

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135363/FH/2022

Date registered valid: 14 November 2022

Proposal: Part retrospective application for the erection of a single storey rear extension, roof extension to existing two storey side extension, installation of rear roof dormer, and associated elevation alterations to form additional living accommodation

Address: 90 Atwood Road, Manchester, M20 6JN

Ward(s): Didsbury East Ward

Applicant: Mrs Grace Rothery, 90 Atwood Road, Manchester, Manchester, M20 6JN

Agent (if any): Mr Elliot Denby, Bernard Taylor Partnership Ltd, Elizabeth House, 486 Didsbury Road, Heaton Mersey, Stockport, SK4 3BS

Case officer: Robert Griffin
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Recommendation: Approve

Date of recommendation: 13.01.2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06.01.2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 15 November 2022

Expired: 6 December 2022

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

Description of area

The application property is a two-storey semi-detached dwelling house with a front ground to first floor gabled bay window together with a historic two storey flat roofed side extension with ground floor garage. The property is predominantly of brick construction with more decorative brick features and areas of render and timber on the front elevation. This is reflective of other properties in the street which give it a consistent and distinct character. There is a boundary wall and hedge to the front with a long garden to the rear. Immediately adjacent the property is a public footpath that separates the application property from the next pair of semi-detached properties. This footpath runs diagonally alongside the property and the line of the path is reflective in the boundary line between the application property and the adjoining semi-detached property at number 92 Atwood Road.

Description of development

The application proposals are for the erection of a single storey rear extension, roof extension to existing two storey side extension, installation of rear roof dormer, and associated elevation alterations to form additional living accommodation. The application is a resubmission following approval of a similar scheme, however, the development that has taken place differs from that granted permission under application reference 129540/FH/2021. The differences with the current proposals are that the single storey rear extension is higher than that previously approved and incorporates a centrally located roof light and there has been installed a roof

overhang beyond the rear extension to provide a covered external veranda area and the extension has been constructed leaving a gap between the side wall and the boundary with the adjoining property. The roof dormer and roof extension to the existing side extension reflects that previously approved.

The resubmission follows receipt of a complaint that works had not progressed in accordance with the planning approval and this seeks to regularise the development constructed. Works on site are substantially complete.

Consultations & Notification Responses

Neighbouring properties were notified of the proposals one objection has been received a summary of the comments made is set out below:

The original planning permission that was granted led to a modification in the plans for the extension namely (a reduction in size). Regardless of this, the building works undertaken have gone against this. Therefore to allow the building to stand as is would be contrary to the earlier decision of the planning department.

The construction has been extended beyond the building itself by a large veranda supported by metal struts (not provided for by drawing No 109 Rev 1). One of the earlier objections raised was as to the depth of the extension into the garden. This was accepted but it would appear to have now been achieved by the use of this overhang which forms part of the main roof on the extension. The environmental impact of this structure is very clear as it is not in keeping with the other properties at all (a white flat roofed box, with white rendering, wooden paneling and now also a veranda supported by metal struts). Furthermore the overhang overshadows the adjoining property. The roof of the extension (now) contains a large protruding pyramid skylight. The environmental impact is that it is not keeping with any of the other properties. It raises the overall height of the extension therefore making it more imposing on the adjoining property (overshadowing). Light pollution will also be significant as well.

The overall height of the structure (aside the skylight) is also of concern. Although it has not been measured, and only the naked eye used, when considered against the initial plans it does appear to be higher than initially sought when contrasted with the roof line at the back of the house on the adjoining property. As a consequence it significantly overshadows the garden of the adjoining property and blocks both view and light.

Policy

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

Core Strategy policy DM1 indicates all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

Unitary Development Plan

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- 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 the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

Policy DC1.3 states that 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).

Policy DC1.4 indicates that in considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

Issues

Principle - The general principle of householders extending their properties to provide additional living accommodation is acceptable subject to further consideration of the impacts of proposals on residential amenity and the character of the area.

Residential Amenity - The proposals relate to three elements, the rear roof dormer extension, the roof extension to the existing two storey side extension and the single storey rear extension.

The proposed roof dormer is located on the rear roof slope. Given the side public footpath this element would be visible from public areas. However, the adjoining property has a rear roof dormer and the proposed is not significantly different in terms of scale, size and finish. There are two proposed windows to the dormer one being a Juliet balcony. The rear garden is approximately 21 metres in length and as such views down the garden towards properties on Aldwick Avenue would be over an acceptable distance to not give rise to impacts on privacy or overlooking. This element of the proposal is not considered to give rise to unacceptable impacts on residential amenity.

The roof extension was to the flat roofed side extension and would enable an enlargement to living accommodation to be provided in the enlarged roof through the dormer extension and introduce an additional rear facing window although this would reflect the views over the public foot path and rear garden area that the first floor window currently has. As such it is not considered that the roof extension would give rise to impacts on residential amenity.

The proposed rear single storey extension has a height of 3.12m on the boundary with the adjoining property rising to 3.6m at the maximum height of the centrally located roof light with its closest edge set in 1.4m from the boundary with the adjoining property. This extends to approximately 7.10m along the boundary with the adjoining property and incorporates the roof overhang and veranda. The boundary wall element has been provided with a visual gap of approximately 1.5 m from the roof edge to the full height boundary wall. This would afford some visual permeability to the extension along the boundary with the adjoining property.

Permitted development allows an extension to a semi-detached property of 3 metres projection up to a maximum height of 4 metres and 3 metres to eaves when within 2 metres of the

boundary excluding a parapet wall. As such a majority of the proposed extension would fall within permitted development rights limitations. However, in this instance the addition of the roof overhang and veranda would project beyond the permitted development rights and beyond the 6 metres afforded under the prior approval single storey extensions.

Whilst the extent of the development on the boundary extends beyond those normally permitted the extension has been set off the boundary with the adjoining property by between 250mm and 400mm. The rear of the property is south facing and would benefit from sunlight for a majority of the day until later in the afternoon/early evening. Whilst the proposals would have some impact in terms of loss of direct sunlight and overshadowing, given existing boundary treatments and that the proposals are single storey it is not considered that these impacts would warrant refusal of the application proposals.

Visual amenity /Character of the Area - The side roof extension would as a result of the existing flat roofed side extension result in a roof that had the same ridge as the existing property, the existing side extension is flush with the front of the property, which appears to predate the current adopted policies. In this instance given the presence of a separating alleyway between number 90 and 88 Atwood Road together with the projecting bays on both properties the proposals are not considered to give rise to unacceptable impacts on the visual character of the street or the potential for terracing. The consequential amendments to the ground floor front elevation to remove garage doors and replace with a front window are considered to be an improvement to the current arrangement. The proposals will utilise matching brick and render to the front and side elevation.

Concerns have been raised about the design intent of the rear extensions and there contemporary nature. The proposals constructed are of a simple box extension to be rendered white with roof overhang. The proposals of this element are to the rear and views would be limited. However, the simple design and finish are considered to be acceptable and subservient to the main dwellinghouse.

The rear dormer is of a similar form and scale to existing dormers within the immediate area and is finished in a material of dark grey appearance, it is not considered that this element gives rise to unacceptable impacts on visual amenity or the character of the area.

Refuse bins - The proposals incorporate a side gate that allows bins to be stored in the rear garden and brought to the front on collection day.

Car parking -The loss of the integral garage would result in the potential for additional off road car parking to be provided, this conversion could be undertaken without requiring planning permission. The submitted drawing indicates space for continue off road parking on the existing drive and reflects the arrangement with other properties on the street.

Other matters- Whilst an objection to the proposals was received to the constructed extension to the rear, the application proposals are considered to be acceptable and have been considered on their planning merits, in this instance it is not considered that the proposals give rise to harm that would warrant there refusal.

It is noted that two outbuildings have been constructed within the rear garden these are not referenced in the application documents and drawings or description of development but appear to accord with the general permitted development rights afforded for the erection of outbuildings. They are single storey do not cover 50% of the curtilage of the site and appear to be no higher than 2.5m.

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 application has been determined in a positive and proactive manner.

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

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

205 Rev B Proposed site plan; 206 Rev B Proposed Floor plans received on the 3rd November 2022

207 Rev C Proposed Elevations received on the 14th November 2022.

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.

2) The materials to be used on the external surfaces of the development hereby approved shall match those of the existing building in type, size, colour and texture and as set out on the submitted application forms and approved drawings.

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.

Appendix 1 – List of consultees & neighbours notified

10 Aldwick Avenue, Manchester, M20 6JL
123 Atwood Road, Manchester, M20 6JW
St Catherines Community Centre, School Lane, Manchester, M20 6HS
St Catherines RC Primary School, School Lane, Manchester, M20 6HS
92 Atwood Road, Manchester, M20 6JN
88 Atwood Road, Manchester, M20 6JN
12 Aldwick Avenue, Manchester, M20 6JL
127 Atwood Road, Manchester, M20 6JW
125 Atwood Road, Manchester, M20 6JW

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