

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137381/FH/2023
Date registered valid: 23 June 2023
Proposal: Erection of front porch and installation of rear roof dormer extension
Address: 17 Swinfield Avenue, Manchester, M21 9FU
Ward(s): Chorlton Ward

Applicant: Ms Jackie Kilbane
Agent (if any): Mr Dan Newport, Re-form Architects
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: REFUSE
Date of recommendation: 15th August 2023



Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	14 December 2022
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 3 July 2023 Expired: 24 July 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

The application relates to a two storey end-terrace dwellinghouse of red brick and slate, with a gable roof and a tapered side elevation. The property features original timber sash windows to the front and a two storey outrigger to the rear, with a small front garden and a modest tapered rear garden, both bound by brick walls.





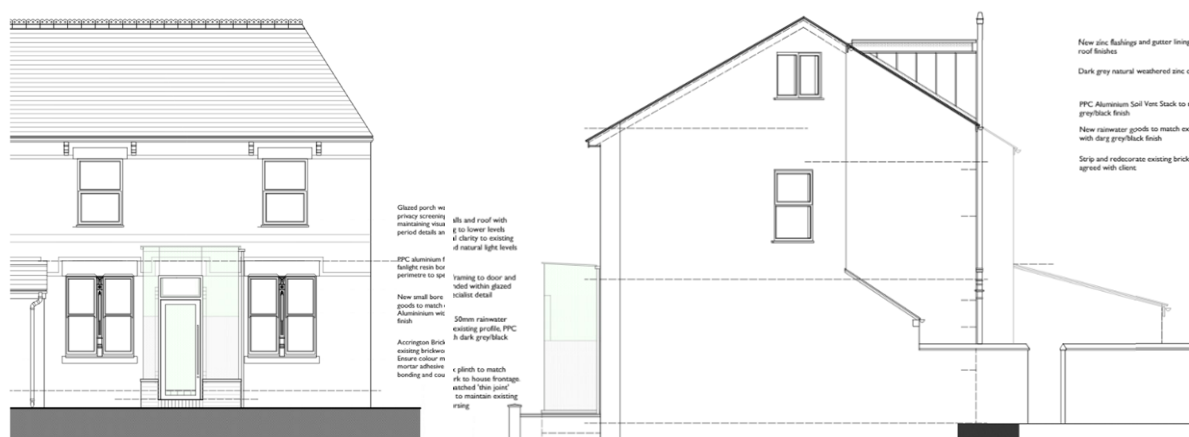
Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

Swinfield Avenue is a short residential cul-de-sac in Chorlton, comprising of two terraces. To the south lies Ivy Green Allotments and to the west of the property lies Ivy Green and Chorlton Ees, publicly-accessible woodland and meadows, which forms part of the greenbelt.

Description of development

The applicant is seeking permission to build a front porch and rear box dormer to provide additional living accommodation for a family dwellinghouse.



Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Policy and Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 – Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal does not accord with the principles of this policy document.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (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 1995 (UDP) 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 (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered unacceptable and it is believed that there are factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed not to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

Plans considered

The plans considered as part of this proposal are as follows:

EXISTING

Received 23rd June 2023 numbered 002 Existing First Floor and Second Floor Plans, SW Elevations and Section AA (SE Elevation)

Received 23rd June 2023 numbered 002 Existing Ground Floor Plans, NE and NW Elevations

PROPOSED

Received 23rd June 2023 numbered 011B Proposed First Floor and Second Floor Plans, SW Elevations and Section AA (SE Elevation)

Received 23rd June 2023 numbered 010A Proposed Ground Floor Plan, NE (Sectional) Elevation NE and NW Elevations

History

Previous applications relating to this site as follows;

Planning reference number: 135313/FH/2022 - for the installation of front porch and rear roof dormer extension. This application was approved on 24.04.2023

Residential amenity

The applicant is seeking permission to build a front porch and rear box dormer to provide additional living accommodation for a family dwellinghouse. The City Council raised concerns with the agent/applicant regarding the height of the proposal to the front, however, chose not to address the concerns.

The original property has a traditional appearance with a short approach to the front entrance into the property and features decorative header stones above the windows and stone cills shared by all the properties along this street frontage. It was noted during the officers site visit that some properties along this road featured front porches. All the porches were noted to be in line with the top line of the stone header retaining the decorative feature above the windows. The applicant is proposing a predominantly glazed structure to the front of the property comprising Accrington brick plinth, with a powder coated aluminium framed glazed structure above, featuring a glazed roof and door and privacy screening to the lower half which would form a modern addition to the property.

Whilst the City Council is not opposed to a glazed addition, it is believed that to introduce the front porch to a height greater than the window header stone, would be considered to be out of context altering the uniformity of the porch heights along this road. Therefore, it is considered that this would cause significant harm to the character and appearance of the area and be detrimental to the harmony of the design of the dwellings.

Therefore, it is considered that the porch would negatively impact upon the street scene and would not comply with policies DM1 and SP1 of the Manchester Core Strategy and saved policy DC1 of the UDP.

In addition, the applicant proposes the installation of a dormer to the rear. It is not considered that the works would result in an undue loss of daylight, sunlight or privacy for the surrounding occupiers and thus would not cause undue harm to residential amenity. There are no side windows proposed at first or second floor and the rear windows within the dormer would provide views over Ivy Green allotments. In addition to this, no objections were received from local residents.

Siting, scale and massing

The height of the proposal would provide an unacceptable impact upon the residential amenities of the adjoining and surrounding properties and is therefore considered that the proposal would be out of character with the existing and surrounding properties in the area. The proposal not satisfactory and is considered not to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the porch is considered to be unacceptable with regards to the character of the existing and surrounding properties in the area. The design is not detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development does not accord with Core Strategy Policies DM1 and EN1 and in general the design is considered unacceptable.

The dormer is similar in design to that which was approved under planning application 135313/FH/2022 and is 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: Refuse

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 entered into negotiations with the applicant/agent unfortunately a satisfactory resolution has not been reached

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed front porch by reason of its size, position and architectural design, forms an over-dominant and incongruous feature out of character for this property and the immediate area. This in turn has a detrimental impact upon the visual amenity of neighbouring occupiers and the visual appearance of the street-scene. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

24 Swinfield Avenue, Manchester, M21 9FU
13 Swinfield Avenue, Manchester, M21 9FU
22 Swinfield Avenue, Manchester, M21 9FU
20 Swinfield Avenue, Manchester, M21 9FU
15 Swinfield Avenue, Manchester, M21 9FU
18 Swinfield Avenue, Manchester, M21 9FU

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH AREA