

## Planning

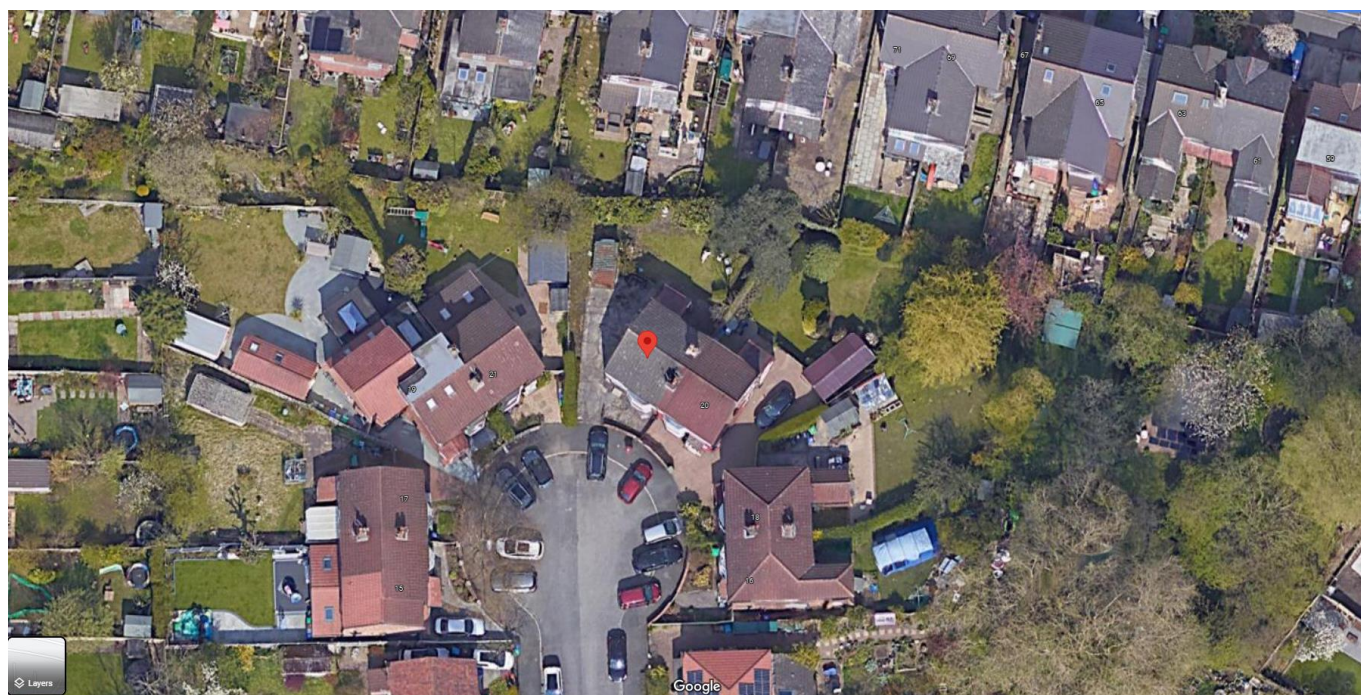
## Growth & Development

### Delegated officer report for planning application

**Application no.** 136811/FH/2023  
**Date registered valid:** 25 April 2023  
**Proposal:** Erection of part single/part two storey side and rear extension  
**Address:** 22 Bentley Road, Manchester, M21 9WD  
**Ward(s):** Chorlton Ward

**Applicant:** Bogoda  
**Agent (if any):** Mr - Williams  
**Case officer:** Tracie Simpson  
Tel: 0161 234 4537  
Email: [tracie.simpson@manchester.gov.uk](mailto:tracie.simpson@manchester.gov.uk)

**Recommendation:** Approve  
**Date of recommendation:** 20<sup>th</sup> June 2023



## Application details

|                                  |                                                  |
|----------------------------------|--------------------------------------------------|
| Type of application:             | Full Householder Application                     |
| Development type:                | Householder                                      |
| Date of site visit:              | 19.06.2023                                       |
| Standard consultations:          | No consultations have been printed and sent.     |
| Neighbour notifications          | Printed: 27 April 2023      Expired: 18 May 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

This site relates to a two storey semi detached property in the Chorlton ward area of Manchester. The property is situated at the head of a cul de sac with a circular tuning head which has resulted in the property being angled to the adjacent property no. 21 Bentley Road. The property is of red brick and render with weathered red tile roof featuring bay windows on the front elevation and a gable roof. Amenity space is available to the front and side which leads to a large garden at the rear. Off street car parking is available at the front of the property.

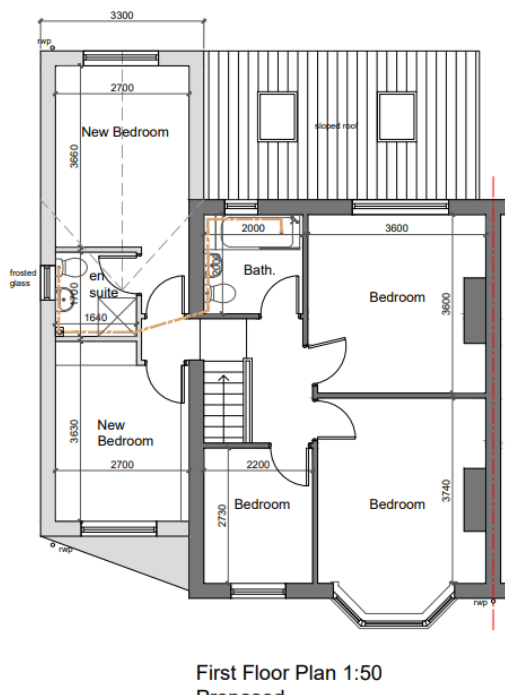
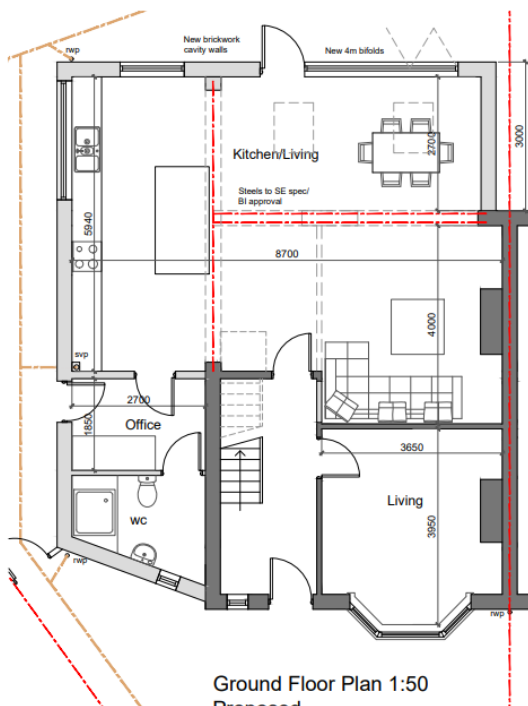
|                          |                |
|--------------------------|----------------|
| Listed building:         | Not applicable |
| Conservation area:       | Not applicable |
| Tree Preservation Order: | Not applicable |

## Description of area

The property is located within a predominantly residential area

## Description of development

The applicant is seeking planning permission for the erection of part single/part two storey side and rear extension.



## **Consultations & Notification Responses**

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. One letter of objection has been received in respect of this planning. Summary of comments as follows:

- We would like to object this application as the extended house would come too close to our house thus impeding our privacy and blocking the sunlight.

Environmental Health – attach conditions if approved

## **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 accords with the principles of this policy document.

## **Principle**

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 acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

## **History**

Previous planning applications relating to this site as follows:

### **133111/FH/2022**

Recv: 03.03.2022

Application Approved - 13.05.2022      Erection of two storey side and part single, part two storey rear extensions to provide additional living accommodation

## **087062/FH/2008/S1**

Recv: 04.07.2008

Application Approved - 28.08.2008      Erection of a two storey side extension to form additional living accommodation following demolition of existing garage

### Residential amenity

The applicant is seeking planning permission for the erection of part single/part two storey side and rear extension. Concerns of overlooking and loss of privacy have been raised by a local resident due to the projection and position of the rear extension.

### Ground floor

The extension would be set back marginally from the front wall of the house extending along the side and wrapping around the property up to the shared boundary with the adjoining semi detached property no. 23 Bentley Avenue. Projection from the rear wall measures 3.0m. The roof would be flat at the front and would have a mono pitch sloping roof to the rear with the inclusion of two roof lights. A window is proposed on the front elevation, a door and window are proposed along the side and a window, door and bi folding doors are proposed on the rear elevation. It is considered that given the existing boundary treatment, together with the distance to the shared boundary, that the window on the side elevation facing the adjacent property no. 21 would not result in excessive overlooking or loss of privacy.

### First floor

The first floor would be set back from the original front wall of the property slightly extending along the side with a projection beyond the rear wall measuring 3.0m to a width of 3.3m overall. . Due to the orientation of the property and the unique position of the application site at the head of the cul de sac, a large increasing gap would be retained to the shared boundary with the adjacent property no. 21 Bentley Road. The roof, which would be gable to reflect the current design on the property, would be set down from the original ridge height.

Given the retained gap to the shared boundary of the properties either side and to the rear boundaries, it is not considered that the proposal would provide any undue harm caused by overshadowing or loss of light to the existing residential amenities for the occupiers. Given the setback together with the gap to the boundary provided by the extension, it is considered that the proposal would not provide terracing or any loss of amenity within the street scene.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

### Siting, scale and massing

The size and footprint of the proposed extension is comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered 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 proposal would be in keeping with the existing and surrounding properties in the area. In terms of the proposed materials, it is intended to use brick and tiles as specified in the application form. The design of the extension has been tailored to fit the shape of the existing property/plot and respect the relationship with the neighbouring property at the side and rear and is considered acceptable and detailed as what is normally expected of such a structure.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

## Refuse

Environmental Health, suggested a Refuse storage condition to be attached. However, the plans show access to the rear is still available along the side and therefore in this instance, a condition would not be required.

Bins storage is not affected by this proposal as there is adequate space along the side for the movement of bins from the rear to the front for collection and therefore the storage of refuse bins accords with policy EN19 of the Core Strategy.

## Parking

Off street car parking would be retained to the site and therefore it is considered that car parking arrangements are not affected by this proposal.

## Conclusion

Although the proposal would be visible from the public highway and therefore would be a feature within the street scene, the character of the area is still retained. The proposal has been sited and designed to ensure that it is subservient to the original dwelling house and the proposal is considered acceptable in this location, in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise.

## **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**

Positive and proactive working 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. The application has been determined in a timely manner and in accordance with the policies within the Development Plan

### **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) Specified Plans The development hereby approved shall be carried out in accordance with the following drawings and documents:

Received on 25th April 2023 numbered 57-002 Revision A Proposed Ground and First Floor Plans

Received on 25th April 2023 numbered 57-003 Revision A Existing and Proposed Front and Side Elevations

Received on 25th April 2023 numbered 57-004 Revision A Existing and Proposed Rear and Side Elevations

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 hereby permitted shall match those as specified on the application form 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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

4) Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm  
Sunday / Bank holidays: No work

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

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

81 Nicolas Road, Manchester, M21 9LS  
20 Bentley Road, Manchester, M21 9WD  
18 Bentley Road, Manchester, M21 9WD  
77 Nicolas Road, Manchester, M21 9LS  
21 Bentley Road, Manchester, M21 9WD  
19 Bentley Road, Manchester, M21 9WD  
17 Bentley Road, Manchester, M21 9WD  
79 Nicolas Road, Manchester, M21 9LS  
75 Nicolas Road, Manchester, M21 9LS  
73 Nicolas Road, Manchester, M21 9LS

#### **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  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Area Team Boundary - Name: SOUTH AREA