MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129540/FH/2021
Date registered valid:	4 March 2021
Proposal:	Erection of a single storey rear extension, roof extension to existing two storey side extension, installation of rear roof dormer, and associated elevation alterations to form additional living accommodation
Address:	90 Atwood Road, Manchester, M20 6JN
Ward(s):	Didsbury East Ward
Applicant:	Mrs Grace Rothery, 15 Willoughby Avenue, Manchester, M20 6AS
Agent (if any):	Martin Parsons, Bernard Taylor Partnership Ltd, Elizabeth House , 486 Didsbury Road, Stockport, SK4 3BS
Case officer:	Robert Griffin Tel: 0161 234 4527 Email: robert.griffin@manchester.gov.uk
Recommendation:	APPROVE
Date of recommendation:	**29.04.2021**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26 April 2021

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 22 March 2021 Expired: 12 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application property is a two-storey semi-detached dwelling house with a front ground to first floor gabled bay window together with a historic two storey flat roofed side extension with ground floor garage. The property is predominantly of brick construction with more decorative brick features and areas of render and timber on the front elevation. This is reflective of other properties in the street which give it a consistent and distinct character. There is a boundary wall and hedge to the front with a long garden to the rear. Immediately adjacent the property is a public footpath that separates the application property from the next pair of semi-detached properties. This footpath runs diagonally alongside the property and the line of the path is reflective in the boundary line between the application property and the adjoining semi-detached property at number 92 Atwood Road.

To the rear of the property is a small single storey outrigger that runs across both semi-detached properties with the boundary between the two properties demarcated by boundary hedge.



Description of development

The application proposals are for the erection of a single storey rear extension, roof extension to existing two storey side extension, installation of rear roof dormer, and associated elevation alterations to form additional living accommodation. The application was subject of a renotification due to the omission of the roof extension on the existing side extension in the description of development.

The application proposals have been subject of further revision with respect of the height of the parapet wall to the rear extension and the length and height of the boundary wall proposed.

Consultations & Notification Responses

Neighbouring properties were notified of the proposals two objections have been received from the same property together with supporting pictures from the rear room, to the proposals as originally submitted and the amended scheme.

A summary of the comments made is set out below:

The erection of the single storey ground floor extension to the back of the property is strongly opposed.

It is of note that none of the 9 drawings uploaded provide measurements indicating the overall size of the extension and how far it will go into the garden. Nor do any of the drawings provide any measurements whatsoever as to the specific height/s or length of the proposed wall.

In summary the objections are as follows:

ENVIRONMENTAL IMPACT

The erection of the extension, incorporating the parapet wall/s will inevitably lead to the complete removal of a longstanding hedgerow made up of trimmed Leylandii that run along the boundary fence (along the 90 Atwood side). This hedgerow will have to be removed to enable the extension and wall to be constructed. The Householder Application document, dated 26/02/2021, at paragraph 6, is incorrect in this respect when it states that no "trees or hedges need to be removed"; this is clearly not the case. The extension, wall, and their foundations, will inevitably lead to some encroachment onto the adjoining property (92 Atwood) which will also lead to the destruction of mature plants and shrubbery (although not of relevance to this application, it should be noted that the wall is proposed to be built astride the boundary line for which notice has not been served and permission will not be given).

The properties on the road are all Edwardian. The extension proposed is described as being "contemporary" (letter from BTP architects). Although the extension is at the back of the house it is certainly not in keeping with the age and character of the adjoining property or the surrounding properties as it will be little more than a contemporary box attached to the rear of the house. The attached property (92 Atwood) has an extension (which has been there since before I moved in (in 1966)) which is very much in keeping: slated pitched roof, wooden sash effect windows, etc. The box is not.

The parapet wall/s is also not in keeping. All of the other surrounding properties have wooden fencing between the houses, as has the 'party wall' been to the present day. I feel it will be a complete eyesore. The height (in excess of 3 metres at its high point) and length (estimated to be circa 8 metres) will simply go to emphasise how incongruous it is. As drawing 111, elevation 1-a, shows the standard wooden fencing on the west side of number 90 is towered over by the parapet wall/s.

OVERSHADOWING

As outlined above, no accurate measurements appear to have been given for the size of the building and height/length of the parapet wall/s. The measurements on drawing number 111 would indicate that it is (the wall) far in excess of 3 metres in height where it joins the respective properties. As for length, as the wall appears to run to a point in the garden largely on line with the garage in the garden at No. 92 (drawing number 109) this has been used to gain an approximate measurement of 8 metres.

The wall therefore will be in excess of 3 metres in height and run for approximately 8 metres.

By virtue of its size it is very overbearing and will greatly overshadow the back of the property at number 92 as well as a large portion of the garden.

As drawing 109 makes clear, 92 Atwood has a doorway leading into the garden right next to the proposed extension/wall. During the Summer months this door is often open with seating being placed just outside of the door. There will be no possibility of this being done (as it has been done for decades) with an overbearing 3 metre+ wall immediately to the side.

LOSS OF SUNLIGHT

The gardens have the benefit of being directly South facing.

The proposed extension/wall will be along the west side of 92 Atwood Road, having a significant impact on the sunlight in the mid to late afternoon (the sun rising in the East and setting in the West).

The length and height will impact upon the amount of direct sunlight that will hit the back of the house and come through the windows.

It will reduce the amount of time that can be spent sitting outside the doorway (as referred to above).

The length and height will also significantly curtail the amount of daylight sunshine hours that are enjoyed in the garden. I have frequently spent time in the garden with friends and family over the years. The extension/wall will curtail this, clearly impacting upon my right to family life (Article 8, Human Rights Act 1998).

The effect of the proposed extension along the party fence will mean that this area is little more than a passageway. I will no longer be able to sit outside the doorway because of this, as the area will be completely hemmed in by the extension.

The height of the proposed extension/wall as it will go to the roof line (roughly double the height of the current fence). This will truly block a lot of light that comes into my house through the door and windows.

I have considered what appear to be revised drawings on the MCC site, dated 29/03/2021 (I was surprised that I was not made aware of them).

There is a noticeable absence of measurements on drawing 111 as to how far the extension and wall will go into the garden. From drawing 109, although again there are no measurements, the wall appears to be twice the length of the extension.

As I explained previously this has significant implications - it is both overbearing and will have a significant impact upon light.

I have lived in this property since 1966. I feel very upset by the idea that after all of these years my enjoyment of both my home and garden will be severely impacted by this extension and wall.

Policy

Relevant policy to this application is contained in the NPPF (2019) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

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.
Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
Core Strategy policy DM1 indicates 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.
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.
Unitary Development Plan
Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:
DC1.1 The Council will have regard to:
a. The general character of the property
b. The effect upon the amenity of neighbouring occupiers
c. The overall appearance of the proposal in the street scene;
d. The effect of the loss of any on-site car-parking
Policy DC1.2 states extensions will be allowed subject to:
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 the original buildings)
b. They do not create a loss of sunlight/daylight or privacy

c. They are not out of character with the style of development in the area
d. They would not result in the loss of off-street parking

Policy DC1.3 states that notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) 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;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:
a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.
As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Issues

Principle - The general principle of householders extending their properties to provide additional living accommodation is acceptable subject to further consideration of the impacts of proposals on residential amenity and the character of the area.

Residential Amenity - The proposals relate to three elements, the rear roof dormer extension, the roof extension to the existing two storey side extension and the single storey rear extension.

The proposed roof dormer is located on the rear roof slope. Given the side public footpath this element would be visible from public areas. However, the adjoining property has a rear roof dormer and the proposed is not significantly different in terms of scale, size and finish (noted as to match existing roof on the submitted application forms). There are two proposed windows to the dormer one being a Juliet balcony. The rear garden is approximately 21 metres in length and as such views down the garden towards properties on Aldwick Avenue would be over an acceptable distance to not give rise to impacts on privacy or overlooking. This element of the proposal is not considered to give rise to unacceptable impacts on residential amenity.



The roof extension to the flat roofed side extension would enable an enlargement to living accommodation to be provided in the enlarged roof through the dormer extension and introduce an additional rear facing window although this would reflect the views over the public foot path and rear garden area that the first floor window currently has. As such it is not considered that the roof extension would give rise to impacts on residential amenity.

The proposed rear single storey extension has been amended since original submission to reduce the height of the parapet wall that is located adjacent the adjoining property boundary and the height of the boundary wall that is shown as a continuation of the rear extension.

The boundary wall would be approximately 1.9m in height and extend 1.9metres from the parapet/side wall of the extension which would be in accordance with permitted development

rights for such an installation. Whilst it is acknowledged that this element would provide a solid brick wall finish along the boundary rather than a hedge it is not considered that this element gives rise to harm that warrant its refusal.

The parapet wall element has been reduced in height and is now indicated as being approximately 3.1metres in height and projects 4.5 metres from the rear wall of the property. The extension projects a varying length from the rear wall due to its siting along the garden boundary and varies between 3.3 and 3.5 metres and is 2.9 metres in height to its flat roof component. The rearward projection and height are considered acceptable and would be within the requirements of adopted policy.

Permitted development allows an extension to a semi-detached property of 3 metres projection up to a maximum height of 4 metres and 3 metres to eaves when within 2 metres of the boundary excluding a parapet wall. As such a majority of the proposed extension would fall within permitted development rights limitations. In this instance the parapet wall extends beyond 3 metres from the rear wall by an additional 1.5 metres approximately at a height of 3.1 metres. Concerns have been raised with this part of the application proposals and impacts on the rear of the adjoining property. The rear of the property is south facing and would benefit from sunlight for a majority of the day until later in the afternoon/early evening. Whilst the proposals would have some impact in terms of loss of direct sunlight and overshadowing, given the reduction in height and scope, and that the proposals are single storey it is not considered that these impacts would warrant refusal of the application proposals in this instance.

Visual amenity /Character of the Area – The side roof extension would as a result of the existing flat roofed side extension result in a roof that had the same ridge as the existing property, the existing side extension is flush with the front of the property, which appears to predate the current adopted policies. In this instance given the presence of a separating alleyway between number 90 and 88 Atwood Road together with the projecting bays on both properties the proposals are not considered to give rise to unacceptable impacts on the visual character of the street or the potential for terracing. The consequential amendments to the ground floor front elevation to remove garage doors and replace with a front window are considered to be an improvement to the current arrangement. The proposals will utilise matching brick and render to the front and side elevation.

Concerns have been raised about the design intent of the rear extensions and there contemporary nature. The proposals are indicated as being of a simple box extension to be rendered white. The proposals of this element are to the rear and views would be limited. However, the simple design and finish are considered to be acceptable and subservient to the main dwellinghouse.

The rear dormer is of a similar form and scale to existing dormers within the immediate area and is to be finished in a metal clad material of dark grey appearance, it is not considered that this element gives rise to unacceptable impacts on visual amenity or the character of the area.

Refuse bins – The proposals incorporate a side gate that allows bins to be stored in the rear garden and brought to the front on collection day.

Car parking -The loss of the integral garage would result in the potential for additional off road car parking to be provided, this conversion could be undertaken without requiring planning permission. The submitted drawing indicates space for continue off road parking on the existing drive and reflects the arrangement with other properties on the street.

Other matters- Concerns were raised regarding potential encroachment over the party wall and shared boundary. The applicant’s agent on amending the proposals has indicated that these are

now not situated on the party wall. These matters would fall outside of the scope of planning legislation and any requirement to undertake works on the adjoining property would require the consent of any other landowner through a party wall agreement. This requirement would remain irrespective of the granting of planning permission. In this instance the adjoining property was notified of the application proposals as part of the statutory notification process of consideration of this application. Whilst an objection to the proposals was received the application proposals are considered to be acceptable and have been considered on their planning merits.

The proposals would result in the removal of a hedge to the shared boundary at the rear, the property is not located in a conservation area or subject to TPOs, as such the removal of the hedge could be undertaken by the occupier and replaced with a fence or wall as is proposed in this instance. It is not considered that the removal of a section of hedge is of sufficient weight to refuse the application proposals.

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 polices 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

The application has been determined in a positive and proactive manner seeking to address comments and concerns raised as part of the application process. In this instance amended plans have been received to address these.

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:
   109 REV 1 'Proposed plans'

111 REV 1 'Proposed elevations'
114 REV 1 'Proposed sections'
All received by the City Council as local planning authority on the 29th March 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 development hereby approved shall match those of the existing building in type, size, colour and texture and as set out on the submitted application forms and approved drawings.

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.

Appendix 1 – List of consultees & neighbours notified

10 Aldwick Avenue, Manchester, M20 6JL
123 Atwood Road, Manchester, M20 6JW
92 Atwood Road, Manchester, M20 6JN
88 Atwood Road, Manchester, M20 6JN
12 Aldwick Avenue, Manchester, M20 6JL
127 Atwood Road, Manchester, M20 6JW
125 Atwood Road, Manchester, M20 6JW

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