

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139781/FH/2024
Date registered valid: 15 April 2024
Proposal: Installation of two dormers to the rear
Address: 101 Dudley Road, Manchester, M16 8BW
Ward(s): Whalley Range Ward

Applicant: Mr Kane Clover8
Agent (if any): Mr N Khan, NK Architectural
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 07 June 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 26 April 2024

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 23 April 2024 Expired: 15 May 2024

Site notice: Posted: 26 April 2024 Expired: 18 May 2024

Press advert: Published: 30 April 2024 Expired: 14 May 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 beige render with a grey slate dual pitch roof. The property features a mixture of green-painted timber-framed, white uPVC, and grey aluminium-framed windows, including a two-storey bay with gable end detailing to the front, a spacious front and side garden bordered by a high-level hedge and timber fencing, a single storey rear outrigger, and a modest rear garden.



Figure 1. Front view.



Figure 2. Rear view.



Figure 3. Application site, as viewed on Google Maps.

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 installation of two dormers to the rear.

Planning history

ENF/09352/09 – Enforcement enquiry: Demolition of boundary wall – **CLOSED** (27.03.2009).

ENF/09382/09 – Enforcement enquiry: Creation of new driveway and demolition of boundary wall – **CLOSED** (04.02.2011).

Relevant planning history

99 Dudley Road (adjoining property)

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** (31.05.2022).

CDN/23/0619 - Application to discharge condition no. 3 (materials) attached to planning permission 132880/FH/2022 – **APPROVED** (12.10.2023).

Consultations & Notification Responses

One letter of objection was received from one local resident in response to the application. Their concerns are summarised as follows:

- Loss of privacy and overlooking.
- Loss of light and overshadowing.
- Loss of view and outlook.
- Dormers should reflect the scale and massing of those previously approved at the adjoining property to retain architectural similarity and give consideration to the character of the conservation area.

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



Figure 4. Submitted revised proposed elevations.

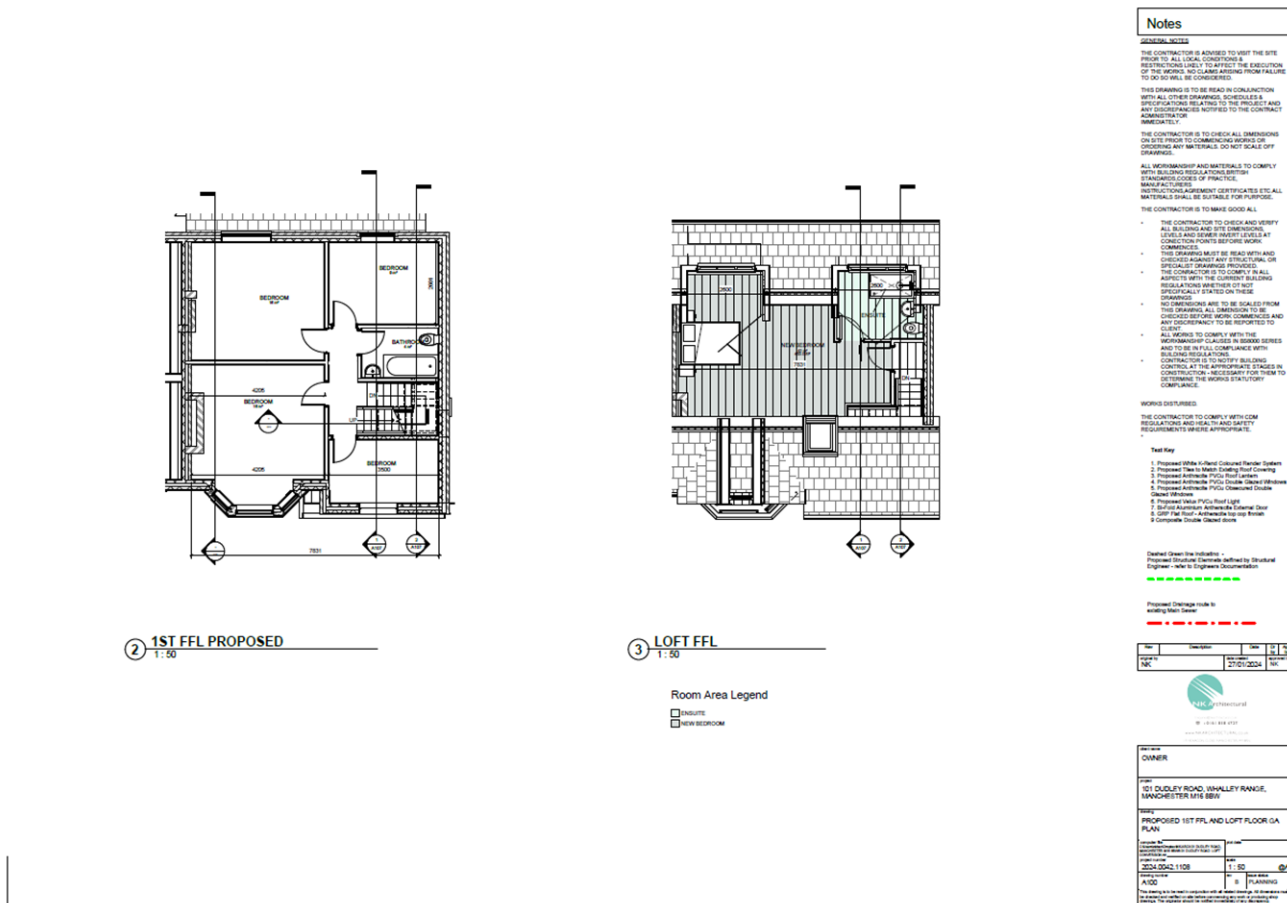


Figure 5. Submitted revised proposed plans.

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 installing 2no. rear dormers in order 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, the Whalley Range conservation area, residential amenity, waste storage and parking.

Siting, scale, and massing – the dormers would be sited at the rear of the property, facing southeast, set 0.267m below the ridge, and 1.487m above the eaves. They would not occupy the full width of the roof, leaving a gap of 0.587m to the roof edge, and a gap of 0.467m to the adjoining property, No.99 Dudley Road. The dimensions of each dormer would be as follows: 2.965m in length / depth, 2.819m in width, and 1.64m in height.

It is acknowledged that concerns were raised in relation to the scale and massing of the proposed dormers, with local residents indicating that the proposal should be amended to reflect the dormers approved at the adjoining property, to retain architectural similarity and give consideration to the character of the conservation area.

Originally, the dormers were larger in terms of their dimensions, however, following negotiations with the agent of the application, the scale and massing of both dormers was amended to reflect that of the recently approved dormers at the adjoining property (132880/FH/2022). The revised scheme is now considered acceptable as it is in line with the aforementioned approval, producing a more balanced appearance of the properties when viewed together and avoiding resulting in an 'excessively large or bulky' addition to the application property.

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

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 cause a loss of light, outlook and privacy.

However, it is considered that the dormers should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should they introduce an overbearing presence into the area, given their reduced scale and massing in addition to their siting and positioning on the roof of the property. The dormers should also not compromise the privacy of neighbouring occupiers as their only windows are to be rear-facing and set back from the eaves by 1.487m. As such, they would provide no further degree of overlooking than any existing rear windows at first floor level.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the storage of bins would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

Other matters – the proposal also includes the following elevational alterations:

- Installation of 1no. new flat skylight to the property’s front-facing roof slope.

These alterations are considered acceptable given their minimal impact upon the visual and residential amenity of the area.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, the Whalley Range conservation area, residential amenity, waste storage and parking as it broadly complies with policies DC1 and DC18 of the UDP, policies DM1, SP1, EN1, EN3 and EN19 of the Core Strategy, chapter 12 of the NPPF and policies JP-P1 and JP-P2 of Places for Everyone.

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 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 labelled:

- 'Householder Application for Planning Permission for works or extension to a dwelling', numbered 'PP-12973229', stamped as received by the City Council as Local Planning Authority on the 15th April 2024.

-‘Proposed Elevations’, numbered ‘A103 REV E’, stamped as received by the City Council as Local Planning Authority on the 7th June 2024.

-‘Proposed 1st FFL and Loft Floor GA Plan’, numbered ‘A100 REVB’, stamped as received by the City Council as Local Planning Authority on the 10th May 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) The materials to be used on the external surfaces of the extension 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) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason- In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework. The Manchester Core Strategy policy SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

110 Dudley Road, Manchester, M16 8BR
112 Dudley Road, Manchester, M16 8BR
108 Dudley Road, Manchester, M16 8BR
99 Dudley Road, Manchester, M16 8BW
2 Manor Avenue, Manchester, M16 8DX
1 Manor Avenue, Manchester, M16 8DX
105 Dudley Road, Manchester, M16 8BW
103 Dudley Road, Manchester, M16 8BW

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 - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA