

Planning

Growth & Development

Delegated officer report for planning application

Application no. 126737/FH/2020

Date registered valid: 28 April 2020

Proposal: Erection of a single story rear extension, together with the installation of a rear dormer and roof lights to the front

Address: 13 Whalley Avenue, Manchester, M21 8TU

Ward(s): Chorlton Park Ward

Applicant: Mr Pascal Fel, 13 Whalley Avenue, Manchester, M21 8TU

Agent (if any): Mr Mark Arrowsmith, MDA Architectural Services, 84 Longworth Road, Horwich, BL6 7BE

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: r.griffin@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 17.06.2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: No site visit undertaken due to Covid-19 pandemic. Site photos provided by applicant and via Google

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 30 April 2020 Expired: 21 May 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

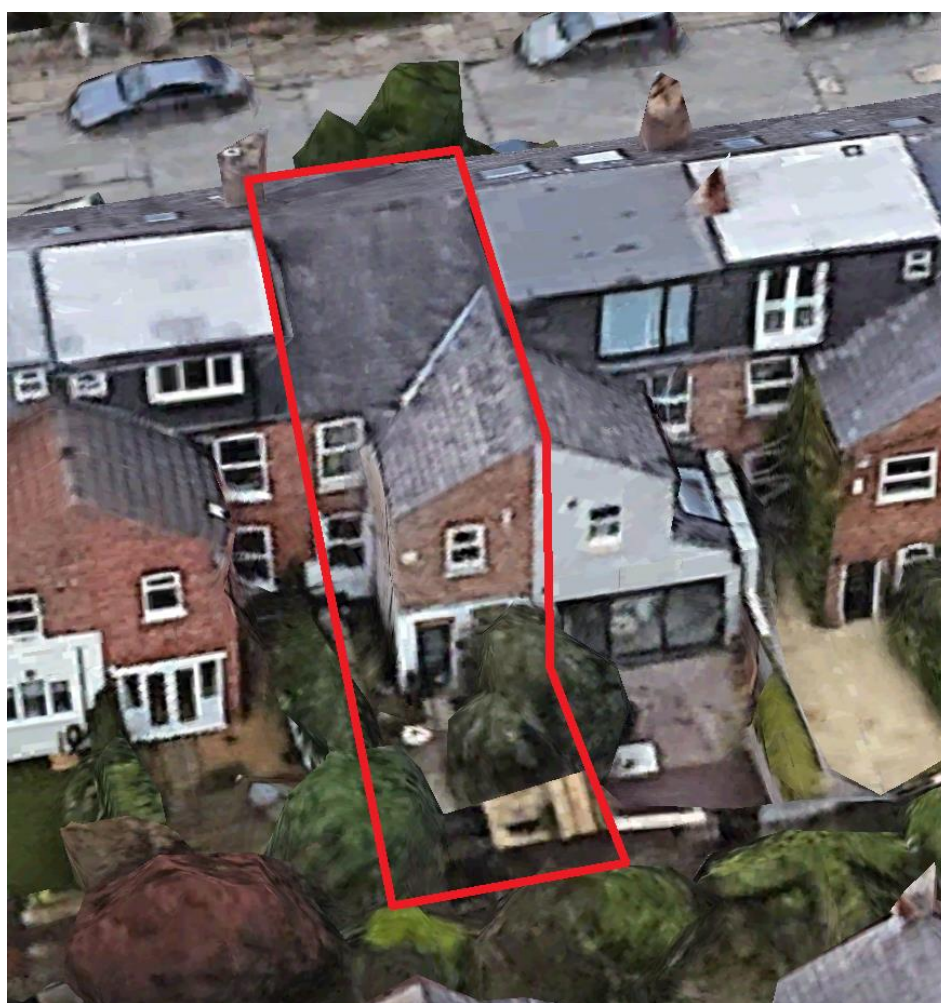
Description of area

The application site relates to a two storey red brick Victorian terraced property with two storey outrigger to the rear and front canopy detail, with front and rear outdoor amenity space. Whalley Avenue is a residential street of comparable properties in a predominantly residential area.

The neighbouring properties at 11 and 15 Whalley Avenue have installed rear dormers number 11 under planning approval reference 113979/FH/2016 together with a single storey rear extension. It is assumed that number 15 Whalley Avenue has installed its dormer utilising permitted development rights. That property has also a prior approval for a larger home rear single storey rear extension (reference 121134/PDE/2018) with a rearward projection of 3.17m which has been constructed.



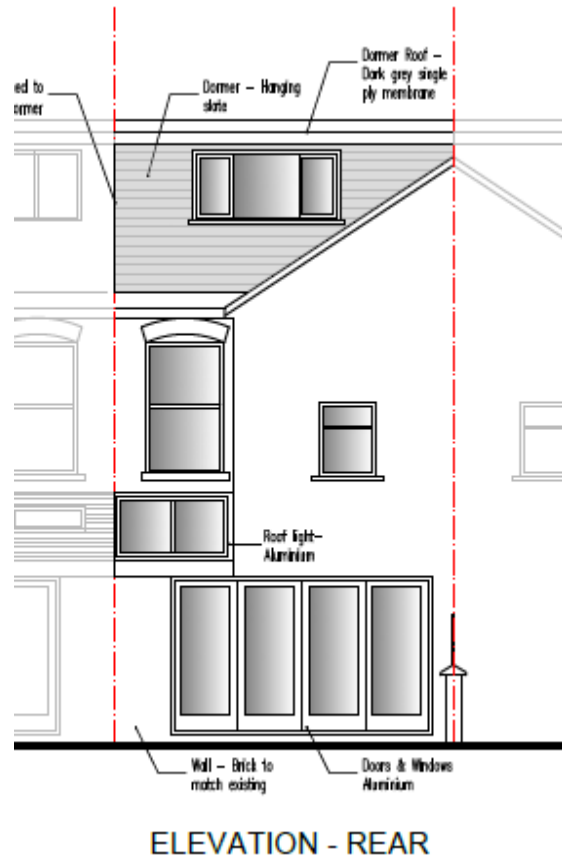
Application property



Rear aerial view of application property indicating dormers either side and similar rear extensions at number 11.

Description of development

The proposals relate to the installation of a rear single storey extension together with rear dormer to form additional living accommodation. The rear dormer is proposed to tie in with those constructed on either side with hanging slates, the single storey rear extension would infill the space to the side of the two storey outrigger projecting 3.2 metres from the rear wall. The extension would be finished with bi-fold doors opening out onto the rear amenity space with materials to match those of the existing property and will tie in with the adjoining properties rear extension.



Consultations & Notification Responses

Neighbouring properties were notified of the proposals. No responses were received.

Issues

Policy

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Local Development Framework

The relevant development plan in Manchester is the Core Strategy Development Plan Document 2012-2027 (the "Core Strategy"), adopted in July 2012, and the saved policies from the Manchester Unitary Development Plan (UDP), adopted July 1995. The Core Strategy is the key document and sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The proposals are considered to be consistent with the following Core Strategy Policies SP1 and DM1.

Policy SP1 - Spatial Principles

This policy sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including: creating well designed places, making a positive contribution to health, safety and well-being, considering the needs of all members of the community, and protecting and enhancing the built and natural environment.

Policy DM1 - Development Management

This policy seeks to ensure that new development contributes to the overall aim of the Core Strategy. The issues which should be considered are those which will ensure that detailed aspects of new development complement the Council's broad regeneration priorities in particular by contributing to neighbourhoods of choice. Issues relevant to this scheme are: siting, layout, scale, form, massing; impact on surrounding area in terms of design, scale and appearance and effects on amenity.

Saved UDP Policies

The following saved UDP policy needs to be considered in relation to the application.

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

Issues

The principle for the erection of single storey extensions and dormer extensions to a dwellinghouse is generally considered acceptable subject to the consideration of the impacts of proposals on residential amenity and the character of the area.

Residential Amenity – The proposed rear dormer is similar in size and finish to those on the adjoining terraced properties. It is considered that the installation in rear roof slope is set in from the eaves and is finished in materials of a similar appearance to the existing roof. As such the proposals are considered to be acceptable and not give rise to unacceptable impacts on the residential amenity of nearby occupiers or the rear of those terraced properties on Brookfield Avenue.

The proposed rear extension is sited in a logical position to infill the area between the original two storey outrigger and the boundary to the adjoining terraced property at number 15 Whalley Avenue which has a prior approval consent in place for a similar extension. It is also noted that number 11 Whalley Range has had planning approval for a similar rear extension. It is therefore considered that this extension which is marginally larger than that allowed under permitted development rights at 3.2 metres is acceptable and would not give rise to unacceptable impacts on residential amenity.

Character of the area - The proposals are considered to reflect the character of the area. It is noted that the installation of the dormer could be undertaken under permitted development rights and will be finished in materials to reflect the existing roof. The rear extension would have limited public viewing points and again has been designed and sited to reflect the materials in the original dwelling. It is therefore considered that the proposals would not have unacceptable impacts on the character or visual amenity of the area.

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

The application has been determined in a positive and proactive manner and within statutory timescales. No issues have arisen during consideration of the application and conditions have been attached to the permission.

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:

0429/104 (Proposed floor plans); 0429/105 (Proposed elevations) received by the City Council as local planning authority on the 17th April 2020 and 0429/107 (Proposed section) received by the City Council as local planning authority on the 11th June 2020

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 permitted shall be arranged and match those of the existing dwellinghouse in type, size, colour and texture and as indicated on the approved drawings and application form.

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

12 Brookfield Avenue, Manchester, M21 8TX
15 Whalley Avenue, Chorlton, Manchester, M21 8TU
11 Whalley Avenue, Chorlton, Manchester, M21 8TU
16 Whalley Avenue, Chorlton, Manchester, M21 8TU
14 Whalley Avenue, Chorlton, Manchester, M21 8TU
14 Brookfield Avenue, Manchester, M21 8TX
10 Brookfield Avenue, Manchester, M21 8TX

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