

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133407/FH/2022

Date registered valid: 11 April 2022

Proposal: Erection of single storey rear extension to form additional living accommodation following the demolition of the existing rear conservatory.

Address: 16 Springdale Gardens, Manchester, M20 2GX

Ward(s): Didsbury West Ward

Applicant: Mr Rory Nath, 16 Springdale Gardens, Manchester, M20 2GX

Agent (if any): Mrs Sonia Pabla-Thomas, Space:Architecture+Planning, The Old Town Hall, Lapwing Lane, Manchester, M20 2NR

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

Recommendation: Approve

Date of recommendation: 30 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 May 2022

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 19 April 2022 Expired: 10 May 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 three storey semi-detached C3 dwellinghouse of red brick with a slate gable roof. The property features white and black painted timber gable detailing to the front above large bay windows and existing extensions in the form of a conservatory and a historic 2nd floor/dormer extension to the rear. The plot includes front and rear gardens, with established planting.

Description of area

Springdale Gardens is a residential street within West Didsbury, close to the village centre. The area is characterised by a mixture of Victorian dwellinghouses and interwar infills.

Description of development

The applicant is seeking permission to demolish the conservatory in order to build a single storey rear extension to form additional living accommodation, along with a new side door.

Consultations & Notification Responses

Local residents, as per appendix 1 – One letter of objection was received:

- *I am worried about the loss of daylight to our kitchen window, which is a few centimetres from the boundary and has accessed daylight for our residency of 25 years. If the extension is stepping down to garden level, does the roof level need to be so high? If the roof was sloping, the daylight would not be so restricted.*

- *I am concerned about the boundary fencing which was constructed and has been maintained by number 16. We only added trellis on our side for privacy, when they built a conservatory. We constructed and have maintained the fencing between 18 and 20 for 25 years. If a wall is to be built, it may be better to construct it on the boundary as the fencing will be difficult to maintain without access.*
- *I have some concern about the mature tree which is very near our house and the boundary in our garden and whether it will survive. 25 years ago we had to get an arborists report to support our mortgage application. They advised us to keep the tree but to reduce the height. They felt that the removal of the tree may affect the foundations of the houses.*

Policies

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

Unitary Development Plan (UDP) - 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, 2021):

- Chapter 12 – Achieving 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 building a single storey rear extension to provide additional living space for a family dwellinghouse is acceptable, 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 – The single storey extension would be sited at the rear, facing north-west, replacing the existing conservatory. It would project 4m (0.35m beyond existing), with a width of 5.5m and a flat roof height of 3.76m. It would be sited 0.15m from the boundary shared with the adjoining semi, No.18, and 1.77m from No.14. The 4m rearward projection exceeds the limit stipulated within policy DC1 (of 3.65m), which is considered acceptable given Permitted Development rules allow single storey rear extensions up to 6m and this exceeds the existing extension by just 35cm, with a height to match. The objector had concerns with the height, however 3.76m falls within the acceptable range for single storey extensions and the existing internal floor level is over 0.5m high, hence the siting, scale and massing of the proposal is considered acceptable.

Appearance and visual amenity – The extension would be built of red brickwork to match the existing dwellinghouse, which has been conditioned, along with grey parapet roof capping and black aluminium framed glazing. The roof would feature a large glazed lantern and the rear elevation would feature a large crittall-style window with central glazed doors opening onto a

patio area with a height of 0.15m. The side elevations of the extension would form blank walls, whilst the bay window at ground floor to the main side elevation would be removed and replaced with a new side door. The proposal is relatively standard in design and would be in-keeping with the residential extensions in the area. Sited at the rear, it would not be visible from a public highway and therefore would not feature within the street scene, hence the character of the area should not be harmed by these works. Thus the appearance is acceptable and its impact upon visual amenity is considered minor.

Residential amenity – An objection was received which raised the following issues:

- The extension will affect fence along shared boundary and will be hard to maintain

The maintenance of the fence/shared boundary is a civil matter. Whether the applicants struggle to maintain it is not a material planning concern.

- The extension will affect a mature tree near the boundary and its removal may affect the neighbouring house.

A tree survey was carried out which identified the mature tree as a large laurel bush, which is to be retained with tree protection measures outlined in the report and conditioned.

- The extension will overshadow the neighbouring property, leading to a loss of light in the rear room adjacent to the boundary, due to the high roof level.

The roof level is under 4m and the extension will be sited north-east of the window in question, hence an undue loss of sunlight is not expected. It is also worth noting than the existing mature laurel and conservatory already overshadow this window to a degree.

Although an objection was received, the points raised do not warrant a refusal or reduction in the scale of the works and on balance it is considered that the proposal would not cause undue harm to the residential amenity currently enjoyed by surrounding occupiers.

Conclusion – The proposal broadly complies with policies DM1, DC1, SP1 and the NPPF and it is not thought to significantly harm existing levels of residential amenity nor harm the visual amenity of the area, therefore the development is deemed acceptable and may commence in accordance with the following conditions and approved drawings.

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. Minor 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 drawings numbered '00_200', '20_200 B' and '20_270 A', stamped as received by the City Council as Local Planning Authority on the 1st April 2022, '21_200 B' stamped as received by the City Council as Local Planning Authority on the 11th April 2022 and the 'Arboricultural Impact Assessment and Arboricultural Method Statement' stamped as received by the City Council as Local Planning Authority on the 17th June 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 hereby permitted shall match those specified on the submitted elevational drawing '21_200 B', including brickwork to match existing.

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) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

41 Victoria Avenue, Didsbury, Manchester, M20 2QX
18 Springdale Gardens, Manchester, M20 2GX
7 Springdale Gardens, Manchester, M20 2QY
39 Victoria Avenue, Didsbury, Manchester, M20 2QX
14 Springdale Gardens, Manchester, M20 2GX
5 Springdale Gardens, Manchester, M20 2QY

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)
Area Team Boundary - Name: SOUTH