

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134785/FH/2022

Date registered valid: 14 September 2022

Proposal: Erection of a single storey rear extension together with the creation of a basement within the rear garden to form additional living accommodation

Address: 24 105 Chorlton Villas, Hardy Lane, Manchester, M21 8DN

Ward(s): Chorlton Park Ward

Applicant: Hird, 24 105 Chorlton Villas, Hardy Lane, Manchester, M21 8DN

Agent (if any): Mr Simon Casey, BlueChip Architecture Ltd, 18 Botany Road, Winton, Manchester, M30 8JS

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 December 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14th November 2022

Standard consultations:

Printed: 21 September 2022 Expired: 12 October 2022

Neighbour notifications

Printed: 21 September 2022 Expired: 12 October 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

The property that is the subject of this householder application is a three -storey link detached contemporary dwellinghouse. It is within a gated estate. The property is constructed in materials comprising of a caramel brown brick with facades and fenestration in zinc cladding and grey aluminium windows and doors. Feature detailing of timber cladding with rooftop external space to the third floor, enclosed by a grey balustrade to the front of the property. There is a driveway leading to an integral garage with garden area to the front and rear. It is located within the Chorlton Park Ward of the City.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential with Metrolink running to the rear of the garden, with West Didsbury and Chorlton AFC on the opposite side of Hardy Lane.

Description of development

The proposal is for the erection of a single storey rear extension, together with the conversion of part of the garage into a sunroom.

There is also a new lower ground floor to be created which will involve excavating out under the existing rear lawned area. There will be three sky light type windows that will be laid into the lawn to provide natural lighting to the rooms below. The single storey extension to the rear at ground floor will house the staircase that would lead down to the lower ground floor. The additional living accommodation created by the new lower ground floor would comprise of Media and gym room, with a shower, lounge/ bedroom utility and plant rooms and lobby area. As this is all subterranean only the single storey rear extension and the three windows set within

the rear lawn would be visible. The converted garage would have bi fold doors within the rear elevation that would open out onto the garden.

Consultations & Notification Responses

Local Residents were informed- no representations have been received

TFGM- No objections to the proposal.

Flood Risk Management - the site is in FZ1 (no FRA required, or condition required). It is recommended that an informative relating to Groundwater flood risk can affect properties in MCC & therefore it is recommended that an informative recommending that the applicants consider any potential groundwater risks in the basement design be attached to any consent granted.

Issues

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 EN 19 - Waste Management
- 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 extending a residential property in an established residential area to create additional living accommodation is generally considered 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 to indicate otherwise.

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 a single storey rear extension and excavation under the existing garden to the rear to create additional accommodation in the resultant basement. The roof would be of a flat construction with a glass sky light set within the flat roof. There would be no windows along the elevation that faces the common boundary with number 25 Chorlton Villas with the windows being within the return wall overlooking the applicants own garden, and in the rear

elevation. There would be bifold doors in the rear of the existing garage once this has been converted. The garage will have the back opened up to facilitate the transfer of materials and for the plant to be brought through into the rear of the garden. Once the works have been completed, the conversion would take place.

Given that the single storey extension is modest, and the works are subterranean, the proposal would have very little impact upon the residential amenity currently enjoyed by the neighbouring properties. The property at number 25 Chorlton Villas is set on a staggered building line, and as such projects beyond the single storey rear extension proposed on number 24. The garden to all intense and purpose would appear relatively unaltered, beyond the extension and the glazed panels to provide natural light to the proposed basement being inlaid into the existing lawn.

There would be sufficient usable external amenity space retained post development for the occupants of number 24 Chorlton Villas. The proposed materials would match those of the existing property. It is not considered that the proposal would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties.

Visual amenity and impact on the character of the area

The extension would not be visible from the public highway and would not feature within the street scene, therefore, the character of the property would be retained with the appearance being acceptable and its impact upon visual amenity considered negligible.

The creation of the basement accommodation, beyond the single storey extension to facilitate access and the glazed skylights within the lawn to provide natural lighting, would have next to no impact upon the visual amenity of the neighbouring properties. The single storey extension would not be highly visible from number 23 Chorlton Villas as the existing garage is on that side of the property, so much of it would be masked.

On balance, the extension is considered to be of an appropriate scale, retains subservience and is in sympathetic to the design of the host property. It enables additional accommodation to be created whilst at the same time being relatively non- invasive, remaining subservient and retaining the usable external amenity space for the occupants of 24 Chorlton Villas. The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policy DC1

Siting, scale and massing

The size and footprint of the proposed extension is not considered to result in an overbearing impact upon the residential amenities of surrounding properties. It is of a modest scale when read in the context of the host and neighbouring properties and there is no issue relating to the massing of the extension it is therefore 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 is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are to match those of the existing; The design detail is appropriate for this type of property, being simplistic in lines and with a flat roof, it mirrors the design and detailing on the host property.

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.

Disabled access

Not applicable

Refuse

The storage of refuse bins is not affected by the proposal, as they are currently stored on the driveway to the side of the property and would remain the situation post development, which accords with policy EN19 of the Core Strategy.

Parking

Not affected by this proposal.

Conclusion

The proposal is considered to be 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, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1 policies SP1, EN3 and DM1 of the Core Strategy.

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. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan, 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:

201- Rev B Proposed Floor Plans received 09-11-2022

210- Rev A Proposed Elevations received 14-09-2022

220- Rev A Proposed Site Plan received 14-09-2022

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 materials to be used on the external surfaces of the extensions hereby permitted shall match those of the existing building in type, size, colour and texture, including the mortar and patching in.

Reason - In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy, and the requirements of the National Planning Policy Framework.

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 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: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Informatives

1) Groundwater flood risk can affect properties in MCC & therefore it is recommended that the applicants consider any potential groundwater risks in the basement design.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Transport For Greater Manchester

17 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
16 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
15 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
14 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
13 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
28 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
27 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
26 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
25 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
23 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN
22 Chorlton Villas, 105 Hardy Lane, Manchester, M21 8DN

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