

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133882/FH/2022
Date registered valid: 25 May 2022
Proposal: Ground floor side and rear extension with internal works and dormer loft conversion
Address: 103 Nicolas Road, Manchester, M21 9LS
Ward(s): Chorlton Ward

Applicant: Miss Carly Hewitt 103 Nicolas Road, Manchester, M21 9LS
Agent (if any): Mr Peter Hoole PJH Architectural Services Office Number 1, 88A Chapel Street, WN7 2DB
Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 18 July 2022



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 July 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 June 2022 Expired: 29 June 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/area

103 Nicolas Road is a 2 storey semi-detached dwellinghouse located within a predominantly residential neighbourhood. There is a small garden and hardsurfaced area to the front and a larger garden at the rear.

Listed Building: no

Conservation Area: no

Tree Preservation Order: no

Description of development

The applicant is proposing to erect single storey extensions to the side and rear of the property, as well as a rear dormer roof extension.

Consultations & Notification Responses

Local Residents – One letter of objection has been received, the comments are summarised as follows:

The resident's concerns relate to the side and rear extension only

Specifically, the concerns are:

1. The proposed side extension will have an adverse effect on the amenity of our environment as it will come close to our boundary and lead to us feeling closed in. The proposed rear extension will have similar (though lesser) effect as it too comes significantly closer to our boundary than the existing rear extension.
2. The purpose of the extension is not to meet changing household needs – the application comes from a couple, who to the best of my knowledge, do not have children, and they

have yet to move into the property, so this is not the same, for example, as existing occupiers wishing to provide for the needs of a growing family.

3. The full height window on the side extension will look directly into our kitchen-dining room and indirectly into one of our ground floor reception rooms adversely affecting our privacy. (We have spoken with Miss Hewitt and her partner, and they have kindly offered to put up a fence to mitigate this effect, but whereas fences can be temporary, extension are effectively permanent; future neighbours may choose to remove or lower any fencing.)
4. The rear extension will have a new, full height, sliding door looking towards our garden, adversely affecting our privacy.

Policies

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy DM1, Development Management – This policy states that all development should have regard to a number of specific issues, the most relevant of which in this instance are:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity and landscape.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Saved UDP Policy DC1, Residential Extensions – Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- the general character of the property;
- the effect upon the amenity of neighbouring occupiers;
- the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;

- the overall appearance of the proposal in the street-scene;
- the effect of the loss of any on-site carparking.

Issues

Principle of the Proposal – The principle of the proposal is considered acceptable, notwithstanding this, the potential impact upon existing levels of residential and visual amenity must be assessed.

Design – The dormer roof extension would be constructed from matching hanging tiles and as such is considered acceptable.

The single storey extensions are more traditional in design as they are to be constructed from brick and topped with matching roof tiles. However, to give them a more contemporary appearance the applicant is proposing to use a Staffordshire Blue type brick as seen on the right. In this instance the use of the contrasting brick is considered acceptable.

Overall the design of the single storey extensions is considered acceptable.

Residential Amenity – Given the design and siting of the proposal it is not considered that the proposal would lead to a loss of privacy or excessive levels of overshadowing. As such it is not considered that it would lead to an undue reduction in the current levels of residential amenity enjoyed by neighbouring residents.

Notwithstanding this, the concerns of the adjoining resident are recognised and it is considered prudent in this instance to require the full height window in the side elevation of the single storey extension to fitted with obscurely glazing.

Visual Amenity – Given the design and siting of the extensions it is not considered that the proposal would have an unduly detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the property.

Pedestrian and Highway Safety – The proposal will not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site.

Car Parking – Sufficient off-street car parking would remain for the occupants of the property.

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 to resolve any matters arising in relation to dealing with the planning 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 stamped as received on 23 June 2022:

a) Drawing nos. 2022-1618-P-103a, 104a, 105a, 106a and 107a

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) Above-ground construction works shall not commence until samples and specifications of all materials, to be used in the external elevations have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 Manchester Core Strategy.

4) Before first occupation of the development hereby approved, the full height window in the side elevation of the single storey extension shall be obscurely 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 Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

39 Maidstone Avenue, Manchester, M21 9ND
101 Nicolas Road, Manchester, M21 9LS
105 Nicolas Road, Manchester, M21 9LS
32 Maidstone Avenue, Manchester, M21 9ND

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