

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131235/FH/2021
Date registered valid: 2 August 2021
Proposal: Erection of a single storey extension to the front and associated elevational alterations
Address: 3 Winster Avenue, Manchester, M20 2YG
Ward(s): Didsbury West Ward

Applicant: Ellen-Nesta Stout, 3 Winster Avenue, Manchester, M20 2YG
Agent (if any): Mr Connor Cunningham, Residence Flat 12, Abbots Court, Park Road, Winchester, SO23 7BE
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 5 October 2021



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 6 September 2021
Standard consultations: Printed: 6 August 2021 Expired: 27 August 2021
Neighbour notifications Printed: 6 August 2021 Expired: 27 August 2021
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

The application site is a detached 1.5 storey dwellinghouse situated on the eastern side of Winster Avenue, a cul-de-sac in the Didsbury West ward. It is constructed of brown brick and concrete tile and situated within a south-facing garden plot with paved terrace in front of the gable. There is a brick bin store outside of the northern garden boundary wall with a driveway alongside. At the rear of the property is a single storey extension which received planning approval in 1992 (Ref: 040957).

The property has its gable end fronting onto the street which is at the head of the Winster Ave cul-de-sac. It was designed and built after receiving approval in 1976 (Ref: F04476) by Roy Kantorowich, Professor of Town Planning at the University of Manchester on land which was formerly tennis courts within the curtilage of No.6 Winster Avenue to the south-west.

The property stands forward of the building line of No.1 Winster Avenue to the north which, like the other 4no. houses on the short cul-de-sac, are imposing red brick, detached Edwardian dwellings.

The property stands next to a striking Common Beech tree which has statutory protection under a Tree Preservation Order (Ref: 02/00217/TPO) and is very visible at the head of the cul-de-sac.



Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: 02/00217/TPO

Description of area

The site is within a suburban mainly residential setting on the south side of Barlow Moor Road close to the junction with Princess Parkway. Winster Avenue is classed as a private road with restricted vehicular access and faces the Siemens building and Spire Hospital on land on the north side of Barlow Moor Road.

Description of development

Erection of a single storey extension to the front and associated elevational alterations.

The proposal provides 9sqm of additional floorspace to provide an extended kitchen and dining room. There are also internal reconfigurations proposed and materials which distinguish the extension from the original house.

The application is accompanied by an Arboricultural Impact Assessment which sets out the measures required to mitigate any harmful impacts on the protected Beech tree.

Consultations & Notification Responses

Neighbour notifications – No comments received.

City Arborist - 1st comments - Objection

I have reviewed the associated documents relating to this application and can confirm we would not support this application from an Arboricultural perspective. This magnificent Beech tree with high visual amenity would sustain damage regardless of protection measures even with the pile and beam proposal.

Beech trees are a shallow rooting variety and the required level changes and hard standing proposals will reduce the ability of the tree to access surface water and oxygen exchange.

In addition to the above, placing a seating terrace below the canopy of a densely shading tree will inevitably lead to continued applications to prune the tree to alleviate shading. Beech mast falling over a seating area will also create problems for the occupants along with leaf litter making this area requiring constant cleaning and ultimately resentment of a fabulous tree.

City Arborist - 2nd comments -

On closer inspection we are now ok with the proposals.

Issues

Saved UDP policies DC1 – Residential Extensions

Core Strategy policies SP1, DM1, EN9 and EN15 relate to this application.

The application is considered to have acceptable impacts on residential and visual amenity and, with appropriate conditions, on the future longevity of the Beech tree as set out below. The property is not listed nor within a Conservation Area but has some cultural significance through association to the architect after whom the School of Education, Environment and Development building and library at the University of Manchester is named.

Residential Amenity

The proposal is for a 2-metre deep extension to the west-facing gable elevation to increase the living floorspace. It will be offset from the north-western corner of the property where the bin store is located, to sit behind the northern boundary wall. The west elevation will be mostly

glazed with full-height doors and a further area of glazing to the apex. This overlooks the garden to the west, with no property facing which could be overlooked by this element of the proposal.

As the extension is contained within the mass of the western gable and is not in close proximity to another property, there are no new overshadowing opportunities.

Visual Amenity



The design intention is to create a modest addition to the property that complements the original whilst promoting legibility. As a result, timber cladding and black zinc materials have been chosen which contrast and complement the original, enabling it to remain fully expressed.

The extension is sited and designed to remain subservient to the original, responding to the proportions of the deep gable roof whilst sitting well below the apex. As the extension is only 2 metres deep x 4.65 metres long and 5.73 metres high and is sited behind the garden wall and the Beech tree, it would have a low impact on approach along Winsters Avenue. The gable is however more visible from the western side of the street. From here, the extension will be perceived as adding visual interest to what is otherwise a relatively utilitarian elevation; the main focal point being the glazed private south-facing elevation.

The materials are required to be implemented in accordance with the details as set out in the submitted application form, drawings and Design and Access Statement.

Tree Protection



Other alterations include works to extend the existing terrace which is situated inside the northern garden boundary wall. This has been assessed as sitting over part of the roots of the protected Beech tree and is proposed to be lifted and re-configured to reduce its length and to widen it so that it sits in front of the extension.

On first notification, the City Arborist objected to the proposal on the basis that development, including of the terrace, would damage the roots of the Beech tree and restrict gas exchange and moisture getting to the roots which would eventually harm

the tree over time.

The City Arborist has since revised his comments and removed his objection following submission of site photos and the recommendations within the AIA. These require hand lifting and digging, installation of a gas-permeable membrane and a pile and beam foundation for the extension, alongside other mitigating measures to protect the root protection zone. A condition is appended to ensure that the works are carried out in accordance with the recommendations within the AIA, together with the requirements that the works are carried out in accordance with the British Standard 3998 "Recommendations for Tree Work" and a retained trees condition.

Conclusion

The works represent a modest amount of development to an existing dwelling house for which provision is made in saved UDP policy DC1.

The extension will add visual interest to the non-designated dwelling and ensure that the root protection zone of the statutorily protected tree is not harmed by the development.

On this basis, the proposal accords with the provisions of the development plan including saved UDP policy DC1 and Core Strategy policies SP1, DM1, EN9 and EN15.

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

The local planning authority in making its decision has had due regard to paragraph 47 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 the delegated report. The application received no objections on notification and has been approved with appropriate conditions as set out below, in the interests of residential and visual amenity.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents received on the 2nd of August 2021:

Application form

Location Plan 001

Existing Ground Floor Plan 005

Existing First Floor Plan 006

Existing Roof Plan 007

Existing North and East Elevations 010

Existing South and West Elevations 011

Proposed Ground Floor Plan 105

Proposed First Floor Plan 106

Proposed Roof Plan 107

Proposed North and East Elevations 110

Proposed South and West Elevations 111

Design and Access Statement prepared by Residence (No reference, Not dated)

Arboricultural Impact Assessment prepared by MP Trees (Dated July 2021)

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

3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the details as set out in the application form, approved drawings and Design and Access Statement in Condition 2 of this permission.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

4) Any works to trees to implement the permission hereby granted, shall be carried out in accordance with the recommendations contained within the approved Arboricultural Impact Assessment prepared by MP Trees (Dated July 2021). Among other mitigation measures, this will include the removal and re-building of the terrace at existing ground level using a no-dig, hand-tool only methodology, and use of a mini-pile and beam foundation design. In addition, the new terrace will need to be constructed using a semi porous or porous surface layer to ensure gas and moisture exchange to roots with the Root Protection Area.

Reason - To avoid damage to the roots of trees protected under a statutory Tree Preservation Order and to safeguard the root protection zones of retained trees on the site in the interests of residential and visual amenity pursuant to policies DC1, DM1, EN9 and EN15 of the Development Plan for Manchester.

5) 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.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

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

Neighbourhood Team Leader (Arboriculture)

1 Winster Avenue, Manchester, M20 2YG
8 Darley Avenue, Manchester, M20 2XF
6 Darley Avenue, Manchester, M20 2XF
12 Darley Avenue, Manchester, M20 2XF
10 Darley Avenue, Manchester, M20 2XF
6 Winster Avenue, Manchester, M20 2YG
4 Winster Avenue, Manchester, M20 2YG
145 Barlow Moor Road, Manchester, M20 2YA

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Area Team Boundary - Name: SOUTH