

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 137336/FH/2023

**Date registered valid:** 1 July 2023

**Proposal:** Erection of two-storey side extension to form additional living accommodation.

**Address:** 25 Bolesworth Close, Manchester, M21 9BE

**Ward(s):** Chorlton Ward

**Applicant:** Mr Fergus Sykes

**Agent (if any):**

**Case officer:** Janine Renshaw-Livesey  
Tel: 0161 234 4555  
Email: [janine.renshaw-livesey@manchester.gov.uk](mailto:janine.renshaw-livesey@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 21 August 2023

## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 17 August 2023

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 12 July 2023      Expired: 2 August 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:** No

**Tree Preservation Order:** No

### **Description of area**

The application site relates to a two-storey semi-detached property benefiting from off street car parking at the front and side of the property, and garden to the rear of the property.

The property is within established residential area and predominantly characterised by family dwelling houses.

### **Description of development**

The proposal comprises of a two-storey side extension.

The same two storey side extension scheme was approved previously under planning referenced number 118154/FH/2017

The property faces northeast to the front, south east to the side and south westerly to the rear.

### **Planning history**

CDN/18/0355 Discharge of conditions 1 -5 (Time Period, Specified Plans, Gas Membrane, Materials, Bin Storage) attached to application 118154/FH/2017.

118154/FH/2017 Erection of two-storey side extension to form additional living accommodation. Approved.

## Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and one letter was received raising concerns to whether the current proposal would negate a similar extension on adjacent properties. The current proposal would allow sharing of the development gap by the means of a setback at first floor level which would allow the any adjacent development to do the same extension in the future.

## Issues

### Policy & 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.
- 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 The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

**Principle** - The proposal is for the erection of two-storey side extension, to form additional living accommodation which is considered acceptable.

Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

**Siting** - The two storey side extension would be well placed in relation to the neighbouring property and it is considered that the proposal would not give rise to undue overshadowing, loss of light or privacy on adjoining neighbouring residents, and accords with in saved UDP Policy DC1 and policies SP1 and DM1 of the Core Strategy.

**Design and Appearance** - The design appears to be in keeping with the character of the original dwelling house and surrounding properties in the area and the choice of materials as stated by the application form would match the existing property, it is considered that the extension would be in keeping with the character of the street scene. It is therefore considered to accord with the principles for residential extensions set out in saved UDP Policy DC1 and DM1 of the Core Strategy.

**Scale and Massing** - The architect has provided amended drawings showing a set back at ground and first floor to provide a refuse bin store, in order to overcome concerns with regards to subservience, the impact on the overall character of the property and the position of the refuse storage.

The two-storey side extension would be set back from the front elevation by 1.00 metre at ground floor; a width of 2.60 metres and a rearward projection of 7.20 metres, providing the residents with an extended kitchen diner on the ground floor. It would be set back by 1.20 metres at first floor, extending rearwards by 7.00 metres, with an ensuite bathroom to the main bedroom and the addition of an additional bedroom. The extension would have a gabled roof with a height to the eaves of 5.45 metres and a height to the ridge of 7.00 metres; the roof would be set down by 0.35 metres, showing subservience to the existing house.

It is proposed to install one window on the front elevation at first floor (the window is to the ensuite bathroom and would be obscurely glazed), together a door to the extended kitchen on the rear elevation, together with a window to the additional bedroom, overlooking the garden. It is not expected that this would give rise to further overlooking or loss of privacy to the detriment of the amenity that the adjoining occupants currently enjoy.

The property is orientated in a south easterly direction to the side; the initial proposal has since been reduced by a set back to the ground and first floor front elevation. Overall, it is considered that the extension strikes a balance between the requirements of the occupier adapting their home for future requirements and its impact on the wider street scene and neighbours. It is considered that the scale of the extension is acceptable and is within the guidance contained within extant Policy DC1 of the UDP.

**Refuse bin storage** - On completion of the proposal, there would be no access to the rear of the property for the storage of the refuse bins, therefore, a refuse bin store would be positioned at the front of the proposed extension, which would be conditioned on any approval.

**Parking** - Parking is not affected by the proposed extension, as there is parking on the driveway to the front of the property, which accords with the principles for residential extensions set out in saved UDP policy DC1.

**Residential Amenity** - The proposed rear extension by reason of its orientation, should not give rise to overshadowing, overlooking or loss of privacy to the detriment of the amenity that the adjoining occupants could reasonably expect to enjoy. The design is what is normally expected of such a structure and would not adversely impact upon residential amenity. In this respect, the proposed extension accords with saved UDP policies DC1 and to policies SP1 and DM1 of the Core Strategy.

**Conclusion** - It is considered that the proposal should not give rise to undue overshadowing, overlooking or loss of light or privacy that the neighbouring occupants currently enjoy. For the above reasons, the proposal is not considered to have any detrimental impacts on visual amenity and therefore accords with saved policy DC1 of the development plan and policies SP1 and DM1 of the Core Strategy.

## **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 Agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The application has been determined in a timely manner and in accordance with the guidance contained within saved Policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to Policy DM1 of the Core Strategy and the National Planning Policy Framework.

### **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:

17-0027-20-001 P4 and the Location Plan, stamped as received on the 1 July 2023 and 17-0027-20-002 P4, stamped as received on the 19 June 2023.

Reason - To ensure that 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 building in type, size, colour and texture, as stated in the Householder Application Form.

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) Before first occupation, the first floor en suite and bathroom windows, shown on drawing numbers 17-0027-20-001 P4, stamped as received on the 1 July 2023 and 17-0027-20-002 P4, stamped as received on the 19 June 2023, 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) Prior to the occupation of the development hereby approved, shall be occupied unless and until samples and specifications of the materials to be used in the construction of the refuse bin store have been submitted to and approved in writing by the City Council as local planning authority. The bin storage area should be located not forward of the front elevation and installed prior to the use of the extension and shall remain so in perpetuity.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

6) 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 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

## **Appendix 1 – List of consultees & neighbours notified**

23 Bolesworth Close, Manchester, M21 9BE  
17 Bolesworth Close, Manchester, M21 9BE  
29 Bolesworth Close, Manchester, M21 9BE  
27 Bolesworth Close, Manchester, M21 9BE

## **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