construction and demolition waste will be minimised and recycled on site wherever possible; -The sustainable waste management needs of the end user will be met.

Policy DM1 - Requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking have been proposed.

Principle

The proposed development is a single storey side and rear extension alongside installation of a rear dormer to a residential dwelling, this is considered acceptable in principle as many people prefer to extend their homes rather than move in order to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity.

Issues

Residential and Visual Amenity

As stated above, the proposed rear extension would be sited along the shared boundary with 6 Kelby Avenue and would extend 3.3m along the rear boundary. However due to the extension at no. 6, which includes a single storey rear extension, the proposed extension would only extend beyond the neighbour's rear building line by approx. 0.9 metres. Given the orientation of the property and the single storey nature of the development it is not considered that the rear extension will bring additional overshadowing or overbearing impacts. This neighbour would not experience any overlooking or privacy implications as no windows are to be inserted in the side elevation. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

The proposed side extension would be set back from the primary building line by 3.6metres and would be sited approx. 2.3metres at the closest distance from the shared boundary with 7 Kelby Avenue. This neighbour would experience an increased level of built form along the boundary however, given as they extension is sited away from the boundary and the positioning of 7 Kelby Avenue in relation to the proposal, it is deemed that the proposal is sympathetic to the neighbours. Two small windows would be inserted within the proposed side elevation facing onto 7 Kelby Avenue. To retain privacy for the applicant, the windows should be obscured glazed, a condition to this effect shall be attached to any approval.

As viewed from the street, the side extension would be set back from the principal elevation by 3.6metres and with an approx. width of 2.1m, therefore it is deemed the extension would not produce an overpowering or incongruous feature within the street scene.

Consideration was given to the flat roof profiles' of the extensions to this residential bungalow as stated in the saved Unitary Development Plan policy DC1.3, however in this instance it is not considered to bring around significant visual or residential impact given the reasoning outlined above as to warrant refusal to the proposed development.

The revised drawings were received in relation to the rear dormer, the rear dormer will now be set within the existing roof and not protruding onto the rear extension. Additionally the external floorspace of the original application has been removed and replaced with a Juliet balcony

along the proposed rear elevation. The proposed rear dormer is situated 10 metres from the shared rear boundaries along Sandacre Road, and given the orientation of the properties of Sandacre Road and their substantial rear gardens, it is not considered that the proposed rear dormer would lead to significant overlooking or loss of privacy impacts to neighbouring occupiers.

Furthermore, the addition of the Juliet balcony is commonplace within the local street scene, examples include 9 Ashwell Road (102975/FH/2013/S2). As noted above, one additional objection letter was received during the re-consultation period regarding overlooking and loss of privacy however, it is deemed that the proposed rear dormer would not give rise to significant adverse impacts to visual and residential amenity to the neighbouring properties as to warrant refusal to the proposed development.

The proposed development would allow for amenity space to be retained along the front, side and rear of the application site.

Overall the proposed extensions are considered to be subservient to the existing property and creates a sympathetic approach to the street character therefore, this proposal does not create any significant impacts in terms of visual or residential amenity within the character of the general area and is considered acceptable against the principles set within Saved DC1 and SP1 and DM1 of the Core Strategy.

Design and Appearance

It is not considered that the proposed development would unduly harm the character of the building or the general area. The materials would match the existing, although it is recommended a materials condition is attached to ensure that the materials are adhered to, pursuant with the requirements of Core Strategy policies DM1, EN1 and SP1 and saved UPD policy DC1.

Waste Management

There is sufficient land to the rear of the property without causing any additional residential amenity

Car Parking

The existing off street car parking arrangement will not be affected by this proposal due to the additional space available along the side of the property.

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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the 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 permission.

Reason- Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents: Local plans and drawings numbers:

Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council as Local Planning Authority on 22 February 2022

Drawing- Location Plan, stamped as received by the City Council, as the Local Planning Authority on 22 February 2022

Drawing- Proposed Additional Elevations, stamped as received by the City Council, as the Local Planning Authority on 26 April 2022

Drawing- Floor Plans ref. DR-A-200101D stamped as received by the City Council, as the Local Planning Authority on 28 April 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 (2012).

- 3) The materials to be used on the external surfaces of the dormer hereby permitted shall match those specified on the submitted application form, including cedar cladding or equivalent

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) 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 drawings:
Drawing- Proposed Additional Elevations, stamped as received by the City Council, as the Local Planning Authority on 26 April 2022
Drawing- Floor Plans ref. DR-A-200101D stamped as received by the City Council, as the Local Planning Authority on 28 April 2022

Reason- In the interest of residential amenity pursuant to policy SP1 and DM1 Core Strategy for City of Manchester.

- 5) Before first occupation, the ground floor bathroom window and front porch window, as shown on the approved 'Floor Plans ref. DR-A-200101D' stamped as received by the City Council, as the Local Planning Authority on 28 April 2022, 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 adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

11 Ashwell Road, Manchester, M23 1AL
9 Ashwell Road, Manchester, M23 1AL
7 Kelby Avenue, Manchester, M23 1AT
22 Sandacre Road, Manchester, M23 1AF
7 Ashwell Road, Manchester, M23 1AL
26 Sandacre Road, Manchester, M23 1AF
20 Sandacre Road, Manchester, M23 1AF
24 Sandacre Road, Manchester, M23 1AF
18 Sandacre Road, Manchester, M23 1AF
6 Kelby Avenue, Manchester, M23 1AT

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 45M
Area Team Boundary - Name: SOUTH