

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138561/FH/2023

Date registered valid: 15 November 2023

Proposal: Erection of a two storey side extension together with alterations to existing third-storey rear extension in order to provide additional living accommodation.

Address: 19 Cadnam Drive, Manchester, M22 5AT

Ward(s): Sharston Ward

Applicant: Kendal Byrne Developments Ltd

Agent (if any): Mr Kieran Hibbs Kieranhibbsarchitecture

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 08 January 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 24 November 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 21 November 2023
Printed: 08 December 2023

Expired: 12 December 2023
Expired: 29 December 2023

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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey end-terraced C3 dwellinghouse of redbrick with a grey concrete tile dual pitch roof. The property features white uPVC windows, a front porch canopy, a spacious front yard / garden bordered by mid-level timber fencing, an unauthorised third-storey rear extension, and a detached outbuilding situated within a spacious wrap-around garden.



Figure 1. Principal elevation.



Figure 2. Side of property.



Figure 3. Unauthorised third storey rear extension.



Figure 4. Side of property.

Description of area

Cadnam Drive is a residential cul-de-sac situated within the Sharston ward of Manchester, close to Peel Hall Park, Gatley Brook, and Peel Hall Primary School. The area is predominantly residential in terms of its character, consisting of terraced and semi-detached residential properties, and benefits from its proximity to public green and outdoor amenity spaces.

Description of development

The applicant is seeking permission for the erection of a two-storey side extension together with alterations to the existing (unauthorised) third-storey rear extension in order to provide additional living accommodation.

Planning history

No previous planning history.

Consultations & Notification Responses

Two letters of objection were received in response to this application. Their concerns are summarised as follows:

- Loss of privacy.
- Overlooking of neighbouring properties and gardens.
- Concerns relating to the existing (unauthorised) third-storey rear extension.
- Concerns relating to noise disturbance and disruption associated with construction.

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

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 EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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.

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 erecting a two-storey side extension together with alterations to the existing (unauthorised) third-storey rear extension 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. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, and parking.

Siting, scale, and massing – the extension would be sited at the side of the property, facing northeast. It would project 4.4m sideways from the host dwellinghouse, with a length / depth of 3.89m (setback 2.705m from the property's front elevation), dual pitch roof height of 6.768m (set 2.104m below the existing ridge), and an eaves height of 5.022m (to match the existing). A gap of 6m would be maintained to the boundary shared with No.67 Studland Road, a gap of 1.995m would be maintained to the boundary shared with No.2 Williton Walk, and a gap of 2.13m would be maintained to the boundary shared with No.21 Cadnam Drive.

The proposal is understood to be subservient, in terms of its dimensions, to the host dwellinghouse and as such should not result in an 'excessively large or bulky' addition to the property. Moreover, it would feature considerable gaps to the property's shared boundaries and should therefore avoid introducing an overbearing feature into the area as well as allowing for the retention of sufficient private outdoor amenity space for its occupiers.

The proposal therefore accords with policy DC1 of the UDP, and policies SP1 and DM1 of the Core Strategy.

Appearance and visual amenity – the extension would be built of brickwork, roof tiles, windows and doors to match the existing.

At ground floor level, the extension would feature one window to its front elevation, and two windows and a set of outward-opening doors to its rear. Its side elevation would be blank and featureless. At first-floor level, the extension would feature one window to its front elevation, two windows to its rear elevation, and a blank side elevation.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Sited at the side of the property, elements of the proposal would be visible within the street scene, however the proposal's use of matching materials should provide a blended appearance with the host dwellinghouse, thus ensuring that it does not form a prominent visual feature. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Residential amenity – given that the extension would be sited to the northeast of the host dwellinghouse, with subservient dimensions, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area.

It is acknowledged that concerns were raised in relation to the proposal's potential to result in a loss of privacy for neighbouring occupiers. However, given that the extension would be sited to the side of the property, maintaining considerable gaps to the plot's shared boundaries and with no side facing windows, it is considered that the proposal would not significantly affect the privacy of neighbouring occupiers, particularly given that its rear-facing windows would not project beyond those already present at ground and first floor level, thus providing no further degree of overlooking. A condition has also been attached to the decision notice placing permitted development restrictions on the installation of windows in the proposed extension to further safeguard the privacy of neighbouring occupiers.

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

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

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

Other matters – concerns were raised in relation to the proposal's construction impacts, particularly its potential to give rise to noise disturbance and disruption. However, it is considered that these impacts would be short lived and do not represent material planning considerations which would warrant the refusal of this application. Any issues relating to noise or pollution associated with the construction phase would be controlled through separate legislation, such as the Environmental Pollution Act.

The proposal also includes alterations to the existing (unauthorised) third-storey rear extension in order to amend its appearance to read as a dormer extension, rather than an additional storey. This would include setting the development in from the property's northeastern edge by 0.116m and cladding its side elevation in dark grey weatherboarding (to match its other elevations).

With these amendments, the development would measure to 3.174m in length / depth, 7.289m in width, and 2.574m in height, with a resulting volume of 29.78 cubic metres. It would be set 0.303m below the existing ridge and would be set back 0.261m from the eaves. The dimensions of the development are therefore understood to be subservient to those of the host dwellinghouse, whilst its siting within the rear-facing roof slope of the property would ensure its reading as a dormer extension, rather than an additional storey.

Moreover, given its siting entirely within the roof slope of the host dwellinghouse (at the rear), the proposal should not cause undue harm to the visual and residential amenity of the area, thus according with policies DM1 and SP1 of the UDP.

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 and residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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. 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:

- 'Proposed Plans', numbered 'KH847-101 REV C', stamped as received by the City Council as Local Planning Authority on the 8th December 2023.

- 'Proposed Elevations', numbered 'KH847-102 REV D', stamped as received by the City Council as Local Planning Authority on the 8th December 2023.

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 developments hereby permitted shall match those specified on the approved plans, including brickwork and roof tiles to match the existing on the side extension.

Reason - To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the developments, 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

4 Williton Walk, Manchester, M22 5BH
22 Cadnam Drive, Manchester, M22 5AT
67 Studland Road, Manchester, M22 5AS
6 Williton Walk, Manchester, M22 5BH
2 Williton Walk, Manchester, M22 5BH
21 Cadnam Drive, Manchester, M22 5AT
20 Cadnam Drive, Manchester, M22 5AT
17 Cadnam Drive, Manchester, M22 5AT
69 Studland Road, Manchester, M22 5AS
65 Studland Road, Manchester, M22 5AS
63 Studland Road, Manchester, M22 5AS

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 15M
Area Team Boundary - Name: SOUTH AREA