

Application Number	Date of Appln	Committee Date	Ward
120020/FH/2018	29th May 2018	23 August 2018	Didsbury East Ward

Proposal Erection of part single/part 2 storey front and rear extensions, including alterations to roof to increase height to introduce a second storey, associated alterations including rendering and cladding of facades

Location 77A Austin Drive, Manchester, M20 6FA

Applicant Ms G Shiels, 77A Austin Drive, Manchester, M20 6FA

Agent Mr Dean Baker, Vision Architectural Consultancy Ltd, 5 Northcombe Road, Davenport, Stockport, SK3 8RD

Description

The application site is a single storey, 2 bedroom detached bungalow situated within a large and roughly rectangular plot (476m²) at the northern end of Austin Drive. The plot is unusual being considerably wider at 35 metres than those around (between 9 and 16 metres) and narrower (22 metres tapering to 11 metres). The bungalow is at the head of a cul-de-sac with a turning circle outside the front boundary. On the eastern side of the bungalow and extending part way to the rear, is a wide tarmac driveway with a single detached brick garage in the north-eastern corner. West of the dwelling is the 'rear' garden that extends to 13 metres in length x 14 metres in width (at widest point) which is bounded by shrubs and semi-mature trees.

The property is of traditional brick and render construction with a hipped red-brown clay tile roof, exposed brick quoins and brick headers to some windows.



It is unknown when the bungalow was built, being absent from Ordnance Survey maps which extend to 1938 at which point the plot formed part of the curtilage of no. 79 Austin Drive to the east. The style of the bungalow however points to early-C20 development.

OS map 1938 - Red spot marks the location of the bungalow

Within close proximity to the bungalow, the surrounding area is residential in character comprising a varied housing typology of mainly early C20 2-storey, 3-bedroom semi or detached houses within average-sized plots in Austin Drive, and larger Victorian houses on Fog Lane to the north. The exception to this are a pair of 4-bedroomed contemporary 3-storey dwellings sharing part of the northern boundary of the site which were allowed on appeal (Planning ref: 087824/FO/2008/S2). These dwellings were refused by the City Council on grounds of overdevelopment of the site.

The local palette of materials includes red brick, render, decorative timber to roof gables, red tile, zinc and timber cladding.

The site is not within a conservation area nor affects the setting of a listed building. There are no trees on the site which are affected by the development.

Consultations

Neighbour notifications – 1st consultation – 4 objections. Comments:

Neighbours consulted on the original application raised the following concerns:

1. A neighbour is concerned that a habitable room at the rear of their property will be overlooked and that the development will have an impact on light.
2. The height will block the sun path into this room in the winter months. This is the most used room in the house and is already shaded by trees either side.
3. The height would in general over shadow the objectors' small back garden and take away some of their privacy.
4. The objector's first floor daughter's bedroom will also be overlooked and overshadowed by this development.
5. The proposed building would severely impinge on their privacy resulting in them being severely overlooked.
6. The project would result in their house being severely overshadowed.
7. The project would severely impinge on sun path which would severely limit any direct sunlight on their property and garden.
8. There is also a concern that this proposal would lead to an increase in noise.
9. A major concern is with parking which is already under increasing pressure from residents, visitors and trades / delivery vehicles. There are concerns that by doubling the number of bedrooms, the potential increased occupancy could lead to more parking where there is already an issue in the cul-de-sac making it difficult for residents to freely access and egress their own driveway.
10. The 2-storey building will be overbearing on the occupiers of no. 79 to the east and reduce the amount of sunlight into living room windows which face the side. The occupiers will feel hemmed in by the proposal. There will also be a loss of sunlight into the rear garden in the evening, adversely affecting enjoyment of the rear garden.
11. There are concerns about the number of occupiers, whether the development will accommodate a single family or multiple occupancy.
12. There are concerns with the appearance which is considered to be incongruent and markedly dissimilar to existing properties which form a cohesive group.

Neighbour notifications – 2nd consultation – Two comments:

A neighbour commented that the amended plans didn't alter his view and that the horizon and sun into his garden would be affected by a large building at the end of his garden [that] substantially increases in height.

A neighbour has commented that the amendment was unclear but could see no substantial reduction or other significant alteration in the size of the footprint, the height of the building or [in the] proximity of the proposed development from the previous proposal.

On that basis, this neighbour's previous objection still stands without further comment.

As a consequence of comments raised on first consultation regarding the potential for nuisance parking and speculation on the capacity of the site to accommodate adequate parking, the highway authority were asked to assess the proposal.

Highway Services – No objections. Comments:

1. The proposed development is not understood to increase the number of residential units at the property and therefore no significant increase in trip levels is anticipated.
2. The existing vehicular crossover is to be retained to facilitate vehicular access onto the driveway. It is recommended that the kerb is dropped.
3. In-curtilage parking spaces should have dimensions of 3m x 6m.
4. Recommend that all vehicles associated with the development can be accommodated within the perimeter of the site in order to protect the highway from any further on-street build up.
5. There are some on street parking pressures along Austin Drive. H-Bar markings could be installed in order to protect driveway access and prevent inconsiderate parking. This can be arranged via Contact Manchester at the applicants' expense.
6. During the construction phase of works, all associated contractor vehicles should be accommodated on-site to prevent any obstruction along Austin Drive.

Description of Development

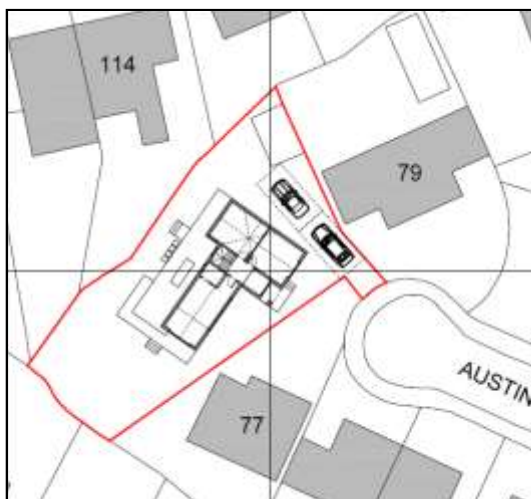
The application proposes to erect part single, part 2-storey front and rear extensions, including alterations to the roof to increase its height to include a second storey and associated alterations including rendering and cladding of facades.

The extended accommodation would incorporate a pitched roof with an overall height to ridge of 7 metres.

The extended accommodation would provide 2no. additional bedrooms at first floor making a total of 4, and extended living accommodation at ground floor.

The application has been amended since first submission reducing the footprint of the first floor rear projection to increase the separation distance to the rear (northern) boundary.

A further amendment shows off-road parking within 3m x 6m spaces for up to 2no. vehicles – see below. The original drawings showed parking for up to 3no. vehicles, however, those spaces were not adequately spaced for manoeuvrability.



The proposed development includes obscurely glazed windows at first floor on the front and rear elevations.

The application is accompanied by 3-D visuals which show the proposed development. The design and materials reflect the desire to create a contemporary family home; the palette of materials includes white render, brick and concrete interlocking roof tiles. These are proposed to be finished in a grey colour to be determined, to complement the door and window palette.

Householder refuse is located at the rear of the site as at present.

Planning History

There is no planning history associated with the site.

The National Planning Policy Framework (NPPF)

The updated NPPF was published on the 24 July 2018. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF maintains the emphasis on sustainable development found in the 2012 Framework with a greater emphasis on making efficient use of land to achieve sustainable objectives.

Chapter 11 of the 2018 Framework promotes the effective use of land. Within this section, Paragraph 118(e) encourages policies and decisions to support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers, whilst Paragraph 118(d) states that planning policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

The revised Framework continues to attach great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy")

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. The relevant Core Strategy policies for this application are as follows:

Policy SP1 - Spatial Principles

This policy states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy DM1- Development Management

Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are given below:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.

- o 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.
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

H1 – Housing

This is the overarching housing policy for the city with an emphasis on housing provision in the North, East, City and Inner Areas of Manchester until 2027. It identifies the need to increase the availability of family housing and preserving and improving the quality of the existing housing stock.

Outside the Inner Areas the emphasis will be on increasing the availability of family housing with 90% of residential development provided on previously developed land. Within this area, excluding Wythenshawe, approximately 3,240 net new dwellings should be delivered. New developments are expected to take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

H6 – Housing (South Manchester)

South Manchester has been identified as needing to accommodate 5% of residential housing growth over the lifetime of the policy. Principally, higher density housing will be accommodated within District Centres but outside of these areas, priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are extant within the planning process. Of relevance to this application is saved policy DC1 - Residential Extensions.

DC1 - Residential Extensions

Saved policy DC1-4, states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details.

Manchester Residential Quality Guidance – 2016

This document provides guidance on the direction that development within the City needs to take to deliver sustainable neighbourhoods. As design is a key component of sustainability, this guidance is of relevance to the present application.

Principle

The application is for an extension at ground and first floor to a dwelling house which has occupied the site for many years, within a residential setting.

Policies H1 and H6 of the Manchester Core Strategy seek to encourage family housing outside of the inner areas of the city and with 90% of development on previously developed land and Chapter 11 of the 2018 NPPF, encourages Local Planning Authorities to consider development within existing airspace, ie: space at first floor which is presently undeveloped provided there is compliance with local policies..

The development seeks to create a first floor and extended ground floor. It would enlarge the 2-bedroom bungalow to create a 4-bedroom family house with open living accommodation as well as separate lounge areas. The proposal is supported in policies SP1, DM1, H1 and H6 of the Core Strategy whilst saved UDP policy DC1 makes provision for occupiers to extend their homes to meet changing household needs; the principle of the proposal against these policy objectives is therefore acceptable.

The application raised a number of objections on first consultation and one on second consultation following amendments to the proposal. The matters raised concern whether the proposal will overshadow neighbouring dwellings, give rise to overlooking, have a detrimental impact on car parking demand and concerns over the appearance of the dwelling. These issues are material considerations which are discussed in turn in the sections that follow along with attention to whether the development would be overbearing on neighbours.

Additionally, concerns have been raised about the future tenureship of the extended dwelling and the loss of outlook.

Residential Amenity – Overshadowing

Paragraph 118(e) of the 2018 NPPF encourages upward development over the existing where there is also compliance with local policies. The relevant local policy is saved UDP policy DC1.2. This requires that extensions do not cause an undue loss of sunlight and daylight. An undue loss would amount to overshadowing a habitable room which resulted in demonstrable adverse harm. The contributory factors are the proximity to adjoining boundaries, the height of the development, and its orientation as well as the presence of other sources of light into potentially affected habitable rooms.

The planned increase in height is modest and will result in a dwelling that is 7 metres high to ridge. This is comparable with the ridge height of dwellings to the south-west but less than that of no.79 to the east. The bungalow is however sited south of nos.114 and 116 Fog Lane and would be within 4 metres of the shared boundary.

The ridge height of the bungalow at present is 5 metres and the path of the sun results in shadows which fall on approximately half of the tarmac on the north side of the bungalow. With an additional 2 metres height increase, it is anticipated that all of the rear tarmacked area would be overshadowed and possibly some of the boundary and

rear gardens of 114 and 116 Fog Lane, but overshadowing of habitable rooms within these dwellings is unlikely given that the distance to the windows of these properties would be 14 metres and 16 metres respectively from the first floor of development as built.

Considering the impact on no.79 to the east, it is noted that this property has 3no. stained glass windows on the facing elevation at ground floor and 2no. narrow first floor windows, ie: not principal windows into habitable rooms which are at the front and rear of the dwelling. The footprint of the bungalow is not proposed to increase on this side so the building will not sit any closer to this property than it does at present; the distance to this elevation would still be between 4 metres and 8 metres and the property is angled away from no.79.

Given these variables, it is unlikely that any adverse overshadowing of this property would occur, although some limited overshadowing of these windows may occur towards the end of the day as the sun moves to the west.

It is considered that, for the above reasons, the proposal would comply with saved UDP policy DC1.2 and meet the sustainable development objective contained within NPPF 118(e) for making efficient use of land.



Side (west) elevation of no.79 Austin Drive



A distance of 6.5 metres mid-point would be retained between 77A and 79 to the east

Overbearing

Amenity considerations also take into account whether a proposal would have an overbearing impact on neighbouring occupiers. This would result from the proximity of development that is over one storey, to its neighbouring boundaries.

In this application, the first floor of the proposal has the potential to impact the occupiers of no.114 and 116 Fog Lane and objectors have cited the loss of outlook as an impact on their amenity.

Due to the irregular northern boundary and the fact that the first floor has been pulled in off this boundary, the footprint of the proposal would leave variable gaps ranging from 3.8 metres to 7.5 metres at first floor and between 2.4metres and 4.6 metres at ground floor to the shared boundary. Distances between elevations would remain at 14 and 16 metres from these actual properties. It is considered that this overall separation distance would not give rise to an overbearing impact, however, the occupiers of no. 116 in particular would endure some loss of outlook from the rear of their property. The windows most likely affected are bedroom windows but these

would still be separated from the enlarged bungalow by a distance of approximately 13.5 metres which is sufficient to off-set any overbearing impacts.

In considering the impacts on nos.77 to the west and no.79 to the east which have a closer relationship to the bungalow than Fog Lane properties, the enlarged bungalow would mostly impact at the front and side of these properties respectively, not spaces where occupiers are likely to spend considerable time enjoying use of their gardens. Notwithstanding this, the separation distances to these dwellings is still adequate to mitigate any harmful overbearing impacts.

Residential Amenity – Overlooking / Privacy

Perceptions of being overlooked arise from the presence of windows and their proximity to neighbouring windows.

In assessing the potential for overlooking surrounding properties which has been raised by some residents, first floor windows are most relevant to this amenity impact. It is noted that the design of the elevations has paid regard to issues of privacy with the 2no. rear bedroom windows being positioned to face west, ie: not looking into the rears of houses and gardens to the north. The only window within this application which has the potential to give rise to perceptions of being overlooked, is the rear window at first floor which serves as a stair landing window. This window, like the bathroom window alongside it, can be conditioned to be obscure glazed, so no overlooking would occur.

It should be borne in mind that the occupier of the bungalow could have exercised Permitted Development rights to add a rear dormer to the bungalow which would not have necessitated the rear window being obscure glazed and would have afforded the same overlooking potential as the rear dormer on no. 114 Fog Lane. Bearing this in mind, the proposal creates no new overlooking opportunities at the rear. In order to manage this potential, it is considered reasonable to remove Class B Permitted Development rights for roof alterations. This is reflected in the condition at the end of this report.

At the front of the property, the architect has elected to obscurely glaze the bedroom windows that sit forward of and at 90° to the building line of no. 77 Austin Drive. The glazing of these windows will also be managed by the obscure glazing condition attached at the end of this report.

For the above reasons, the proposal is considered to have regard to the amenity elements of saved UDP policy DC1, Core Strategy policy DM1, paragraph 118 of the 2018 NPPF and to the Residential Quality Guidance document.

Residential Amenity – Car Parking

Concerns have been raised about the impacts on car parking, specifically, a perceived increase in the number of cars associated with the site and the potential for overspill onto the highway leading to nuisance obstruction which makes it difficult for residents to access and egress their driveways. Residents have reported that there is already a parking problem within the cul-de-sac which is exacerbated by service and delivery vehicles, contractors working in the area and visitors' cars.

Core Strategy policy DM1 requires developments to have regard to the impacts on highways. On account of residents' concerns, the Highway Authority was asked to

assess the application. Their comments are reported under the Consultations section of this report. Essentially, the Highway Authority has no objections to the proposal on the basis that the number of residential units is not set to increase. The application is for a single residential unit which, although having 4no. bedrooms, is not proposed to accommodate 4no. separate households each owing a vehicle.

Whilst it is understood that car ownership levels generally have increased in recent years and a cul-de-sac setting has fewer on-street parking and manoeuvring options, the level of parking and parking arrangements within this application is not dissimilar to other dwellings within the street. Notwithstanding this, the bungalow can provide the level of parking offered within this application even if the development was not proposed.

The application shows 2no. off-road parking spaces which meet the 6 metre x 3 metre parking standard for Manchester. This exceeds the parking requirement of new residential dwellings which require 100% parking per planning unit. Furthermore, the design of the proposal does not increase the footprint of the building to the side where parking is proposed. No off-road car parking would therefore be lost as a consequence of any approval of the application.

Notwithstanding this, the Council is mindful that any further development of the footprint could have adverse impacts on off-road car parking and could lead to an over-development of the plot. As a consequence, it is recommended that Permitted Development rights are removed for this development under Class A (Extensions) and Class E (Outbuildings) of the Town and Country Planning (General Permitted Development) (England) Order 1995, in the interests of residential and visual amenity. A condition to this effect is appended at the end of this report.

Finally, and with reference to the concerns about nuisance parking, residents have the option of applying to the Highway Authority for a white 'H' bar outside their driveways to deter nuisance or inconsiderate parking where this is a frequent occurrence and source of inconvenience. It was noted on a site visit that residents had not pursued this option within the Austin Drive cul-de-sac and there are no known complaints to the Highway Authority concerning current parking issues in the cul-de-sac.

Visual Amenity

The extended property has been designed to be sensitive to its context and setting in terms of its height, scale, mass, design and materials. Each of these will be considered in turn.

Height, Scale and Mass

The height of the extended property will create a building with a ridge height of 7 metres which is a compromise between a dormer loft and full second storey. For comparison, it would sit below the ridge and eaves of no.79 which is a taller dwelling and below nos.114 and 112 Fog Lane whose ridge heights are 8.6 metres and 7.5 metres respectively. The height of 116 is unknown but as this is a 3-storey building, its ridge will also be higher than that of the extended bungalow.

The footprint marginally increases by approximately 30% to the north and west. The Council requested that the first floor was pulled in off the ground floor to create a more comfortable separation distance of 3.8 metres to the northern boundary shared with no.114 Fog Lane. This has also reduced the bulk of the building at the rear and the

overall mass of the building is still subservient to no.79 with which it has the closest visual relationship.

Although the distance to the northern boundary is less than that between other dwellings having this relationship, the window to window distances of 14 and 16 metres are comparable because the bungalow is angled away from the northern boundary.

The distance to the northern boundary is uncharacteristic within the area due to the fact the plot is wide but not as deep as surrounding plots and the bungalow is sited in the centre of the plot. The plot-ratio is however of a generous size which can comfortably accommodate a 4-bedroom dwelling of this scale without appearing as overdevelopment of the site and with no loss of parking or amenity space.

In terms of the width, this only increases in the extended dwelling by 30cm (from 13.7 metres to 14 metres) which would have no appreciable impact in the street and is comparable with the width of no.79 (15.1 metres).

For these reasons, the height, scale and mass of the extended dwelling is considered to accord with saved UDP policy DC1 and Core Strategy policy DM1.

Design

Concerns have been raised by objectors about the contemporary nature of the proposal which has been cited by one objector as incongruent and, which it is suggested, would not form a cohesive group with other dwellings within the street.

Taking these points into consideration, it is immediately apparent that the majority of dwellings within Austin Drive (and Fog Lane to the north) which surround the bungalow, are vertically proportioned, 2-storey dwellings. This is given emphasis in most dwellings by full height bay windows which terminate in a decorative gable with timber infill at eaves level. The exception to this is no.79 to the east which exhibits both horizontal and vertical proportions. This property pre-dates the others in Austin Drive, exhibiting some Arts and Crafts motifs, namely a catslide roof, red brick and render and gable frontage.

In contrast to these dwellings, the bungalow is a squat, horizontally proportioned building which in terms of its height, design, scale and proportions is an anomaly in the context of its large plot and surrounding dwellings.

Within this application, the design of the elevations includes features which respond to the architectural motifs in the local area; specifically, the gabled frontage which incorporates a catslide roof and a cross gable to the west which interprets the cross gable found at no.79 as well as the eaves gables on the semi-detached dwellings.

The design improves significantly on the bungalow, introducing a clear entrance threshold with feature glazing which emphasises the vertical proportions and promotes a more active surveillance of the street, to the benefit of residential amenity.

A 2-storey, 4-bedroom dwelling suitable for a family contributes positively to the local housing stock, meeting the identified needs in Core Strategy policies H1 and H6, whilst the design is consistent with the character of the street.

The dwelling is designed in a contemporary architectural language that references the surrounding buildings without being a pastiche. It would create a focal point at the head of the cul-de-sac with its own vitality, adding visual interest to the street scene.



Proposed new dwelling



No.79 to the east

The Council is supportive of contemporary design where it is of a good standard. It is noted that the 2no. contemporary dwellings at nos.116 and 118 Fog Lane immediately north-east of the site were not refused by the Council on the basis of their modern design and materials, only that the pair of semi's represented an overdevelopment of the plot which was sub-divided from a single dwelling plot to create the new dwellings. These dwellings also combine a modern materials palette which includes standing seam zinc cladding to the roof and part elevations, with timber, zinc and coloured render elsewhere on the elevations, the colour palette sharing similar characteristics with the proposed dwelling.

Current design guidance in the City is embodied within the Manchester Residential Quality Guidance, (adopted 2016) which supports this approach: *“New development should investigate and reference its historical context; interpreting materials, styles and detailing in a contemporary context that can reinforce local distinctiveness and a sense of place”* (p43), whilst saved UDP policy DC1 guides development towards extensions which *“are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details”*. It is considered that the proposal meets these policy and guidance criteria utilising features which will forge a more cohesive relationship between the older dwellings and the extended bungalow.



Nos 73 & 75 – typical front elevation



No.81 – Gable roofs

Materials

The proposed materials palette includes white or off-white render, infill feature brickwork and grey powder-coated aluminium window frames. The introduction of render with brick for the external elevations presents a clean and crisp finish to the remodelled building, the details being conditioned to secure the quality of the final build.

The Residential Quality Guidance document promotes the use of modern materials in contemporary buildings: *“Residential design should create new housing that responds to the existing urban fabric, building typologies and the city’s distinctive style while also embracing modern materials and contemporary ideas.”* (p43) and the revised NPPF encourages decisions which *“are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change”* (paragraph 127c).

The proposal is considered to achieve a balance between old and new development in the street which transitions the residential dwelling into the 21st century.

Waste Management

The application retains the existing arrangements for managing refuse containers which are kept at the rear of the building away from the front elevation. As detailed in the section above on car parking, sufficient space would be maintained at the side of the property to manoeuvre bins to the front on collection day.

Other matters

Tenureship

An objector has raised a concern that the creation of a 4-bedroom dwelling could signify the intention to change the tenureship from an owner-occupied property to one in multiple occupancy. In assessing the application, there are no grounds on which to assume that this is the case and therefore no reasonable and necessary basis under the tests within paragraph 55 of the NPPF (2018) for attaching a C3(a) Use Class condition. Any future use of the property for anything other than the current C3(a) use would constitute a breach of planning control.

A 4-bedroom property has the potential to accommodate a growing family requiring additional and flexible space. Policy H6 (Housing – South Manchester), identifies the need for family housing outside of District Centres

Conclusion

The proposal strikes a good balance between making the best use of available land to create a 21st century home of a good design standard, without incurring the loss of car parking and residential amenity space. The application is considered to have a limited impact on residential amenity and will make a positive visual statement at the head of the cul-de-sac.

On the basis of the above, the proposal is considered to be acceptable and in accordance with saved policies within the development plan including Chapter 11 of the 2018 NPPF, policies SP1, DM1, H1 and H6 of the Manchester Core Strategy, extant policy DC1 of the Unitary Development Plan and the guidance contained within the Manchester Residential Quality Guidance (2016).

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this committee report. The proposal raised objections on consultation which have been taken into consideration in the assessment of the application and a reduced scheme was negotiated to address the Councils' and residents' concerns.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The works to which this consent relates must be begun not later than the expiration of three years beginning with the date of this consent.

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 unless otherwise agreed in writing by the City Council as Local Planning Authority:

The application form received on the 29 May 2018; Location Plan and the drawings numbered; (00).001 Rev A, (00).002 Rev A, (00).004 Rev A, (00).003 Rev A and the visuals, all received on the 15 May 2018;

(10).003 Rev A; (10).002 Rev A; (10).001 Rev A; (00).004 Rev B; (10).004 Rev C and (10).005 Rev C received on the 17 July 2018 and (10).005 Rev B received on the 31 July 2018.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policy DM1 of the adopted Core Strategy for the City of Manchester.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials.

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 pursuant to policies SP1 and DM1 of the adopted Manchester Core Strategy and to the guidance contained within the National Planning Policy Framework.

4) Before first occupation the first floor WC window and landing window on the northern elevation and first floor bedroom window on the southern elevation, 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.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010, (or any Order revoking and re-enacting that Order with or without modification), no extensions or additional development shall be erected under Part 1, Classes A (extensions), B (alterations to the roof) and E (outbuildings) of the Order without the prior written express consent of the City Council as Local Planning Authority.

Reason - In the interests of residential amenity and to safeguard the character of the area, pursuant to policies DM1 and H3 of the adopted Core Strategy Development Plan Document for the City of Manchester and policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 120020/FH/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

Highway Services

A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Relevant Contact Officer : Linda Marciniak
Telephone number : 0161 234 4636
Email : l.marciniak@manchester.gov.uk



 Application site boundary  Neighbour notification
© Crown copyright and database rights 2018. Ordnance Survey 100019568