

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134978/FH/2022

Date registered valid: 26 September 2022

Proposal: Erection of a single storey rear extension together with the installation of a rear roof dormer extension to form additional living accommodation

Address: 12 Hardy Avenue, Manchester, M21 9ER

Ward(s): Chorlton Ward

Applicant: Joshua Silver & David Dawson, 12 Hardy Avenue, Manchester, M21 9ER

Agent (if any): FLOCC STUDIO LTD, Tomislav Vuletic, FLOCC STUDIO LTD, 157 Harcourt Street, Stockport, SK5 6UP

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 November 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 4 November 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 29 September 2022 Expired: 20 October 2022

Site notice: Posted: 19 October 2022 Expired: 9 November 2022

Press advert: Published: 4 October 2022 Expired: 25 October 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Tree Preservation Order: Not applicable

The application relates to a two storey end-terrace C3 dwellinghouse of red brick and grey slate. The property features an original two storey outrigger to the rear, along with a modest rear garden bounded by high brick walls.

Description of area

Hardy Avenue is a short residential street consisting of 12 houses arranged in 2no facing two-storey terraces. It is situated within the Wilbraham Road/Edge Lane (Extension) Conservation Area, with Manchester Islamic High School For Girls to the north and Beech Road to the south.

Description of development

The applicant wishes to build a single storey side and rear infill extension and a rear box dormer, to provide additional living accommodation.

Consultations & Notification Responses

Local residents as per appendix 1, plus site notice – No comments received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP, 1995) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions
- Policy DC18 - Conservation Areas

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles
- Policy EN3 – Heritage

The National Planning Policy Framework (NPPF 2012, revised in 2021)

- Chapter 12 – Achieving well-designed places

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



Issues

Principle – The principle of building a single storey rear extension and rear box dormer to provide additional living space is acceptable given the provisions of saved UDP policy DC1. However, consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity and upon the character of the conservation area.

Siting, scale and massing – The extension would project from the side of the original two storey outrigger at the rear, to infill the space, much like No's 6 and 8 have done. The rearward depth would be 3.65m, with a width of 2.18m and a maximum height of 3.87m. The depth from

the rear wall of the main house accords with the limit stipulated within policy DC1 and does not project beyond the main original side and rear elevations. The rear box dormer would project 4.2m, with a width of 5m and a height of 2.4m. It would have an external volume of approx. 25 cubic metres and would be set back from the eaves by 0.25m. The additional roof space created would have a volume less than the permitted threshold for terraced houses (40 cubic metres) under the GDPO (2015) and would have a very similar massing to those at No's 6 and 8 Hardy Avenue. The dormer and extension both accord with Permitted Development dimensions but could not be applied for under a prior approval due to the location within a conservation area. Given the local precedent, siting at the rear and appropriate massing, the proposals are considered acceptable.

Appearance and visual amenity – The extension would be constructed from red brickwork to match the existing house with a tiled roof to match existing and hanging slate to the dormer face and cheeks and aluminium windows and doors. The mono-pitched roof over the rear extension would contain 1no rooflight whilst the main front slope would feature 2no. The rear elevation would feature crittall style windows and doors. The design of the proposal is to be expected of such development and would appear similar to those which already exist at No's 6 and 8 Hardy Avenue and No's 18, 20 and 36 Chequers Road. In addition to this, the development would not be readily visible from the street, hence the visual amenity of the terrace and conservation area are not considered to be significantly harmed by these works, pursuant to policies DM1, DC1, DC18, EN3 and SP1. The proposal is considered to cause less than substantial harm to the Wilbraham Road/Edge Lane Conservation Area and would not significantly alter the character of the house nor Old Lansdowne Road.

Residential amenity – The extension and dormer, by way of their siting, orientation and scale, are not considered to impact upon the residential amenity currently enjoyed by the surrounding occupiers. The proposals would not overshadow neighbouring plots, does not feature any side-facing windows and is located adjacent to a shared alleyway. In addition to this, no comments or objections have been received from the residents notified of this development, nor from any other parties, thus the proposal is considered acceptable in terms of impacts on residential amenity.

Conclusion – The proposal complies with policies DM1, SP1 and EN3 of the Core Strategy, saved policies DC1 and DC18 of the UDP and the NPPF. The application received objections however the revised design is not thought to significantly harm the existing levels of residential amenity currently enjoyed by neighbouring occupiers and are considered to cause less than substantial harm to Wilbraham Road/Edge Lane Conservation Area and the visual amenity of the dwellinghouse. The proposed works are therefore deemed acceptable and may commence in accordance with the following conditions.

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 significant problems 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

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 drawings numbered: WD2.2, WD3.2, WD3.3, WD5.3 and WD5.4, stamped as received by the City Council as Local Planning Authority on the 20th September 2022.

Reason - To ensure 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 and dormer hereby permitted shall match those of the existing building as stated on the submitted application form and 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 Hardy Avenue, Manchester, M21 9ER
11 Hardy Avenue, Manchester, M21 9ER
Flat 3A, 9 Stockton Road, Manchester, M21 9FB
Flat 2B, 9 Stockton Road, Manchester, M21 9FB
Flat 1C, 9 Stockton Road, Manchester, M21 9FB
11 Stockton Road, Manchester, M21 9FB
Flat 8, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 5, 13 - 15 Stockton Road, Manchester, M21 9FB
13 - 15 Stockton Road, Manchester, M21 9FB

Manchester Islamic High School For Girls, 55 High Lane, Manchester, M21 9FA
9 Hardy Avenue, Manchester, M21 9ER
Flat 7, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 6, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 4, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 3, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 2, 13 - 15 Stockton Road, Manchester, M21 9FB
Flat 1, 13 - 15 Stockton Road, Manchester, M21 9FB
12 Hardy Lane, Manchester, M21 9ER

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
Conservation Area - Wilbraham Road/Edge Lane (Extension) Conservation Area 2007
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH AREA