

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 134653/FH/2022  
**Date registered valid:** 8 September 2022  
**Proposal:** Erection of a first floor and single storey rear extension, raised ridge and roof extension, together with an increase in height to the existing garage.  
**Address:** 165 Manchester Road, Manchester, M16 0FE  
**Ward(s):** Chorlton Ward  
**Applicant:** Mr Mudasar Hussain, 165 Manchester Road, Manchester, M16 0FE  
**Agent (if any):** Mr. Niamat Ali, NA Design, 47 Egerton Road South, Manchester, M21 0YW  
**Case officer:** Constance Phillips  
Tel: 0161 234 5792  
Email: [constance.phillips@manchester.gov.uk](mailto:constance.phillips@manchester.gov.uk)  
**Recommendation:** Approve  
**Date of recommendation:** 2 November 2022



## **Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:**

**Standard consultations:** Printed: 9 September 2022 Expired: 30 September 2022

**Neighbour notifications:** Printed: 21 October 2022 Expired: 31 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**

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

The application relates to a two storey detached C3 dwellinghouse with a pyramid hipped roof and timber gable detailing above the front bays. The property features several previous (historic) extensions, including a part single, part two storey rear, single storey side and front porch/canopy. The plot includes gardens to the front, side and rear bound by original low red brick walls and established hedging, with a driveway to the rear, accessed from MacAuley Road, and a detached garage along the rear boundary.

## **Description of area**

The site lies on a corner plot, at the junction of Manchester Road and MacAuley Road in Chorlton, close to the boundary with Old Trafford. The area is primarily characterised by both detached and semi-detached pre-war family dwellinghouses with red hipped roofs.

## **Description of development**

The applicant wishes to build a first floor and single storey rear extension, along with a raised ridge, hip to gable alterations, rear roof extension/dormer, raised garage height and elevational alterations including application of white render to first floor, bi-fold doors to side and flat roof to existing side extension.

Previously similar works were applied for under reference 133493/FH/2022, however the proposal was not deemed acceptable, due to impacts upon both residential and visual amenity, and the agent withdrew this rather than receive a refusal.

## **Consultations & Notification Responses**

**Local residents**, as per appendix 1 – Two letters of objection were received, from one resident in relation to two notifications. The first raised the following concerns:

- Overshadowing of rooms with side windows (morning room, w/c, bathroom, hall)
- Would violate 'right to light' after living there for 29 years
- Common hedging is 29 years old and shouldn't be removed
- Common original front gate pillar is shared and should be retained
- Vehicular access would lead to loss of green verge and interrupt the new cycle lane

The second raised the following concerns:

- Overshadowing of rooms with side windows (morning room, w/c, bathroom, hall)
- Would violate 'right to light' after living there for 29 years

**Highway Services** – Objected to the proposed driveway on the following basis:

- *Highways would not support the construction of a driveway and dropped kerb arrangement on Manchester Road in this location. The driveway would be within 10m of Manchester Road/MacAuley Road junction and within 8m of the uncontrolled crossing across Manchester Road. Highways do not accept driveway/access points within 10m of junctions.*
- *Additionally, Highways has concerns of the potential conflicts on vehicles, pedestrians and cyclists arising from a vehicle accessing/egressing from the proposed driveway. The proposed driveway would impact on the Area 3 of the Chorlton Cycle Way and potentially cause conflicts with cyclists, infrastructure and cause safety issues.*

**Chorlton Voice** – 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

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

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

- Chapter 12 – Creating well-designed places

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

## **Issues**

**Principle** – The principle of extending a detached C3 dwellinghouse via rear extensions and roof extensions, to provide additional and improved living space is acceptable given the provisions of , however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

**Siting, scale and massing** – At the rear the single storey element would project 5.5m along the boundary shared with No.163, with a height to eaves of 2.75m and a max height of 3.6m. The first floor element would infill the space adjacent to the existing first floor rear, projecting 3.15m to come flush with the existing rear and original side walls. The main roof ridge would be raised 1.1m, with the eaves raised 0.8m higher than existing, along with both hips fully extended, creating a sizeable 2<sup>nd</sup> floor. The dormer would occupy the majority of the space behind the new ridge, with a depth of 9m, a width of 7.8m and a height of 2.18m. A gap of 0.76m would be left to the rear eaves, with gaps of 0.45m left to the new gables either side. The new glazed principle gable feature would be 1.5m higher than existing and the roof would be of a steeper pitch than existing. Across the road two properties have already raised their ridges, No's 142 and 148 Manchester Road, and the property is detached, with a different design and roof shape to the adjacent semi, No.163, therefore the roof extensions are considered acceptable in this case. The single storey rear would exceed the limit stipulated within saved policy DC1 (of 3.65m) however, the plot can easily accommodate the extension and it would be sited along the portion of boundary shared with No.163's outbuilding and therefore has little impact on amenity. The first floor infill element would not project beyond the existing outer elevations and would face MacAuley Road with an acceptable projection. In addition to this, the existing detached garage would increase in height by 0.3m at the ridge and 0.9m at the eaves. The siting, scale and massing of the proposals is considered acceptable, pursuant to policies DC1, DM1 and SP1.

**Appearance and visual amenity** – The rear extensions and garage increase would be constructed of brickwork to match the existing house, whilst the roof would be constructed in new grey roof tiles, which would also be used to clad the face and cheeks of the flat roofed box dormer. The first floor of the property would be rendered in ivory and new fenestration would be grey uPVC. Other properties along this stretch of Manchester Road have already applied white render, including No's 148 and 158, hence it is considered in-keeping with the development in this area. It would be the third property to carry out a hip to gable alteration with raised ridge and generally house extensions are a common feature in this area due to the spacious plots. Although the higher gable roof and large dormer would feature within the streetscene of both

Manchester Road and MacAuley Road, they would have little impact upon amenity and are considered in keeping with the recent development in the area. In addition to this, the style and scale of buildings vary on this stretch of Manchester Road, with flat roofed 3-4 storey apartment blocks and gable roofed Victorian semi's close to the site. Hence the visual amenity of the house and area are not considered to be significantly harmed by these works, pursuant to policies DM1, DC1 and SP1.

**Residential amenity** – The single storey rear extension sited along the boundary shared with No.163 would lie adjacent to their existing outbuilding and therefore should not have an impact. The first floor rear infill is sited well away from neighbouring occupiers and therefore shouldn't cause disamenity. The garage roof is to be raised by 0.3m and is sited along the rear boundary shared with No's 1 and 2 Crimsworth Avenue who both also have rear outbuildings adjacent to the boundary and therefore should not be unduly impacted by its raised ridge. All proposed side-facing windows are to be obscurely glazed to protect the privacy of neighbours. Objections were received from a local resident, who initially raised concerns with a loss of light/overshadowing, loss of 29 year old hedging, loss of original gate pier and the safety implications of the originally proposed new access and driveway to the front. Following negotiations and an objection from Highway Services, the new access/driveway and boundary treatment were removed from the plans, with the original brick wall, piers and established hedging to be retained. The resident objected to the revised scheme based on overshadowing of their property (side-facing windows for morning room, w/c and hall downstairs and bathroom upstairs) from the raised roof, hip to gable alteration and rear dormer. It is acknowledged that the house being increased in height may cause a loss of light for the neighbouring property, however due to the orientation, north-east of the neighbour, and distance to the shared boundary (2m at roof level) the works are not considered to cause an undue loss of light to warrant refusal. Therefore, on balance, the proposal is considered acceptable in terms of its impact upon residential amenity.

**Conclusion** – The storage of refuse and off-street parking provision would remain as existing, in line with the council's policies. Altogether the proposal broadly complies with policies DM1, DC1 and SP1 and the NPPF. Although it did receive objections from a local resident, is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor cause undue harm to the visual amenity of the house or area, therefore the revised scheme is deemed acceptable and development may commence in accordance with the approved drawings and 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. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

### **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 following revised drawings:

- NA-P04, received 10th August 2022
- Roof plan, received 6th September 2022
- NA-P03, received 8th September 2022
- NA-P05, received 17th October 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, dormers and elevational alterations hereby permitted shall match those specified on the submitted application form and revised elevations, including brickwork to match existing, ivory silicon render and hanging tiles to the dormer to match the rest of the roof.

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.

4) Before first occupation the second floor windows in the side elevation facing No.163 Manchester Road shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

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

## **Informatives**

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

2) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

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

Highway Services  
Chorlton Voice

167 Manchester Road, Chorlton, Manchester, M16 0ED  
150 Manchester Road, Chorlton, Manchester, M16 0DZ  
163 Manchester Road, Chorlton, Manchester, M16 0FE  
5 Crimsworth Avenue, Manchester, M16 0EB  
3 Crimsworth Avenue, Manchester, M16 0EB  
1 Crimsworth Avenue, Manchester, M16 0EB  
148 Manchester Road, Chorlton, Manchester, M16 0DZ  
2 Macauley Road, Manchester, M16 0FA

## **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