MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140655/FH/2024
Date registered valid:	30 July 2024
Proposal:	Retention of a part single part two storey side extension and installation of two rear dormer windows to provide additional living accommodation.
Address:	99 Dudley Road, Manchester, M16 8BW
Ward(s):	Whalley Range Ward
Applicant:	Mr H Fiaz
Agent (if any):	Mr D King, NK Architectural
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve

Date of recommendation: **15 October 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 August 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 13 August 2024 Expired: 4 September 2024

Site notice: Posted: 23 August 2024 Expired: 14 September 2024

Press advert: Published: 20 August 2024 Expired: 10 September 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick and white render with a grey slate dual pitch roof. Prior to the undertaking of any works associated with 132880/FH/2022 and 140655/FH/2024, the property featured white uPVC windows, including a two-storey bay with a gable end roof form to the front, a front porch canopy, a paved front driveway and modest front garden bordered by a mid-level redbrick wall and black iron railing gates, a polycarbonate carport to the side, a single storey rear outrigger, and a modest rear garden.



View of property, prior to any works taking place



Aerial view of application site



Front view of property, during works



Front view of property, during works



Front view of property, during works



Front view of property, during works



Rear view of property, during works



Rear view of property, during works

Description of area

Dudley Road is a residential street situated within the Whalley Range ward of Manchester, close to Whalley Range centre, the Carlton Club, and Withington Road. The area is primarily residential in terms of its character, consisting of terraced and semi-detached residential properties, as well as apartment complexes, and benefits from its proximity to the local high street.

It should also be noted that the application property is sited centrally within the Whalley Range Conservation Area (first designated in October 1991). The conservation area is situated approximately two miles south of Manchester city centre. Much of the area, which is primarily residential, is contained within 63 acres of flat land purchased for building in 1832 by a prominent banker, Samuel Brooks, for a sum of £9,600. The layout of Whalley Range as established by Samuel Brooks survives today as an area of large houses on tree-lined avenues. Many of the original houses remain, with new development taking place on the site of demolished houses and on the site of plots left vacant during the initial stages of the area's development.

Development control in Whalley Range is aimed at encouraging the area to flourish whilst paying attention to its special architectural and visual qualities. Owners of property in the area are encouraged to retain the original character and detail of their houses or premises.

Description of development

The applicant is seeking permission for the retention of a part-single / part-two storey side extension and installation of two rear dormer windows to provide additional living accommodation.

Planning history

132880/FH/2022 - Erection of part single, part two storey side extension and installation of two dormers to rear to provide additional living accommodation – **APPROVED** (01.06.2022).

ENF/15626/23 - Enforcement Enquiry: Development not built in accordance with the approved drawings attached to planning permission (132880/FH/2022) – **CASE CLOSED** (12.09.2023).

CDN/23/0619 - Application to discharge condition no. 3 (materials) attached to planning permission 132880/FH/2022 – **APPROVED** (13.10.2023).

140626/NMC/2024 – **RECEIVED.**

140655/FH/2024 - Retention of a part single part two storey side extension and installation of two rear dormer windows to provide additional living accommodation – **PENDING CONSIDERATION.**

Consultations & Notification Responses

One letter of support was received from one local resident in response to this application. Their comments are summarised as follows:

- The applicant has four young children, and the house is a building site.
- Stressful situation.
- The proposal would look good.

Two letters of objection were received from two local residents in response to this application. Their comments are summarised as follows:

- The part-built side extension and rear dormers differ vastly from the dimensions previously approved.
- The proposal would set a poor precedent for the area.
- The proposal would be overbearing and domineering.
- Would lead to a loss of existing views.
- Would lead to overshadowing and a loss of light.
- Would result in overlooking and a loss of privacy, as a result of opening windows facing into neighbouring plots.
- Would create a terracing effect that would be out-of-keeping with the character of the area.
- Civil issues.

Policies

The following policies are considered relevant in the consideration of this application.

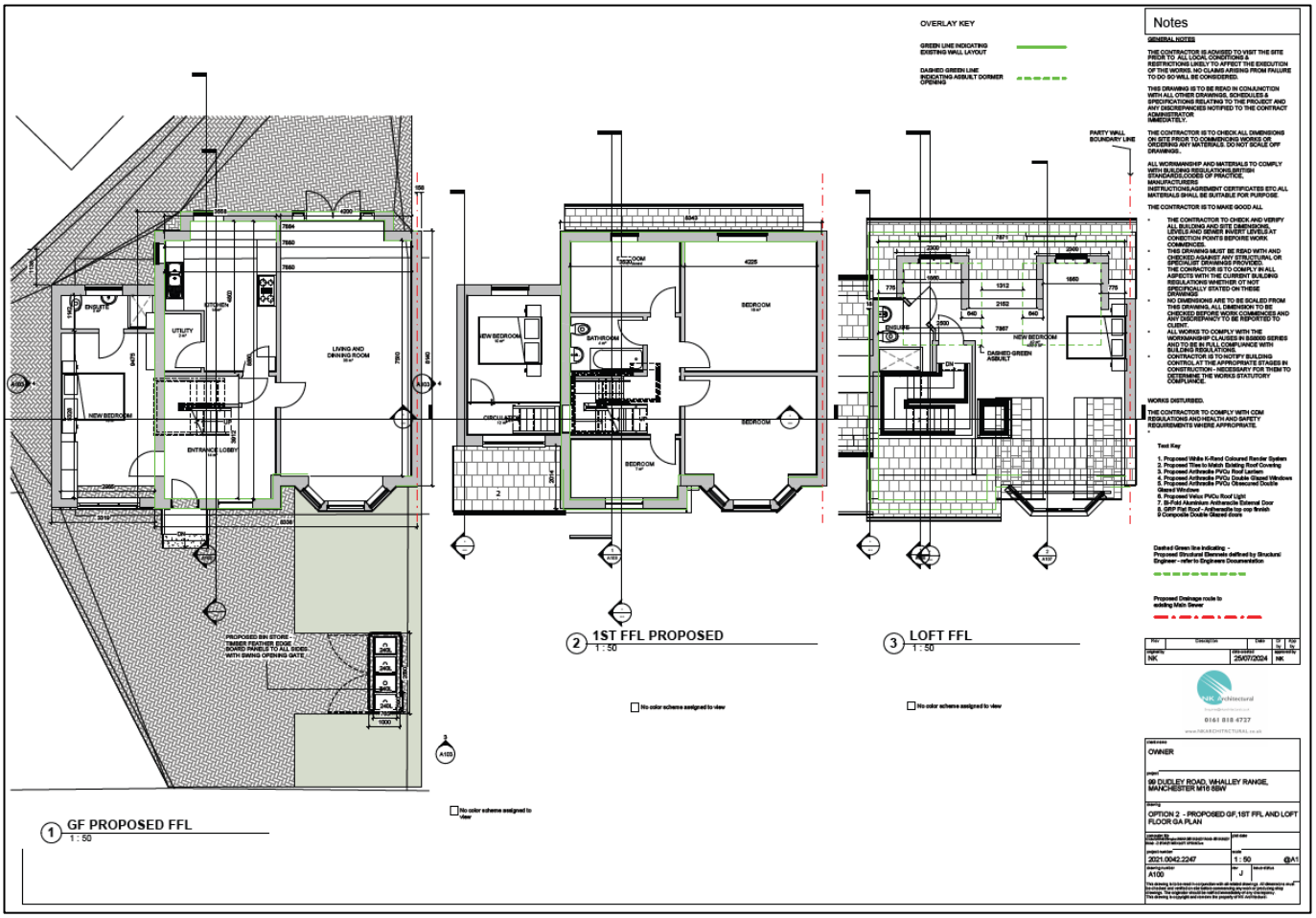
Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions
- Policy DC18 – Conservation Areas

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 - Conserving and Enhancing the Historic Environment

Places for Everyone - is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

- Policy JP-P1: Sustainable Places
- Policy JP-P2: Heritage



Submitted amended plans



Submitted amended elevations

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a part-single / part-two storey side extension together with 2no. rear dormers to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage, parking and the Whalley Range Conservation Area.

Siting, scale, and massing – the part-single / part-two storey extension would be sited at the side of the property, along its northeastern elevation. At ground floor level, it would project 3.319m sidewards, with a length/depth of 7.096m, sitting flush with the front elevation of the property and 2.357m away from its rear elevation. It would feature a mono pitch roof height of 4.462m to the front and an eaves height of 3.297m. A gap of 0.707m would be maintained to

the boundary shared with No.97 Dudley Road and a gap of 1.305m would be maintained to the boundary shared with No.1 Manor Avenue. At first-floor level, it would project 3.319m sidewards from the host dwellinghouse, with a length/depth of 5.117m (setback 2.014m from the front of the property), a dual pitch roof height of 8.07m (set 1.027m below the existing ridge) and an eaves height of 6.072m (in line with the previous approval 132880/FH/2022).

The dormer extensions would be sited on the rear-facing roof slope of the host dwellinghouse, facing southeast. Each dormer would measure to 3.13m in length/depth, 2.3m in width, with a dual pitch roof height of 2.3m. They would be set 0.215m below the existing ridge line, 1.232m above the eaves, 0.905m away from the adjoining property and 0.943m away from the roof edge.

It is acknowledged that concerns were raised in relation to the proposal's potential to form an overbearing and domineering feature within the area. However, both the part-single / part-two storey side extension and rear dormer extensions are understood as being subservient to the host dwellinghouse in terms of their dimensions with the side extension featuring an adequate first-floor setback and reduced ridge height and the rear dormer extensions being set below the existing ridge and above the existing eaves of the host dwellinghouse with adequate gaps maintained to the roof edges. The extensions should therefore avoid reading as 'excessively large or bulky' additions to the property, whilst also allowing for sufficient private outdoor amenity space to be retained to the side and rear of the dwellinghouse.

Moreover, whilst a degree of harm may be caused to those occupying No.1 Manor Drive in terms of introducing an overbearing feature (as a result of the side extension's proximity to the shared boundary), it should be noted that these same arrangements were assessed and approved under 132880/FH/2022. The principle of the development, and dimensions of the side extension, have therefore already been previously accepted.

Appearance and visual amenity – the side extension would be built of white K-render, brickwork, roof tiles, and windows to match the existing, as indicated on the submitted application form and approved plans/elevations. At ground floor level, it would feature 1no. window to the front, 1no. window to the rear, with a blank side elevation and front-facing roof slope. At first-floor level, it would feature 1no. window to the front, 1no. window to the rear (conditioned to be obscurely glazed), with a blank side elevation and roof slopes.

The rear dormer extensions would be clad in hanging Cembrit slate tiles to their faces and cheeks, with roof tiles and windows to match the existing dwellinghouse. Their side elevations would be blank, whereas their rear elevations would each feature 1no. vertical window.

It is acknowledged that concerns were raised in relation to the proposal's potential to create a terracing effect, however, it is considered that the side extension's 2.014m first-floor setback would adequately mitigate such affects.

The proposal is considered to be relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the overall precedent of residential extensions within this locale. Sited at the side and rear of the property, the extensions would be visible within the street scene and public realm, however their use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that they do not form prominent visual features. The dual pitch roofs of the rear dormer extensions would also be in-keeping with the overall character of the surrounding area's built form, with gable ends being a

common architectural feature. The overall character of the property and its surrounding area should therefore not be significantly harmed by these works.

The design and appearance of the extensions therefore accords policies DM1 and SP1 of the Core Strategy as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Impact upon the Whalley Range Conservation Area – the proposal would be sited at the side and rear of the property and would utilise matching and sympathetic materials to those already featured on the host dwellinghouse, which would provide a blended appearance with the existing property, minimising the degree of harm caused to the visual amenity of the area and the character of the Whalley Range Conservation Area.

The proposal is therefore considered to accord with paragraph 208 of the NPPF, which stipulates “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”, as well as policy DC18 of the UDP, policy EN3 of the Core Strategy and policy JP-P2 of Places for Everyone.

The dormers would provide benefits in the form of improved and enlarged living accommodation for the property’s occupiers, which would outweigh any potential harm caused to the Whalley Range conservation as a result of the works.

Residential amenity – it is acknowledged that concerns were raised in relation to the proposal’s potential to form an overbearing and domineering feature, leading to overshadowing, a loss of light, a loss of outlook, and a loss of privacy for neighbouring occupiers.

With regard to the side extension, it is acknowledged that a degree of harm may be caused to those occupying No.1 Manor Drive in terms of introducing an overbearing feature, as a result of the side extension’s proximity to the shared boundary. However, these same arrangements were assessed and approved under 132880/FH/2022. The principle of the development and the dimensions of the side extension have therefore already been previously accepted.

In terms of the side extension’s capacity to cause a loss of light and overshadowing, it is considered that such affects would be limited, given that the extension would be sited to the northeast of the host dwellinghouse (largely within its existing shadow), with a 2.014m first-floor setback to the front, a reduced ridge height, and a setback of 2.357m from the property’s existing rear elevation. As such, whilst there may be some overshadowing and loss of light at certain times of the day this is not considered to be so significant to warrant refusal of the application. Given that the side extension would not feature any side-facing windows, it is considered that it should not detrimentally affect the privacy of those occupying No.97 Dudley Road. Moreover, the extension’s first-floor rear window has been conditioned to be obscurely glazed, thereby safeguarding the privacy of those occupying No.1 Manor Avenue, minimising the potential for overlooking. Sited 2.357m back from the existing rear elevation of the property, with a gap of 0.707m maintained to the boundary shared with No.97 Dudley Road and a gap of 1.205m maintained to the boundary shared with No.1 Manor Avenue, it is considered that the proposal should not cause undue harm to the outlook of neighbouring occupiers, as it would be largely set away from their windows.

The rear dormers' siting on the roof of the property, set below the existing ridge, above the existing eaves and away from the roof edge and adjoining property, should ensure that they do not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should they introduce an overbearing presence into the area. Moreover, the dormers' only windows would be rear-facing and setback from the eaves. As such, they should provide no further degree of overlooking than any existing windows at first-floor level.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the proposal also includes a timber bin store (able to house 4no. 240L refuse bins) to the front of the property, set away from the public footpath and highway, adjacent to the boundary shared with No.101 Dudley Road. These arrangements would ensure that the property's bins are screened from view and avoid causing undue harm to the visual amenity of the area and have been conditioned accordingly.

The proposal therefore accords with policies DM1 and EN19 of the Core Strategy.

Parking – the extension would reduce the dimensions of the property's existing driveway, however sufficient space for at least one vehicle (2.4m by 4.8m) would be retained. These arrangements are therefore considered acceptable, in line with policies DM1 and SP1 of the Core Strategy.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance, impact upon visual and residential amenity, waste storage and parking as it broadly complies with saved policies DC1 and DC18 of the UDP, policies DM1, SP1, and EN3 of the Core Strategy, policy JP-P1 and JP-P2 of the Places for Everyone joint development plan document and chapters 12 and 16 of the NPPF.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 documents:

'OPTION 2 – PROPOSED GF, 1ST FFL AND LOFT FLOOR GA PLAN', numbered 'A100 REV J', stamped as received by the City Council as Local Planning Authority on the 7th October 2024.

‘PROPOSED ELEVATIONS, numbered ‘A103 REV J’, stamped as received by the City Council as Local Planning Authority on the 7th October 2024.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials to be used on the external surfaces of the side extension and rear dormers hereby permitted shall match those specified on the submitted application form and approved plans/elevations, including render, brickwork, and roof tiles to match the existing dwellinghouse.

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 extensions, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the proposed first floor window in the rear elevation of the side extension, facing No.1 Manor Avenue, 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 residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

5) The proposed bin store, shown on the approved drawing labelled ‘OPTION 2 – PROPOSED GF, 1ST FFL AND LOFT FLOOR GA PLAN’, numbered ‘A100 REV J’, stamped as received by the City Council as Local Planning Authority on the 7th October 2024, shall be implemented and be in place prior to the first use/occupation of the extension(s) and shall be so maintained and retained at all times thereafter.

Reason - In the interests of the appearance of the street scene, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of Manchester's Core Strategy.

Appendix 1 – List of consultees & neighbours notified

110 Dudley Road, Manchester, M16 8BR
104 Dudley Road, Manchester, M16 8BR
94 Dudley Road, Manchester, M16 8BR
2 Manor Avenue, Manchester, M16 8DX
1 Manor Avenue, Manchester, M16 8DX
98 Dudley Road, Manchester, M16 8BR
3 Manor Avenue, Manchester, M16 8DX
101 Dudley Road, Manchester, M16 8BW
108 Dudley Road, Manchester, M16 8BR
97 Dudley Road, Manchester, M16 8BW
103 Dudley Road, Manchester, M16 8BW
96 Dudley Road, Manchester, M16 8BR
92 Dudley Road, Manchester, M16 8BR
106 Dudley Road, Manchester, M16 8BR
102 Dudley Road, Manchester, M16 8BR
100 Dudley Road, Manchester, M16 8BR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA