

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139978/FH/2024

Date registered valid: 21 May 2024

Proposal: Erection of a single storey annex building together with basement following demolition of existing garage

Address: 98 Claude Road, Manchester, M21 8DF

Ward(s): Chorlton Ward

Applicant: Mr P Savage

Agent (if any): Mr Joe Jennings, ExtensionsNW Ltd

Case officer: Ellie Knowles
Tel: 0161 219 6633
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Recommendation: Approve

Date of recommendation: 16 August 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 June 2024

Standard consultations:

Printed: 23 May 2024 Expired: 14 June 2024

Neighbour notifications

Printed: 23 May 2024 Expired: 14 June 2024

Site notice

Posted: 25 July 2024 Expired: 15 August 2024

Press advert

Published: 4 June 2024 Expired: 18 June 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

98 Claude Road is a two storey Arts and Crafts style semi-detached property situated in Chorlton. The property is constructed from render and brickwork, designed with a red tiled roof. To the front of the dwelling is an area of hardstanding used for off street parking, set behind a soft landscaped border including a protected tree (TPO). To the rear is a tiered garden, that falls downwards to the rear of the site. Boundary treatment to the rear consists of timber fencing and hedging along side boundaries and dense tree cover and brook along the rear curtilage. The property affords an existing single storey lean-to rear extension and detached flat roofed outbuilding/annexe which was originally constructed as a garage on a raised platform.



The application property is situated in the residential estate of Chorltonville. Chorltonville Conservation Area was developed in 1911 as a garden village. The verdant setting of the houses with grass verges and tree lined road, give the area its special garden village character. The dwellings are designed in the Arts and Craft Style and include circular windows, gables, red brick and render.

Dwellings along the northern side of Claude Road afford rear gardens that slope downwards towards Chorlton Brook. No.96 Claude Road, the adjacent semi-detached property to the east, features a detached outbuilding along the shared boundary with the application site.

Listed building: Not applicable

Conservation area: Chorltonville Conservation Area 1992

Tree Preservation Order: Not applicable

Description of development

The application refers to the erection of a single storey annexe building together with basement level following demolition of existing garage/annexe.

The proposal would create habitable living accommodation ancillary to the main dwelling, comprising a lounge/bedroom and shower room.

The proposed annexe would accommodate a gable roof with four rooflights, 6.55m in total ridge height and 5.1m eaves height, measured from the lowest land level of the application site. The annexe would measure 6.3m in depth by 4.17m in width.

The proposal would be constructed in brickwork and rosemary roof tiles, to matching the existing main dwelling.

A single access door is proposed in the front southern elevation, two windows in the western side and glazing in the northern rear elevation (French doors and apex window feature). Proposed fenestration would be grey uPVC to match existing.

Consultations & Notification Responses

Local responses

Two letters of representation were received from the same address which raised the following concerns:

- The revised proposals increase the overall mass and bulk of the building, by providing a gabled roof above.
- Annexe would appear as a discordant and alien feature
- Due to the proposed two-storey bulk and massing, it would dominate the existing dwelling, failing to remain suitably subservient to the host and appearing as a contrived addition.
- Annexe would create unacceptable enclosing and overbearing impacts, and a loss of light to the rear garden of the property.

These are material planning considerations which will be addressed in the appraisal.

Consultee responses

Environmental Health – no objections refer to construction hours that should be observed.

MCC Flood Risk Management – no objections.

Heritage & Urban Design – no objections in principle, subject to amendments to annexe depth and materiality.

Chorltonville Owners Committee – no comments received.

Chorlton Voice – no comments received.

Relevant Planning History

At the application site –

081780/FH/2006/S1 – Demolition of existing conservatory and the erection of a single storey rear extension. Approved 15.02.2007.

081804/CC/2007/S1 – CONSERVATION AREA CONSENT for demolition of rear conservatory. Approved 15.02.2007.

History of negotiations

The planning officer requested the following amendments to address outstanding concerns relating to visual and residential amenity impacts.

- The proposed depth of the extension should be reduced in order to mitigate visual and residential amenity impact on adjacent gardens.
- Remove link extension & rear balcony elements
- Materiality should be changed to better reflect the host dwelling and to be consistent on all elevations, such as use of red brick.

The agent submitted revised plans by 16/7/24.

Local Planning Policies

Places for Everyone (2022-2039) – 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.

The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

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.

The relevant **Places for Everyone** policies for this application are as follows:

JP-S1 – Sustainable Development
JP-P1 – Sustainable Places
JP-P2 – Heritage

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)
EN 1 – Design Principles and Strategic Character Areas
EN 3 – Heritage (partially superseded by PfE)
EN 14 – Flood Risk (partially superseded by PfE)
EN 19 – Waste

The relevant saved **UDP** policies for this application are:

DC1– Residential Extensions
DC 18 – Conservation Areas
DC26 – Development and Noise

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD

A relevant material consideration is also:

- Manchester Residential Quality Guidance March 2017 (Manchester's Emerging Space Standards)

National Planning Policy Framework

The NPPF (2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Issues

Principle of development:

The proposed development is a replacement annexe with basement ancillary 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.

Impact on visual amenity and the character of the Conservation Area:

The proposal seeks to erect a replacement annexe in the rear garden of a residential dwelling.

Following assessment of the original proposals there were concerns as a result amendments were made to reduce the visual impact of the development in the Conservation Area setting. The revised proposal retained the depth of the existing outbuilding/garage, removed the link extension and rear balcony elements and proposed materials to match the host dwelling (red brick and rosemary roof tiles).

The proposed annexe would replace the existing flat roofed building to the rear of the application property with a deeper/taller pitched roof building. The proposal would be partially visible from the street scene, Claude Road, screened predominantly by the main dwelling itself and existing side gate/fencing (to be retained/replaced). Given the sloping topography of the application site which falls to the rear, the proposal would only read as approx. 4m in total ridge height with 2.7m eaves level, when viewed from the front/ street scene. As such, this proposed scale would appear as a subservient addition in relation to the main dwellinghouse when viewed from the street scene.

It is considered, on balance, given its limited views from public vantage points that the proposal will not be unduly detrimental to the character or appearance of the original property, conservation area or the street scene.

Impact on residential amenity:

The revised scheme, showing retention of the existing annexe depth and omission of the rear balcony and link extension elements, is now considered to address initial concerns relating to scale and overlooking.

The proposed replacement annexe would accommodate a pitched roof, which would increase the height of development by approx. 1.6m, from 5m as existing (flat roof annexe) to 6.55m, along the shared boundary with no. 96 Claude Road due east. It is acknowledged that this neighbouring property affords a detached outbuilding/store at the same elevated land level, approximately 5m (l) x 3.2m (w), sited adjacent to the proposal. This existing boundary treatment is considered to pose a degree of screening which would help mitigate impact of the increased height of the proposed annexe. In addition, the revised proposal would not increase the depth of the existing structure. As such, given these reasons above the proposed replacement annexe is not considered to cause undue impacts in the form of overdominance and overshadowing on this neighbouring property that would warrant refusal of the proposals.

New fenestration is proposed to the western side and rear elevations only, to replace existing. Proposed windows in the western side elevation would have sole outlook over the applicant's own rear garden, therefore would not pose any overlooking impacts. Significant glazing is proposed to the rear elevation in the form of French doors with side panels and glass balustrade in front with apex window feature above. It is acknowledged that this design would increase the level of glazing over and above the existing annexe, however this is considered acceptable on balance given that there is an existing perception of overlooking established through the current use, existing land levels and limited boundary treatment (mid height fencing) present between the rear gardens of the application site and no.96.

A condition has been included to ensure that the authorised outbuilding/annexe would only be used as ancillary accommodation for use in conjunction with the occupation of the application property as a dwellinghouse (Class C3) and shall not be used at any time as a separate or

independent dwellinghouse. This condition is required to ensure the appropriate future occupation and management of the property and to safeguard residential amenity.

On balance, it is not considered that the development would unduly harm residential amenity of neighbouring residents.

Concerns have been raised regarding construction impacts if the development was approved. It is acknowledged that there would be some disruption caused through works to demolish the existing building and construction of the replacement. These impacts would be of a temporary nature and given the scale of the project are not considered to be significant. Other legislation is in place relating to disruptive works and control of these and in this instance an informative has been proposed setting out the recommended construction hours as set out in the response of the Councils Environmental Health team.

Highways:

The proposed development would not interfere with the existing parking provision on street, as such is considered acceptable in this regard.

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 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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance negotiations took place with regards to the proposed annexe scale, balcony and link element. Amended plans were submitted showing omission of the rear balcony and link element and reduction in length of the annexe, the application has been determined with the attachment of appropriate conditions. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

Condition(s) to be attached to decision for approval

1. 3 Year Time Limit

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. Specified drawings

The development hereby approved shall be carried out in accordance with the documents labelled:

- 'Proposed plans and elevations', numbered '3376-02', stamped as received by the City Council as Local Planning Authority on the 16/7/2024.
- 'Proposed sections', numbered '3376-03', stamped as received by the City Council as Local Planning Authority on the 13/8/2024.
- 'Proposed site plan', stamped as received by the City Council as Local Planning Authority on the 17/7/2024.

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

3. Matching materials

The materials to be used on the external surfaces of the annexe hereby permitted shall match those of the existing dwellinghouse 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 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. Ancillary use

The detached annexe that forms an ancillary building within the boundary of 98 Claude Road, Manchester, M21 8D, shall only be used as ancillary accommodation for use in conjunction with the occupation of 98 Claude Road, Manchester, M21 8D, as a dwellinghouse (Class C3) and shall not be used at any time as a separate or independent dwellinghouse.

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

5. Windows and Doors

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 development hereby approved other than those shown on the approved drawings as set out in condition 2 of this approval.

Reason - In the interests of residential amenity pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995), and policies SP1 and DM1 of the Core Strategy (July 2012).

Informatives

Construction/demolition works shall be confined to the following hours:

- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
MCC Flood Risk Management
Heritage & Urban Design
Chorltonville Owners Committee
Chorlton Voice

96 Claude Road, Manchester, M21 8DF
13 Willaston Close, Manchester, M21 8BJ
7 Willaston Close, Manchester, M21 8BJ
87 Claude Road, Manchester, M21 8DE
17 Willaston Close, Manchester, M21 8BJ
89 Claude Road, Manchester, M21 8DE
9 Willaston Close, Manchester, M21 8BJ
15 Willaston Close, Manchester, M21 8BJ
11 Willaston Close, Manchester, M21 8BJ
100 Claude Road, Manchester, M21 8DF
85 Claude Road, Manchester, M21 8DE

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
Conservation Area - Chorltonville Conservation Area 1992
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA