

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126886/FH/2020

Date registered valid: 12 May 2020

Proposal: Erection of a part single/part two storey side extension and a single storey rear extension to form additional living accommodation

Address: 25 Redwing Avenue, Manchester, M21 7JS

Ward(s): Chorlton Park Ward

Applicant: Mr Ben Watt, 25 Redwing Ave, Manchester , M21 7JS

Agent (if any): Mr Sam Watt, Dabinett, 28 Bridge Street Brow, Stockport , SK1 1XY

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: t.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29th July 2020



Application details

Type of application:	Full Householder Application
Development type:	Householder
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 13 July 2020 Expired: 20 July 2020
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 site comprises a modern built two storey semi-detached residential dwelling within the Chorlton Park ward area of Manchester located within a new build estate. Gardens are to the front and rear with access along the side and driveway to the front. Boundary treatment is low brick wall and railings to the front and timber fencing to the rear.



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

Description of area

This area is predominantly residential in character

Description of development

Erection of a part single/part two storey side extension and a single storey rear extension to form additional living accommodation

Consultations & Notification Responses

Local residents, as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. Fifteen letters of objection from five residents in relation to the

original and revised proposal have been received in respect of this application, summary of comments as follows:

- Detrimental to residential amenities of nearby properties due to scale and proximity of proposed development
- Out of character with existing development.
- All other properties on the estate including adjacent property have slanting roofs. A flat roof is not in keeping with the existing development.
- All other 4 bed properties on the estate have only a single storey garage. A double storey extension is not in keeping with the existing development.
- An undesirable precedent for future development, leading to possible coalescence of adjoining properties.
- An overdevelopment of site due to double storey side extension.
- The proposed extension projects are beyond the front "building line" of adjacent properties.
- The plans do not mention how long the construction of the proposed development will take and therefore it is difficult to assess the impact to others of issues such as noise and disturbance.
- The refuse cannot be taken to the front of the property if stored in the garden.
- There is no drainage plan shown where would the excess water drain off to as part of the flat roof design?
- The extension is not identified in accordance with the GDPO, e.g. size.
- The foundations will project onto the neighbouring properties without consent
- Certificate of ownership
- The rear extension will be visible from a 45 degree angle from the rear window of 27 Redwing avenue, which is against the guidelines indicated in the picture below:
- Loss of light and overshadowing
- Overlooking and loss of privacy.
- Increasing the size of the property by more than 50%
- The size & appearance of the proposed extension is not in keeping with the housing developments appearance and layout or building density.
- The proposed extension results in a smaller driveway, resulting in more on-road parking in an already busy development.
- Restrictive covenants would not allow the extension of this size.
- Proposal is detrimental to residential amenities of adjacent and adjoining properties, due to its excessive scale and its proximity to adjoining houses.
- Rear extension is unacceptably close to the boundary of the adjoining semi-detached property. It would require the removal of a section of the party fence and a "Party Wall" agreement. Additionally, the coping on the rear parapet wall will project into the adjoining property's air space.

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.

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 proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Residential Amenity

The applicant proposes the erection of a part single part two storey side extension and a single storey rear extension to form additional living accommodation. The general layout along this road is a staggered appearance. There have been raised concerns from local residents in relation to the size of the proposal, the loss of character to the property, encroachment of foundations, the flat roof of the single storey extension, the two storey side element of the proposal, the proposal being overdevelopment, scale and proximity of proposed development, a precedent being set, refuse movements, loss of light, privacy and overshadowing, loss of driveway and the omission of drainage plans on the extension.

Ground Floor

In terms of the ground floor element of the proposal, this would be in line with the front wall of the house extending in width to the shared boundary of no. 23 Redwing Avenue. It will extend along the side projecting beyond the rear wall by 4.0 metres forming a wraparound up to the shared boundary with the adjoining semi-detached property no. 27 Redwing Avenue. The roof of the rear element would be flat. Bi folding doors would lead into the rear garden. Although the proposal to the rear exceeds City Council policy of 3.65 metres measuring 4.0 metres in projection, the proposal is single storey with a flat roof and although there would be some loss of light early in the morning to the adjoining semi-detached property, this would be relieved throughout the day as the sun moves around the rear.

First Floor

Following raised concerns, the applicant addressed the issue of potential terracing within the street scene although there is a staggered appearance in the properties. Amended plans show a setback of 2.0 metres from the front wall of the extending along the side and ending at the rear wall of the property. The roof would be gabled to reflect the existing roof of the property and would be set down from the existing ridge height of the roof. Windows are proposed on the front and rear with no windows on the side. Given the staggered appearance of the properties the proposal would not result in terracing. It is considered that the site can comfortably accommodate an extension of this size.

In terms of residential amenity, it is considered that there would be no overlooking, loss of privacy or overshadowing to properties around the site, therefore the surrounding occupiers' privacy should not be impacted. It is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Siting, scale and massing

Concerns have been raised in relation to the size of the proposal providing an overdevelopment of the site. Although the extension would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The appearance is acceptable and its impact upon visual amenity is considered negligible.

The proposal has been sited and designed to ensure that it is subservient to the original dwellinghouse, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Design and appearance

The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear, and is considered acceptable and detailed as what is normally expected of such a structure. 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 brick and tile as specified in the application form.

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.

Other matters

Concerns have been raised in relation to the covenant on the properties in the area including the application property, removal of fencing for brick wall, drains and the impact to others such as noise and disturbance in association with the building works and when they would be completed. Certificate of ownership has also been raised. A condition is attached to ensure that works are commenced within three years, however is not conditioned on the timescale in which to complete works. Matters in relation to the removal of fencing and covenant would fall outside of planning regulations and would be a civil matter between the applicants and residents. Certificate A has been completed and therefore the City Council accept that the proposal would not encroach onto neighbouring land, to do so would require further consent.

Refuse storage

Bin storage has been referenced in relation to comments from a local resident. This was raised with the applicant and the applicant amended the proposal showing the location of the bins within the garage area screened from within the street scene. Therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

Parking

Concerns were raised in relation to the reduction in the driveway as a result of the proposal. The driveway would be retained to the front of the property and therefore is not affected by this proposal

Conclusion

The proposal is considered 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, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policy DC1 and 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:

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 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:

Received on 8th July 2020 numbered 01 Proposed Location Plan

Received on 8th July 2020 numbered 01 Existing and Proposed Front Elevation

Received on 8th July 2020 numbered 02 Existing and Proposed Rear Elevation

Received on 8th July 2020 numbered 03 Existing and Proposed Side Elevation

Received on 8th July 2020 numbered 04 Existing and Proposed Roof Plans

Received on 8th July 2020 numbered 05 Existing and Proposed Ground Floor Plan

Received on 8th July 2020 numbered 06 Existing and Proposed First Floor Plan

Received on 8th July 2020 numbered 07 Proposed Site Plan

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.

Appendix 1 – List of consultees & neighbours notified

10 Redwing Avenue, Manchester, M21 7JS
12 Redwing Avenue, Manchester, M21 7JS
27 Redwing Avenue, Manchester, M21 7JS
23 Redwing Avenue, Manchester, M21 7JS
Children Centre, Darley Avenue, Manchester, M21 7JG

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