

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139027/FH/2024
Date registered valid: 17 January 2024
Proposal: Erection of single storey rear extension and rear roof dormer to facilitate loft conversion
Address: 22 Hawthorn Road, Manchester, M40 3RH
Ward(s): Moston Ward

Applicant: Mr and Mrs Tsang
Agent (if any): Mr Zach Thorp, Thorp Design Services Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 12 March 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 January 2024

Standard consultations:

Printed: 18 January 2024 Expired: 8 February 2024

Neighbour notifications

Printed: 17 January 2024 Expired: 7 February 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 22 Hawthorn Road within the north Manchester ward of Moston. The application site relates to an end-terraced, two storey, red brick dwellinghouse. Amenity space to the front of the property takes the form of an off street driveway and areas of soft landscaping and further amenity space is accessible via a side passage and takes the form of an extremely spacious garden, measuring approximately 300 square metres. The property benefits from a single storey outrigger and large outbuilding.

The surrounding area is primarily residential in nature.

Description of development

The submitted application seeks planning permission for the erection of single storey rear extension and rear roof dormer to facilitate loft conversion.

The single storey rear extension would utilise the existing footprint of the single storey outrigger and infill the space up to the shared boundary with no.20 Hawthorn Road. The rear extension would have approximate dimensions of Height: 4 x Length: 4.1 x Width: 6.5 metres. The

proposal would have a lean-to hipped roof and involve the insertion of sliding doors along the rear elevation and three skylights within the proposed roof.

The two windows in the side elevation of the existing outrigger would be retained as the northern elevation would be retained to form the basis of the new extension.

The rear roof dormer would create a 2nd floor at the property and would have approximate dimensions of Height: 2.4 x Length: 5.7 x Width: 5.6 metres, giving a volume of 33.6 m³. The proposal would involve the insertion of two windows within the rear elevation of the dormer.

Materials to be used throughout the proposal would include:

- Roofing materials to match existing
- Black/anthracite windows/ doors/ UPVC fascia boards
- Brick to match existing.

The proposal also involves the change of windows within the applicant property to black/anthracite colouration to match the black windows proposed within the extensions. Within the side elevation facing the non-adjointing neighbour a window would be changed to a door and a further window would be bricked up. These elements of works could be achieved through the route of Permitted Development and would not be assessed as part of this application.

Planning History

No planning history exists for this site.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted on the application and had no comments to make.

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

ISSUES

Principle of Development

The submitted development application is for the erection of single storey rear extension and rear roof dormer to facilitate loft conversion. 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.

Residential/Visual Amenity

Single storey rear extension:

The single storey rear extension would utilise the existing footprint of the single storey outrigger at the site and infill the space up to the shared boundary with no.20 Hawthorn Road. Due to the neighbour's rear outrigger which creates the boundary between the two properties and since the projection would not come further forwards of the neighbour's outrigger, the neighbour would not be adversely affected in terms of amenity.

The extension would utilise the existing form of development alongside the northern boundary of the site. As such, any change to the existing development would be limited and is not considered to give rise to any adverse implications to the non-adjoining neighbour no.24 Hawthorn Road. The retention of the existing windows along the side elevation facing no.24 Hawthorn Road is considered acceptable given the existing built form would be utilised for the development. One window to be retained would relate to the proposed W/C. The window would be conditioned within any approval granted as being obscure glazed to protect the privacy of the applicant. In addition, a condition would be attached to any approval granted restricting the insertion of further windows or doors approved beyond this consent.

Since the proposal is single storey and sited approximately 42 metres from the rear boundary line of the property, no adverse implications would occur to the properties to the rear of the applicant site, along Eastwood Avenue.

Rear roof dormer:

The dormer due to its nature would not give rise to any overbearing or loss of light implications. No windows are to be inserted in the side elevation of the proposal and as such, no adverse privacy implications would occur as a result of the proposal to the immediate neighbours. The proposed en-suite window within the rear elevation of the proposed dormer would be conditioned within any approval granted as being obscure glazed and top opening only. The proposed bedroom window within the rear elevation of the dormer window would not give rise to any overlooking to the immediate neighbours beyond the same view achieved from the rear windows at first floor level.

The ridge height of the dormer is no higher than the existing and the dormer does not project further than the roof plane. It is considered to be an acceptable addition to the roof of the property, given the Permitted Development rights that exist for roof extensions. As such, the dormer is not considered to be a detrimental or overpowering feature and would not be visible to the streetscene.

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

Design and Appearance

Single storey rear extension:

Whilst the projection of the rear extension at 4.1 metres would exceed Policy DC1.3 of the UDP, Permitted Development rights including the larger homes extension route would allow extensions larger in size. Given the spacious nature of the plots and the fallback position of Permitted Development, the 4.1 metre projection is considered acceptable in this instance. Further, the form of the extension utilising the existing projection of the site's rear outrigger is considered sympathetic to the existing property and the change of roof type from gable to

hipped reduces the level of harm to the immediate neighbours, pursuant with Policy DC1 of the UDP.

Rear roof dormer:

Permitted Development rights allow rear dormers to be obtained through the route of Permitted Development. As the proposed dormer has a volume of 33.6 m³, the dormer could have been erected through the route of Permitted Development. 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 throughout the proposal would include:

- Roofing materials to match existing
- Black/anthracite windows/ doors/ UPVC fascia boards
- Brick to match existing.

The dormer facing material would match the existing and ensure a sympathetic addition to the property at height. Although the fenestration proposed would be black, the plans indicate the fenestration across the host property would also be amended to black (which does not require planning consent). As such, the insertion of black windows/doors would allow a consistent approach to fenestration and is in this instance considered acceptable. A materials condition to this effect would be attached to any approval granted.

Car Parking

Car parking would be unaffected by 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.

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. 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 17 January 2024.

-Drawing- Proposed- Site Plan, numbered ZT23-196-03, stamped as received by the City Council as Local Planning Authority on 17 January 2024.

-Drawing- Proposed- Plans & Elevations, numbered ZT23-196-04, stamped as received by the City Council as Local Planning Authority on 17 January 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 ground floor W/C window and en-suite window within the proposed dormer as shown on the approved 'Drawing- Proposed- Plans & Elevations, numbered ZT23-196-04', stamped as received by the City Council as Local Planning Authority on 17 January 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.

The first floor dormer en-suite 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.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out within 'Drawing- Proposed- Plans & Elevations, numbered ZT23-196-04' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

18 Eastwood Avenue, Manchester, M40 3TJ
17 Hawthorn Road, Manchester, M40 3RH
24 Hawthorn Road, Manchester, M40 3RH
17 Eastwood Avenue, Manchester, M40 3TJ
20 Hawthorn Road, Manchester, M40 3RH
18 Hawthorn Road, Manchester, M40 3RH
15 Hawthorn Road, Manchester, M40 3RH
13 Hawthorn Road, Manchester, M40 3RH

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA