

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
128936/FH/2020	21st Dec 2020	15 <sup>th</sup> April 2021	Chorlton Ward

**Proposal**   Erection of a single storey rear extension and first floor front extension to form additional living accommodation

**Location**   25 Hampton Road, Manchester, M21 9LA

**Applicant**   Mr and Mrs Caproli, 25 Hampton Road, Manchester, M21 9LA

**Agent**       Other Brighter Architecture and Building, Brighter Architecture and Building Ltd, 21 Hewlett Road, Manchester, M21 9WB

### **Executive Summary**

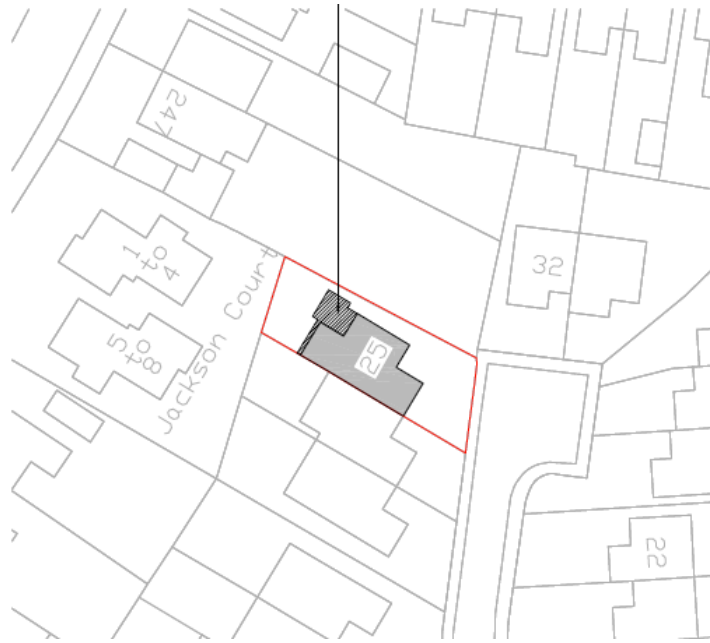
The applicant is seeking permission to extend the existing single storey rear extension and to build a first-floor front extension over the original integral garage, to provide additional living accommodation for a family dwellinghouse. The property is not listed, nor located within a conservation area.

18 neighbouring dwellings were notified of the proposed development and two letters of objection were received, from a single local resident. The main issues related to overshadowing, overlooking, concerns relating to the party wall and to construction. As a result of this, the proposal has been amended since it was originally submitted, to remove a source of potential overlooking, by way of obscuring a side-facing window at first floor.

This application is brought before the committee due to the applicant's position as an employee of Manchester City Council and their application receiving an objection.

### **Description**

The application site is located at the end of a residential cul-de-sac, comprising of 4 rows of terraces and two pairs of semi-detached properties. Hampton Road is located off Hewlett Road within the Chorlton ward and benefits from its proximity to both Turn Moss Playing Fields and Longford Park, the District Centre, Chorlton metrolink station and the bus routes along Wilbraham Road/Edge Lane and Manchester Road/Barlow Moor Road.



**Submitted site plan**



**2D satellite image of the site**



**3D satellite image of the site**

The application relates to a two storey end-terrace C3 dwellinghouse, constructed of mixed brindle brickwork, with a gable roof of interlocking concrete roof tiles, white uPVC windows, brown hanging tiles to the front elevation at first floor and white render at ground floor. The property has an original single storey front projection forming a garage and has a single storey extension to the rear, built under permitted development. The roof features solar panels. The plot, which faces south-east at the front and north-west at the rear, includes a driveway and an area of lawn to the front, a passage down the side to the rear containing two sheds and a rear garden featuring paving and shrubs.



### The submitted existing plans and elevations

The plot measures approximately 25m in length and 10m in width. The front garden is 9m in depth, the rear garden is 10m in depth and the paved driveway is approximately 7.5m long and 3.6m wide. This is an open-plan estate so the front garden and driveway do not feature boundary treatment, however the rear garden is bounded by timber fencing and hedging. The neighbouring plots on Hampton Road are of a similar size and shape, as are the properties themselves.

The applicant is seeking permission to build an additional single storey rear extension and a first floor front extension over the existing garage, which would be converted into living accommodation. The works would provide a larger kitchen/diner and a guest bedroom/study/playroom on the ground floor and a 4<sup>th</sup> bedroom on the first floor.

The single storey rear extension would infill the space adjacent to the existing 2.7m extension, which was built under permitted development, and increase the depth of the previous addition by 0.44m, taking the total enlargement to 3.14m in depth and 8.6m in width, with an eaves height of 2.7m and a maximum height of 3.6m. It would also project slightly past the main side elevation, by 0.7m, with a 2.4m high flat roof over the glazed corner element.

The front extension would be sited over the original integral garage projection, with a depth of 3.26, a width of 4.18m and a setback from the neighbour's principal elevation of 0.38m. The new gable would match the existing eaves and feature a ridge set 1.1m lower than the main ridge, with a pitch to replace the main gable.



**The submitted proposed plans and elevations**

## Consultations

**Local residents** – Two letters of objection were received from a single local resident. Their comments are summarised below:

### First letter:

- The front proposed extension will impact both light and privacy away for neighbours.
- No.25 will be able to see everything at the front of the neighbouring house as well as hear all conversations, particularly in summer when sitting out the front.
- Neighbouring property already darkened by nearby trees, the extension will overshadow the front and will take away the limited amount of light afforded during the day.
- Concerns over how long the extension would take and when this would start, worried about construction noise.
- The existing window currently overlooking a neighbouring garden is the biggest concern for privacy. When the applicant is stood near the window it is incredibly overbearing and when using the garden this impacts family life, residents should be able to enjoy times as a family in the privacy of their own garden.
- The existing rear extension is already overbearing and impacts upon the residents right to light.

### Second letter:

The main concern is the Party Wall – Have been advised by a Surveyor that the proposed front extension could cause major problems relating to water damage for

neighbouring property if the drainage isn't sufficient - looking at the side profile you can see what he means and this is a major concern.

## **Policies**

### **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 the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- 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.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques

### **Unitary Development Plan for the City of Manchester (1995):**

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

**Policy DC1** of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

**DC1.1** The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

**DC1.2** states extensions will be allowed subject to:

- a. 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)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking Policy

**DC1.3** states that Notwithstanding the generality of the above policies, the Council will not normally approve:

- a. rearward extensions greater than 3.65m (12 ft) in length;
- b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
- c. 2-storey extensions to terraced properties which occupy the full width of the house;
- d. flat roofed extensions to bungalows;
- e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

**DC1.4** In considering proposals for 2-storey side extensions, the Council will have regard to the general guidance above and also to supplementary guidance to be issued. In particular, the Council will seek to ensure that:

- a. the development potential of the gap between detached and semi-detached houses is capable of being shared equally by the owners or occupiers of the two properties concerned;
- b. the actual or potential result of building the extension will not be the creation of a terracing effect, where this would be unsympathetic to the character of the street as a whole;
- c. the actual or potential result of building the extension will not be the creation of a very narrow gap between the properties, or any other unsatisfactory visual relationships between elements of the buildings involved.

As a guide, and without prejudice to the generality of this policy, the Council will normally permit 2-storey house extensions which, when built, would leave a minimum of 1.52m (5 ft) between the side wall and the common boundary, and

which meet the other requirements of this policy. Proposals which cannot meet these requirements will be judged on their merits, but with weight being given to (a) and (c) above.

**DC1.5** The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require adaptations to their homes.

### **Guide to Development In Manchester:**

The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development appropriate to Manchester. It seeks to retain the essential distinctiveness of its character areas, whilst not precluding new development.

### **National Planning Policy Framework (2019):**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which for decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### **Issues**

**Principle** – The principle of building a single storey rear extension and first floor front 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. Please note, this application is being reported to Committee due to the fact that the applicant is an employee of the City Council.





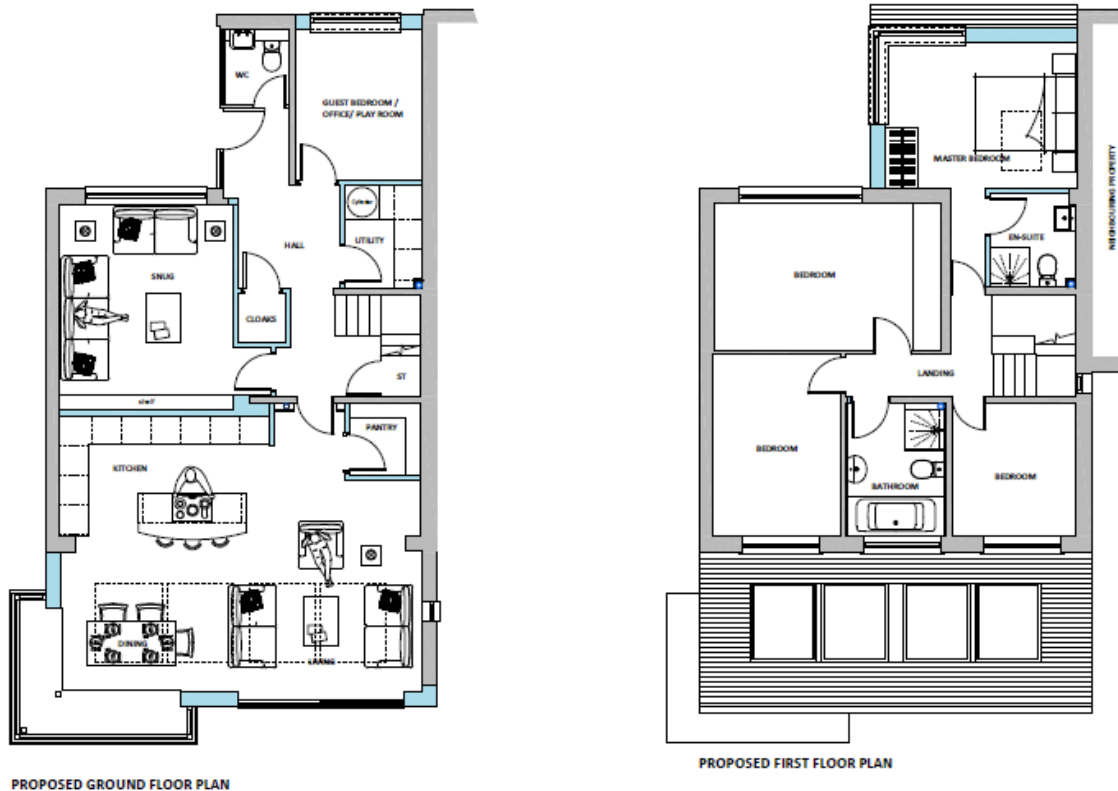
**Front view of No's 23 and 25 Hampton Road**



**Front view of No.25 Hampton Road**

**Siting, scale and massing** – The single storey rear extension would be sited on the northern corner of the property, to infill the space adjacent to the existing 2.7m extension, which was built under permitted development. It would also increase the rearward projection of the previous addition by 0.44m, taking the total enlargement to 3.14m in depth along the boundary shared with the adjoining property No.23 and 3.85m near the boundary shared with the garden of No.247 Ryebank Road. It would measure 8.6m in width, with an eaves height of 2.7m and a maximum height of

3.6m. It would also project slightly past the main side elevation, by 0.7m, with a 2.4m high flat roof over the glazed corner element. The front extension would be sited over the original integral garage projection, facing south-east, with a depth of 3.26, a width of 4.18m and a setback from the neighbour's principal elevation of 0.38m. The new gable would match the existing eaves and feature a ridge set 1.1m lower than the main ridge, with a pitch to replace the main gable. Neither element of the proposal projects far beyond the existing footprint of the property. Although the rear element exceeds the projection stipulated within policy DC1 of 3.65m, it is only by 20cm on the side of the property furthest from the party wall, which is considered acceptable given a larger extension could be built under permitted development via the larger homes extension scheme. The front extension does not extend beyond the footprint of the original garage below and is set back from the principal elevation of the adjoining property, which is sited forwards of the application site due to the nature of these stepped terraces. This element is also significantly lower than the main roof and is therefore considered subservient to the host dwellinghouse, in accordance with residential development policies DM1 of the Core Strategy and DC1 of the UDP.



### Submitted proposed floorplans

**Design, appearance and visual amenity** – The property is not located within a conservation area, nor is it listed a listed building. The estate in which it sits is relatively uniform in appearance. Some properties have additions, such as single storey rear extensions and conservatories at 5 properties, a two storey rear extension at No.21 approved in 2015 (109990/FH/2015/S1), a rear box dormer at No.14 built under PD and a first floor front extension approved in 2008 but not implemented (087509/FH/2008/S1) and a first floor and single storey front extension at No.12 approved in 1994 (044580/FO/SOUTH2/93).



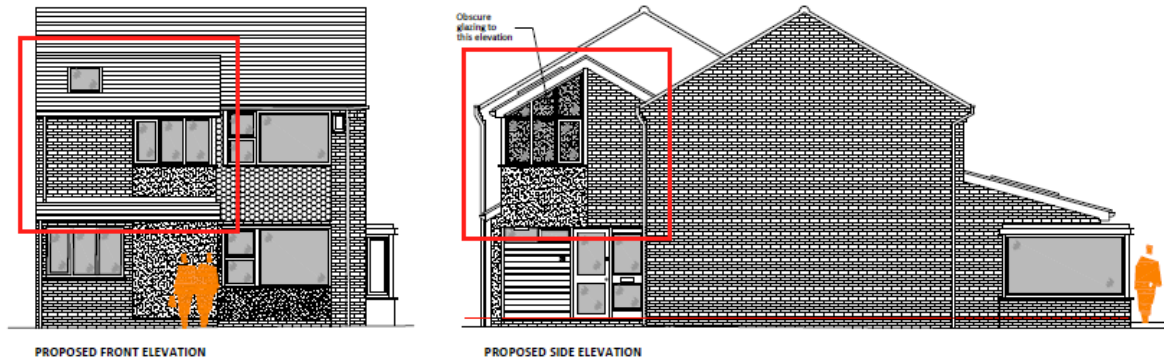
**StreetView image of No's 14 and 12 Hampton Road**



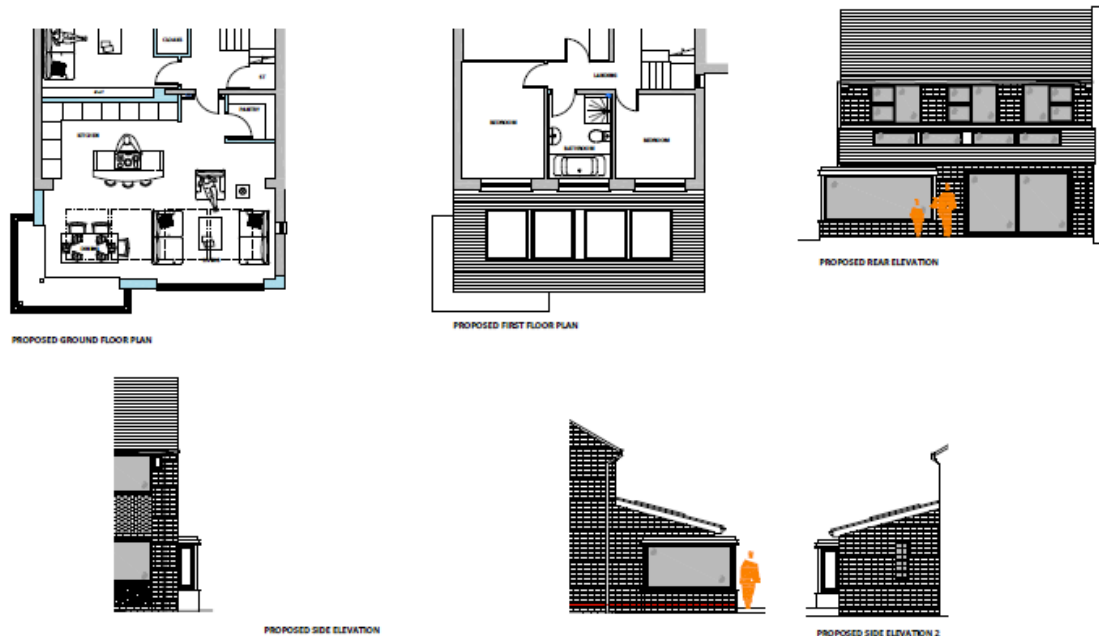
**Rear view of No.25 Hampton Road**

Both extensions would be constructed from materials to match the existing house, including mixed brindle brickwork and concrete interlocking roof tiles, with an area of white render at the front, to help it assimilate with the original building. The roof of the rear extension would be pitched to match existing, containing 2 more rooflights, with a glazed conservatory style projection at the corner with a flat roof. The front extension would be pitched to match existing also and set down 1.1m from the main ridge, with an area of render and glazing wrapping round the eastern corner, obscurely glazed at the side and regular at the front, with one small rooflight in the front slope. Due to the location of the property at the end of the ul-de-sac and on a

corner plot, the proposal would not be readily visible from the public highway until towards the northern end of the estate and due to the materials proposed and design which is considered in-keeping with the character of the estate, it should adequately blend in with the original property and not form an obtrusive feature within the street scene, hence the visual amenity of the house and area are not considered to be significantly harmed by these works, pursuant to policies DM1 and SP1 of the Core Strategy.



**Submitted proposed elevations showing the first floor front extension outlined in red**



**Submitted proposed elevations showing the single storey rear extension**

**Residential amenity and objections** – Both the rear and front extensions, by way of their siting, orientation and scale, are not considered to significantly affect the levels of residential amenity currently enjoyed by the surrounding occupiers. The adjoining neighbour, No.23, is sited forwards of the application site due to the stepped building line of this staggered terrace, meaning at the front the single storey original garage of No.25 adjoins the two storey side elevation of the main house at No.23 and similarly at the rear the two storey side elevation of No.25 lies adjacent to No.23's garden. The proposed front extension over the garage would be setback

from No.23's principal elevation by 0.38m, whilst being sited north of this neighbour, hence the front extension will not overshadow No.23's windows or front garden. At the rear, the increased projection along the boundary by 0.44m, from 2.7m to 3.14m, is relatively minor (only 14cm beyond permitted development) and would not be so detrimental to occupiers so as to warrant refusal, particularly given the roof design, overall height and orientation north of No.23. The neighbouring plot to the north is the large rear garden belonging to No.247 Ryebank Road, which features established hedging along its perimeter. The proposed rear extension is to be sited 1.2m from this boundary, with an eaves height of 2.4m, this is not considered to cause undue overshadowing of this garden.

The front extension originally featured clear glazing to both elevations of its corner window, which was deemed to provide views over the front elevation and front garden of No.32 Hampton Road as well as over the rear garden of No.247 Ryebank Road, which is very private as existing, therefore negotiations took place with the agent to either remove or obscure this side-facing window. They chose to obscure the glass, which is considered to address the issue and this has been conditioned as part of the approval. A local resident objected on the grounds of a loss of privacy to their front garden due to the front facing window within the front extension, however it has been assessed and due to the setback and the distance of the window from the boundaries of the plot, 2.33m to the party wall shared with No.23 and 7.6m to the boundary of No.32 – both at oblique angles, the glazing within the front elevation of the front extension would not cause unacceptable overlooking of the neighbouring plots on Hampton Road. Therefore, on balance, the revised proposal is not considered to cause undue harm to local residents by way of overshadowing, overlooking or overbearing impacts, in accordance with policies DM1 and SP1 of the Core Strategy and DC1 of the UDP.

Other issues raised within the two letters of objection from a local resident include concerns over the party wall during construction, when the construction would start and for how long it would last, as well as concerns over an existing window within the rear extension built under Permitted Development over 4 years ago. The first point, regarding the party wall and possible future drainage issues, is a civil matter between the neighbour and the applicant, the latter of which signed ownership certificate A and has confirmed that all works will take place within their curtilage. In addition, the construction of this element and any potential drainage issues would be inspected by Building Control. For the second point, regarding construction, the 3 year time limit condition has been attached to this approval but for how long the works would be on-going is out of the control of this planning permission and its conditions. Before work on the party wall starts notice would need to be served upon the neighbours in accordance with the Party Wall Act, a copy of which was sent to the objector and the agent. The window in the existing rear extension, facing into the garden at No.23, has been in situ for over 4 years and therefore has deemed consent and does not form part of this application.

**Parking and refuse** – Although the rear extension would project beyond the side elevation slightly, a gap of 1.2m would be retained to the side boundary, allowing the refuse bins to be transported from the front for collection to the rear for storage, out of sight, as existing. Although the garage would be lost in the conversion to habitable living space, the provision of off-street parking would remain acceptable for a single

family dwelling, with space for 1 no car on the retained driveway at the front of the plot. Hence the storage of refuse and provision of off-street parking accord with policy DM1 of the Core Strategy.

**Conclusion** – The proposal received two objections from a local resident in relation to privacy, light and party wall issues, however the revised proposal has been assessed as not causing undue harm to the objector. The proposal complies with policies DM1 and SP1 of the Core Strategy, policy DC1 of the Unitary Development Plan and aligns with the advice given within the National Planning Policy Framework. It is not thought to significantly impact upon the existing levels of residential amenity enjoyed by neighbouring occupiers nor significantly harm the visual amenity of the house or wider area, therefore the development is deemed acceptable and may commence in accordance with the submitted drawings and the 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 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 polices 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 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**

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 applicant/agent to reach a satisfactory resolution.

### **Conditions to be attached to the decision**

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 revised drawing numbered '04 A', stamped as received by the City Council as Local Planning Authority with the application form on the 24th February 2021.

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 extensions hereby permitted shall match those specified on the submitted application form.

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 first-floor window in the side elevation of the front extension 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.

### **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: 128936/FH/2020 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:**

32 Hampton Road, Manchester, M21 9LA  
28 Hampton Road, Manchester, M21 9LA  
24 Hampton Road, Manchester, M21 9LA  
Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 8, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 7, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 6, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 5, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 4, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 3, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 2, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
Flat 1, Jackson Court, 249 Ryebank Road, Manchester, M21 9LX  
30 Hampton Road, Manchester, M21 9LA  
26 Hampton Road, Manchester, M21 9LA  
23 Hampton Road, Manchester, M21 9LA

22 Hampton Road, Manchester, M21 9LA  
21 Hampton Road, Manchester, M21 9LA  
247 Ryebank Road, Manchester, M21 9LX

**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:**

<b>Relevant Contact Officer :</b>	Constance Phillips
<b>Telephone number :</b>	0161 234 5792
<b>Email :</b>	constance.phillips@manchester.gov.uk



