

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135558/FH/2022

Date registered valid: 9 December 2022

Proposal: Erection of first floor rear extension, new porch to front and installation of dormer to rear, including elevational alterations to provide additional living accommodation and installation of wall with railings

Address: 9 Gillbrook Road, Manchester, M20 6WH

Ward(s): Didsbury East Ward

Applicant: Richardson

Agent (if any): Ms Anna Roper, HEM Architects

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 January 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 Jan 2023

Standard consultations:

Printed: 15 December 2022

Expired: 5 January 2023

Neighbour notifications

Printed: 15 December 2022

Expired: 5 January 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

The application relates to a two storey mid-terrace C3 dwellinghouse of common brick with a slate roof. The property features an original two storey rear outrigger, and the plot includes front and rear gardens bound by brick walls.

Description of area

Gillbrook Road is predominantly residential in nature and located between the Didsbury centre and Didsbury Park. The area is characterised by red and common brick terraces with bay windows and round decorative doorways.

Description of development

Erection of first floor rear extension, new porch to front and installation of dormer to rear, including elevational alterations to provide additional living accommodation and installation of wall with railings

History

108842/FH/2015/S2 Erection of a single storey rear extension Approved

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

The Highways Team were consulted and raised no objection to the proposal.

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- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.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

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.

Residential amenity

The applicant proposes to erect a first-floor rear extension, new porch to front and installation of dormer to rear, including elevational alterations to provide additional living accommodation and

installation of wall with railings. The property is an end terrace and has a porch extension to the front.

First Floor

The first-floor extension knits in to the neighbouring first floor extension and sits on top of the ground floor out rigger. The roof would be set down significantly and the first-floor rear windows face the garden of the property and the blank gable of the property to the rear. 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 relationship to the adjacent properties. It is considered the proposal would result in the 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.

Dormer

Residential Amenity

Given the siting and design of the rear dormer it is not considered that the proposal will have a detrimental impact upon the levels of residential amenity currently enjoyed by the neighbouring properties. There are no windows within the side elevation of the dormer, with the windows being in the rear. They are of the similar design and location as the windows below. The view out of these would be across the applicants' own garden, facing a blank gable of the adjacent house at the rear of the site no 4 Rushton Street, as such there is no overlooking or loss of privacy for the neighbouring properties.

Visual Amenity

It is not considered that the proposal would have a detrimental impact upon the visual amenity of the neighbouring properties, nor the area within which it is located

Design - The design of the rear dormer is considered acceptable. It will be constructed in modern materials which are sympathetic to those on the original dwellinghouse. The dormer is to be constructed in zinc and the windows would match the those of the existing property, and as such are considered acceptable. We are also minded to take into account what works could be undertaken utilising permitted development rights.

Porch and Wall

The porch element of the proposal is a replacement of an existing porch that has been in situ for a number of years. The proposed architecturally is considered to be an acceptable replacement as the flat roof design features strongly on this type of house such as window bays.

Furthermore, the flat roof is constant with the flat wall element that flanks the rear and side garden area. The existing wall will be replaced with brick bund and metal railings. The height of the brick wall follows the height of the existing front boundary wall. The railing increase the height of the wall however, due to the nature of the materials are considered to be an acceptable addition to the street scene and therefore the porch and the wall accord with saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

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 dwellinghouse 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

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. No issues have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with 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) The development hereby approved shall be carried out in accordance with the following drawings and documents:

00101,00102,00110, 00120,00121 and the Location Plan, stamped as received on the 22 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.

3) The development hereby approved shall be carried out in accordance with the materials as set out in drawings:

00101,00102,00110, 00120, stamped as received on the 22 November 2022.

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.

4) 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 interest of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1.

5) The first floor and second floor bedroom windows on the side elevation of the dwelling house, shall be obscured glazed to a specification of no less than level 5 of the Pilkington Glass Scale or other such other equivalent and shall remain so in perpetuity.

Reason- To protect the amenity and living conditions of adjacent residential properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

7 Gillbrook Road, Manchester, M20 6WH

2 Rushton Street, Manchester, M20 6RP

11 Gillbrook Road, Manchester, M20 6WH

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

Area Team Boundary - Name: SOUTH AREA