

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139181/FH/2024
Date registered valid: 22 February 2024
Proposal: Erection of part single, part two storey side and rear extension
Address: 78 Brooklawn Drive, Manchester, M20 3GZ
Ward(s): Didsbury East Ward

Applicant: Mr A Raoufi
Agent (if any): Holborow & Ormesher
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 18 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 6 March 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 February 2024 Expired: 15 March 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 78 Brooklawn Drive within the ward of Crumpsall in Didsbury East. The application site relates to a semi-detached, two storey, red brick interwar period dwellinghouse characterised by a hipped roof, curved bay windows and internal porch with curved lintel brick detailing. Amenity space connected to the property is characterised by soft landscaping to the front, an off street driveway to the side which extends along the side of the property covered by a timber car port. Amenity space to the rear is characterised by a paved area, grassed garden and two outbuildings.

The surrounding context is residential in nature, with the rear of the property looking onto Fog Lane Park.

Description of development

The submitted application seeks planning permission for the erection of part single, part two storey side and rear extension.

The part single storey side extension would align with the primary elevation of the host property and would have approximate dimensions of Height: 3.9 x Length: 9 x Width: 2.4 metres. The

part two storey side extension would have a setback of 1.1 metres and therefore have approximate dimensions of Height: 8.4 x Length: 7.9 x Width: 2.4 metres. The part single storey rear extension would extend the width of both the host property and side extension with approximate dimensions of Height: 4 x Length: 5 x Width: 8.5 metres. The first floor rear extension would be smaller in projection and width, with approximate dimensions of Height: 7.1 x Length: 3.6 x Width: 4.1 metres.

The proposal would involve the insertion of two windows within the front elevation, two windows and a door within the side elevation and three windows and a set of doors within the rear elevation.

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

Revised scheme

During the course of the application, the application was amended to overcome concerns raised. Originally, the proposal also sought consent for a rear roof dormer and hip to gable roof conversion, however this gave rise to adverse amenity implications to the neighbour no.80 Brooklawn Drive and so needed to be removed from the proposal. Further, the form of the side and rear extension was reduced to mitigate harm to the surrounding neighbours. The description of development was revised accordingly.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

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).

DC1.4 In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the

Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

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 (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 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

ISSUES

Principle of Development

The submitted development application is for the erection of part single, part two storey side and rear extension. 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

Part single, part two storey side extension:

The side extension would sit flush with the primary elevation of the proposal at ground floor, would have a setback of 1.1 metres at first floor level and be sited 0.9 metres from the shared boundary with no.80 Brooklawn Drive.

The applicant site has an unfortunate relationship with no.80 Brooklawn Drive, given the neighbour's property sits on a corner and the rear amenity space and rear of the neighbour's property sits directly to the north of the applicant site. As such, light is blocked to the neighbour's garden from the applicant site as existing. However, the erection of the two storey side extension is not considered to drastically alter the sunlight to the neighbour's property, given the side extension does not extend beyond the applicant property's existing rear building line at first floor level. Given the approximate 13.6 metre distance between the side elevation of the proposal and the neighbour's rear building line, the extension is not considered to create an overbearing feature and the set in from the boundary and set back at first floor level would help break up the continuous built form from the neighbour's rear view. Two windows and a door would be inserted in the side elevation at ground floor level facing no.80 Brooklawn Drive. Given the gap to the neighbour's amenity space, the boundary treatment separating the two and given the neighbour's rear windows are already obscure glazed, the windows would be accepted in this instance. The windows would be accepted on the basis the windows are conditioned to be obscure glazed within any approval granted and are not considered to give rise to adverse privacy implications.

A window would be inserted in the rear elevation of the side extension. A view could be obtained from the proposed first floor rear window into the amenity space connected with no.22 Westholme Road. However, given as existing a view can be obtained into the neighbour's space from the applicant's rear first floor windows, any harm is not considered wholly different from the existing circumstances. Further, the view would be from an oblique angle.

Part single, part two storey rear extension:

The rear extension at ground floor level would extend by 5 metres and 3.6 metres at first floor level. Although this would result in a continuation of built form for no.80 Brooklawn Drive, given this would be at single storey level only and would not be dissimilar to an outbuilding along the boundary, it is not considered overbearing to no.80. The built form to the rear at first floor would not come forwards of the existing side elevation of the host property at first floor level and as such, this element at first floor is not considered to create an overbearing feature nor adversely impact no.80 in terms of loss of light implications. The form of the hipped roof would also reduce harm to no.80.

No.76 Brooklawn Drive would experience 5 metres of built form along the boundary at ground floor level. No.76 benefits from a rear extension, however this does not extend the width of the host property and as such, the proposal could give rise to some tunnelling to the neighbour's rear fenestration. The projection of 6 metres was originally applied for and the scheme was reduced to 5 metres after concern was raised. However, given the fallback position of permitted development and the Larger Homes Extension Route and given the proposal would not result in any adverse loss of light implications due to the orientation of the properties in the streetscene, the 5 metre projection is not considered so harmful to warrant a refusal on the scheme. Due to the reduced projection at first floor level of 3.65 metres, the proposed hipped roof formation and the proposal being sited 2 metres from the shared boundary with no.76 Brooklawn Drive, the first floor rear extension is not considered to create an overbearing feature to no.76. Due to the orientation of properties within the streetscene, this neighbour would not feel any adverse loss of light implications.

Neither of the neighbours no.80 nor no.96 would be adversely impacted by the proposed placement of fenestration within the rear extension. A view could be obtained from the proposed first floor rear window into the amenity space connected with no.22 Westholme Road. However, given as existing a view can be obtained into the neighbour's space from the applicant's rear first floor windows, any harm is not considered wholly different from the existing circumstances. Further, the view would be from an oblique angle.

Given the proposal looks onto green space in connection with the Fog Lane Park, there would be no neighbours to the rear to be impacted by the proposal.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

Part single, part two storey side extension:

DC1.4 of the UDP requires the creation of domestic extensions which are subservient to the main house, do not cause a terracing effect and must provide a 1.53 metre gap to the shared boundary. In order to avoid the terracing effect and to ensure that subservience to the original dwellinghouse is achieved. The proposal shows a setback of 1.1 metres from the primary elevation of the host property at first floor level and would be set in from the shared boundary by 0.9 metres. The roof of the proposal would be lowered than that of the host property. Therefore, the proposal is considered to create a subservient feature at the site and so would not cause a terracing impact. As such, the form of this element is considered acceptable, pursuant to Policy DC1.4 of the UDP.

Part single, part two storey rear extension:

Whilst the ground floor rear projection exceeds the rearward projection specified within Policy DC1.3 of the UDP, larger developments can be erected under Permitted Development and the Larger Homes Extension route. The first floor rear extension would be compliant with Policy DC1.3 in terms of the projection proposed. The rear extension is considered acceptable in design and form, given the built form to the rear responds well to the circumstances with the neighbouring property given the set in and reduced projection at first floor level. As such, this element of the proposal is considered pursuant with Policy DC1 of the UDP.

Materials to be used would match those within the host property and as such would be considered sympathetic to the existing property. A materials condition to this effect would be attached to any approval granted.

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.

Car Parking

The existing car port would be lost as a result of the proposal, as would the off street driveway down the side of the applicant property. It would be difficult to park a car off street as a result of the proposal. However, side extensions could be erected under Permitted Development with the same impact to off street parking. Further, under Permitted Development rights the applicant could make elevational alterations to the existing car port and infill the space. In this instance

and because of the fallback position of Permitted Development, the loss of off street parking is not considered so detrimental to refuse the application.

Bin Storage

Space would still be retained for bins to be stored within the rear amenity space, as access would still be possible along the side of the side extension and northern boundary of the site.

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.

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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and a revised scheme overcoming

concerns has been received. Appropriate conditions have been attached to the approval granted.

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 30 January 2024.

-Drawing- Proposed- Plans & Elevations, numbered 23 03E, stamped as received by the City Council as Local Planning Authority on 16 April 2024.

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

3) 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.

4) Before first occupation, the shower room and utility room window within the side extension as shown within the approved 'Drawing- Proposed- Plans & Elevations, numbered 23 03E', stamped as received by the City Council as Local Planning Authority on 16 April 2024, 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 properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) 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.

Appendix 1 – List of consultees & neighbours notified

80 Brooklawn Drive, Manchester, M20 3GZ
45 Brooklawn Drive, Manchester, M20 3GY
22 Westholme Road, Manchester, M20 3QN
76 Brooklawn Drive, Manchester, M20 3GZ
47 Brooklawn Drive, Manchester, M20 3GY
43 Brooklawn Drive, Manchester, M20 3GY

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