

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138770/FH/2023

Date registered valid: 6 December 2023

Proposal: Erection of single storey rear and side extension and a hip to gable conversion with installation of rear dormer to provide additional living accommodation

Address: 22 Rutland Avenue, Manchester, M20 1JD

Ward(s): Old Moat Ward

Applicant: Mr James & Mrs Catherine Ashworth

Agent (if any): Mr Chris Baker

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

Recommendation: Approve

Date of recommendation: 30 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 23 January 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 14 December 2023

Expired: 7 January 2024

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: No

Tree Preservation Order: No

Description of area

The application site relates to a two storey end semi-detached property on Rutland Avenue within the south Manchester ward area of Old Moat. The property is situated at the end of the avenue with gardens to the front, access along the side and garden to the rear. The property features gable bay windows to the front with storm porch featuring decorative timber surround. The property is of brick and render with tiled roof and decorative tiles to the front gable and bay roof. A garage is situated along the boundary shared with no. 31 Goulden Road.

The surrounding area is residential in character.

Description of development

The application seeks planning consent for the erection of single storey rear and side extension and a hip to gable conversion with installation of rear dormer to provide additional living accommodation.

The side and rear extension would create a wrap round extension at ground floor level. The rear extension would have approximate dimensions of Height: 4 x Length: 3.8 x Width: 8 metres.

The side extension would have approximate dimensions of Height: 4 x Length: 7.5 x Width: 1.8 metres.

The existing hipped roof would be changed to a gable to allow the erection of a rear roof dormer. The rear roof dormer would have approximate dimensions of Height: 2.9 x Length: 6.6 x Width: 3.7 metres.

The proposal would involve the insertion of a door and window within the side elevation and three windows and sliding doors in the rear elevation, plus the insertion of 5 skylights within the single storey extension.

Materials to be used would match those within the host property.

Plans show changes to the existing garage. This element does not require planning consent given the height would not be altered and a section of the garage would be removed to allow for the proposed rear extension, rather than erecting a new building. This was confirmed by the agent via email to Tracie Simpson on 15 November 2023 during pre app stage.

Planning History

The current application seeks to amend the approved design previously approved by increasing the length of the extension. Previous history:136749/FH/2023-Erection of a single storey rear and side extension and a hip to gable roof extension with rear dormer.
Approved 3 July 2023.

F12843 -Erection of a car port and a dining room and kitchen extension.
Approved on 11 April 1980.

Consultations & Notification Responses

Local Residents

Local residents were consulted and 3 responses were received from the same neighbour. The neighbour requested further information/ measurements in relation to the extension and the proximity of the extension to the boundary/ fence of the neighbouring property.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - 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

- b) a social objective and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities.
- ii. Chapter 12. Achieving well-designed and beautiful places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles) and Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- 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 original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 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).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The following policies are relevant:

- i.JP- S1- Sustainable development
- ii.JP- S2 – Carbon and energy
- iii.JP- S5 – Flood risk and the water environment
- iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

Principle of Development

The submitted development application is for the erection of single storey rear and side extension and a hip to gable conversion with installation of rear dormer to provide additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, 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. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Single storey side and rear:

The rear extension would be sited close to the shared boundary with no.20 Rutland Avenue and would have a projection of 2.7 metres. Although the applicant property would be due south of the neighbouring property, any loss of light would be minimal given the proposal is single storey, has a projection compliant with Policy DC1.3 of the UDP and both neighbours benefit from spacious rear gardens. As such, the proposal would not be considered overbearing and no adverse privacy implications would occur to this neighbour.

The neighbour to the south of the applicant property would be no.31 and no.33 Goulden Road. The proposal would be sited 1.6 metres from the shared boundary with the neighbours. Due to the high boundary treatment, the separation and the neighbouring properties being sited substantial distance from the proposal, no adverse implications would be caused in terms of loss of light or overshadowing. The insertion of the window within the side extension due to the reasons just mentioned would not give rise to any adverse privacy implications.

Hip to gable conversion with installation of rear dormer:

The hip to gable is considered acceptable and the City Council believes there would be no impact upon the adjacent or surrounding properties especially as the property would not project any further than the side gable wall of the property. The applicant proposes the construction of a rear flat roof dormer window which would be set in from the side walls of the property significantly and set down from the ridge height. Two windows are proposed overlooking the rear of the garden area. It is not thought that windows in the location would provide any further overlooking than that of the existing rear view windows and therefore is considered to be acceptable. Further, the bathroom to be created within the dormer would involve the insertion of a window and would be conditioned within any approval granted as being obscure glazed and top opening only. A further condition would be placed on any approval granted restricting the further insertion of windows and doors beyond those approved by this consent.

The City Council considers the change to the roof design as acceptable especially given that the ridge height is no higher than the existing and the gable does not project further than the existing gable wall of the property. This is considered to be an acceptable addition to the roof of the property and is therefore considered to not provide a detrimental outlook on the adjoining properties or the surrounding area and is therefore considered acceptable in this location and is not believed to impact upon the visual amenity of the area. Given the location the extensions would not be visible from the public highway and therefore would not feature within the street scene.

Overall, it is not considered that the proposal would have an adverse impact upon residential or visual amenity.

Design and Appearance

Single storey side and rear:

The current application seeks to increase the length of the rear extension as previously approved under planning ref: 136749/FH/2023. The rear extension with a projection of 2.8 metres would be pursuant with Policy DC1.3 of the UDP and the side extension being single

storey would be viewed as a subservient feature, pursuant to Policy DC1.2 of the UDP. Similar extensions, except the wrap round element, could be achieved through the route of Permitted Development.

Hip to gable conversion with installation of rear dormer:

Permitted Development rights allow rear dormers and hip to gable roof conversions to be obtained through the route of Permitted Development. Although the dormer is wide covering both the host property and hip to gable roof element, the dormer is set above eaves level and set below the ridge height of the host property. As such, the form of the dormer is acceptable, pursuant to Policy DC1 of the UDP.

Materials:

Materials to be used would match those within the host property and would therefore be acceptable. A materials condition to this effect would be attached to any approval granted.

On balance, the extension, hip to gable roof and rear dormer is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be acceptably accommodated at the application property. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 of the Unitary Development Plan.

Car Parking

No change to car parking arrangements would occur as a result of the proposal.

Bin Storage

No change to bin store arrangements would occur as a result of the proposal.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area. The increase in projection from the previously approved planning 136749/FH/2023 is considered acceptable.

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

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:

- Application Form, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Floor Plan, numbered (20)001, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Floor Plan, numbered (20)002, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Floor Plan, numbered (20)003, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Roof Plan, numbered (20)004, stamped as received by the City Council as Local Planning Authority on 6 December 2023.
- Drawing- Proposed- Elevation, numbered (20)100, stamped as received by the City Council as Local Planning Authority on 6 December 2023.

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 used to construct the external elevations of the extensions hereby approved shall match the existing dwellinghouse, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the dwellinghouse and surrounding area, pursuant to policy DC1 of the saved Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) Before first occupation, 'Drawing- Proposed- Floor Plan, numbered (20)003', stamped as received by the City Council as Local Planning Authority on 6 December 2023, 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.

In addition, the window shall be top opening only and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

31 Goulden Road, Manchester, M20 4ZE
23 Rutland Avenue, Manchester, M20 1JD
Flat C, 29 Goulden Road, Manchester, M20 4ZE
33 Goulden Road, Manchester, M20 4ZE
29 Goulden Road, Manchester, M20 4ZE
Flat D, 29 Goulden Road, Manchester, M20 4ZE
Flat B, 29 Goulden Road, Manchester, M20 4ZE
Flat A, 29 Goulden Road, Manchester, M20 4ZE
37 Goulden Road, Manchester, M20 4ZE
35 Goulden Road, Manchester, M20 4ZE
25 Rutland Avenue, Manchester, M20 1JD
20 Rutland Avenue, Manchester, M20 1JD

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 AREA