

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133848/FH/2022

Date registered valid: 24 May 2022

Proposal: Erection of a single storey rear extension and installation of a rear dormer to provide additional living accommodation

Address: 61 Clarendon Road, Manchester, M16 8JF

Ward(s): Whalley Range Ward

Applicant: Mr Gurdeep Walia, Walia UK Ltd, 4 Birdlip Drive, Manchester, M23 2XB

Agent (if any): Mr Simon Miles, S R Miles Ltd, 28 Parrs Wood Avenue, Manchester, M20 5ND

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18.07.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17 June 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 7 July 2022 Expired: 17 July 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

This application relates to a three storey mid terraced property. There is a two storey outrigger with a mono pitch roof that is a continuation of the roof on the main body of the building. Attached to the rear of the outrigger is a small single storey lean to. The property has a small front garden and a yard to the rear.





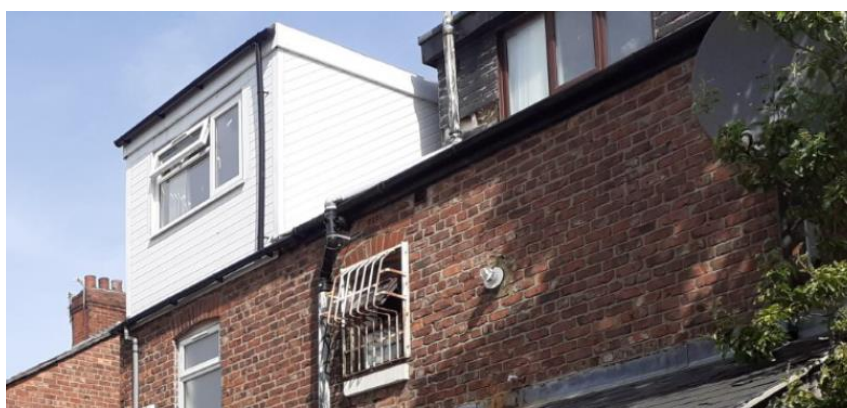
Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site is centrally located within a terrace of 7 properties on the south side of Clarendon Road. Some of the properties have the single storey lean to and others do not which suggests they may not be original. To properties to the east have dormer extensions, one similar to that proposed here but in white uPVC the other sitting higher in the roof.



To the rear is an alley separating the site from the side gables of terraced houses on Wellington Avenue and Russell Avenue. The site of what was 1 Wellington Avenue has been cleared and incorporated into the curtilage of number 3 and is used for parking.

Description of development

This application has been modified with a proposed first floor extension being dropped from the scheme.

Consent is now sought for the erection of a single storey rear extension following the demolition of the existing lean to and the installation of a dormer on the rear roof slope of the outrigger.

The proposed single storey extension would project 2.4 metres, be the width of the existing outrigger and 3 metres high. It would be of brick construction with a flat roof. There would be a single window in the rear elevation.

The proposed extensions would leave a small yard area to the side and rear of the extensions.



The applicant has confirmed that the property is in C3 use and that there is no intention to change the use.

Consultations & Notification Responses

Local Residents have been notified in respect of both the original proposal and the amended scheme.

In response to the initial notification three letters were received. The issues raised are summarised below

- It is good that the property is being renovated,
- They object to the first and second floor extensions on the outrigger. If this is built there will have a brick wall half way up the back garden. It will block light and also feel imposing.
- It is not in line with any other houses on the street and it will also block light into the nextdoor neighbours kitchen.
- It is a concern that the owner wants to convert the house to 3 flats which means that it is another HMO and this will impact parking on the already busy street.
- If these flats are made 2/3 bedroom that means potentially 2 cars extra per flat.
- There are several things that can be done to extend the living space, including reducing the size of the very large bedrooms to make 2 and adding a large loft conversion which is more in line with the rest of the houses of a similar nature on this street.
- The dormer window element is acceptable.
- A 6 bedroom house with the limited yard space that is provided, and the limited (as in no) off street parking seems inappropriate - a house of this scale if built new would have at least 2 dedicated off road parking spaces.
- Clarendon Road is already excessively over populated with cars and this excessive over densification of the house would impact that.
- Concern is also expressed that this will be converted to a HMO if allowed to have this many bedrooms.
- What is the proposed usage for this home? The writer was informed by the people working on the home that they intend to convert it into a HMO and this is why they are attempting to put more bedrooms into the property
- The size, appearance, layout and density of the proposed development. There are no other homes on the street with this proposed layout. It is not in keeping with the other homes in the area.

Three letters have been received in response to the re-notification. The issues are summarised below.

- The extended walls of the first floor will significantly overshadow adjoining gardens and are not similar to any of the other properties in the area in design as it would do the same. Essentially overshadowing the garden and there being a significant loss of light to our home.
- It is not keeping with the other properties in the area
- Where residents would have a view of a sky and the surrounding properties - these plans would mean they would have the view of a blank brick wall.
- Turning a three bedroom house into a six bedroom house is going to put a strain on the local parking arrangements with no plans to negate.
- The design is not in keeping with the area, there are no other houses in the area with this design.
- Residents have been informed that the plan is to rent this out as flats and it be an HMO. If that is the case residents were informed by Councillors that there was no longer plans for HMO's in the area. What are the future plans?
- Has this plan or a very similar one already been rejected?
- Whilst supporting the reduction in the size of the extension, the flat roof to the ground floor re-built single storey outshot does not comply with the Secure By Design guidance of having a window within 2m of the flat surface. They suggest an open pitched roof with a roof light to this area would be more appropriate and secure, and avoid the proliferation of inappropriate additional security measures post completion (bars to window, barbed wire etc).

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant saved UDP policy is DM1 which establishes the principle of extending a property to meet the changing needs of the occupiers. The policy also Seek to protect the amenity of residents.

Issues

Principle

The proposed extensions accord with the principle of extending a property to meet the changing needs of the occupiers. The impact on the amenity of residents is assessed elsewhere in this report.

Permitted development

The scheme has been modified and it is considered that the proposed dormer would by itself meet the requirements for permitted development. The single storey rear extension replaces part of the existing building and as such would also be a side extension as well as a rear extension. As such the single storey extension, which is more than half the width of the property is not permitted development.

Scale

The proposed dormer is quite large however is it set back 200 mm from the eaves and is lower than the highest part of the roof, thus in terms of the requirements for permitted development the scale of the proposed dormer is acceptable.

The proposed single storey extension projects an additional 0.4 metre than the existing lean to and has a flat roof rather than a mono pitch. It is not considered that these changes greatly increase the scale of the lean to.

On balance the scale of the proposed extensions is considered acceptable.

Design

The dormer originally had brick cheeks and this has been re[places with grey weather boarding to make it less intrusive. The ground floor extension is of brick construction. There are no issues with the design of the extensions.

Amenity Space

The proposed extension projects an additional 0.4 metres into the rear yard, across the width of the outrigger. It is not considered that this would significantly reduce the available yard area.

Residential amenity

In terms of privacy the proposed windows look out to the rear of the property across the ally and whilst the dormer window would be elevated it is not considered that this would be significantly worse than the existing rear facing windows.

The rear elevation faces south and consequently the proposed dormer would not directly overshadow the rear yards. The adjoining property to the east shares the outrigger and therefore the dormer would not result in any significant overshadowing of the property. To the west the closest windows belong to the application property. Thus whilst there may be some limited overshadowing it is not considered that this would be significant due to the gap between the dormer and the side boundary.

Impact on the character of the area.

The proposed single storey extension will not as it is largely hidden to have any impact on the character of the area. In terms of the dormer the change in materials makes it less intrusive as it will be closer to the colour of the roof. There are also two existing dormers on the terrace so it would not be setting a precedent.

Security

The replacement of the mono pitch with a flat roof would not make the first floor rear window any less vulnerable to criminal action.

Use.

The applicant has confirmed that the existing use falls within Class C3. As a consequence of the Article 4 Direction planning permission would be required to convert the property into a HMO. Consent would also be required to convert the property into flats.

As a consequence this application has to be determined on its merits as a dwelling within Class C3.

Conclusion.

The scheme has been amended and it is considered that in its revised form the proposed development accords with Council policies and is generally acceptable.

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 issues arising from the consideration of this application.

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:

22 340 PL200 revision A received 22 June 2022

22 340 PL201 revision B received 6 July 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 constructed using the materials specified on the approved drawings.

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) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Appendix 1 – List of consultees & neighbours notified

59 Clarendon Road, Manchester, M16 8JF
3 Wellington Avenue, Manchester, M16 8JG
57 Clarendon Road, Manchester, M16 8JF
4 Russell Avenue, Manchester, M16 8JQ
2 Russell Avenue, Manchester, M16 8JQ
Flat 5, 60 Clarendon Road, Manchester, M16 8LD
Flat 2, 60 Clarendon Road, Manchester, M16 8LD
Flat 2, 63 Clarendon Road, Manchester, M16 8JF
Flat 2, 58 Clarendon Road, Manchester, M16 8LD
56 Clarendon Road, Manchester, M16 8LD
58 Clarendon Road, Manchester, M16 8LD
Flat 1, 60 Clarendon Road, Manchester, M16 8LD
Flat 4, 60 Clarendon Road, Manchester, M16 8LD
Flat 3, 60 Clarendon Road, Manchester, M16 8LD
Flat 1, 63 Clarendon Road, Manchester, M16 8JF
Flat 3, 58 Clarendon Road, Manchester, M16 8LD
Flat 1, 58 Clarendon Road, Manchester, M16 8LD

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