

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131092/FO/2021
Date registered valid: 27 September 2021
Proposal: Replacement french doors to form Juliet balcony and creation of further Juliet balcony with french windows
Address: 232 Burton Road, Manchester, M20 2LW
Ward(s): Didsbury West Ward

Applicant: Gavin, Wood Cottage, Felindre, Knighton, Powys, LD7 1YR
Agent (if any): Mr Todd Obray, 1 Welton Avenue, M20 5LA
Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22nd November 2021



Application details

Type of application:	Full Application Consent
Development type:	Minor Other
Date of site visit:	18 August 2021
Standard consultations:	Printed: 5 August 2021 Expired: 26 August 2021
Neighbour notifications	Printed: 5 August 2021 Expired: 26 August 2021
Site notice	Posted: 18.08.2021 Expired: 08.09.2021
Press advert	Published: 10 August 2021 Expired: 31 August 2021
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building

The site comprises a two storey terraced property with dormer to front elevation located at 232 Burton Road within the Didsbury West ward area of Manchester. The property includes a retail unit to the ground floor, currently trading as Living Flowers, with a 3 bedroom flat occupying the first and second floors. The front elevation has a timber shop front to the ground floor, with both a door into the shop and a recessed door leading to the flat above. The pattern of development along the street frontage is of traditional terraced properties, with period features and a mixed-use character. Residential accommodation above commercial units are characteristic and is within a short walk to the Burton Road Metrolink Station.



Listed building:	Not applicable
Conservation area:	Albert Park Conservation Area 1988
Tree Preservation Order:	Not applicable

Description of area

Burton Road is mixed in character as it runs through the centre of West Didsbury. This particular section is located within a parade of 9 units. The area is characterised by Victorian terraces to the rear and falls within the Albert Park Conservation Area.

Description of development

Replacement french doors to form Juliet balcony and creation of further Juliet balcony with french windows

Consultations & Notification Responses

Local residents, as per Appendix 1 - one letter of objection has been received in respect of this application, summary of comments as follows:

- Have no objections to the replacement of the Juliet balcony that already exists at number 232 but object to the creation of French doors and new Juliet balconies at number 232 where they do not already exist.
- The new Juliet balconies would overlook garden and bedroom, creation of these doors and outside spaces would have a negative impact on our privacy and feel the noise levels would increase as a result.
- Planning permission description refers to both 232 and 236 Burton Road but on the plans and attachments to the application there are only plans and references to 232 and nothing about 236

WDRA - have no objection to 131092.

Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy 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 particular adaptations to their homes.
- o DC18 for Conservation Areas
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 3 Heritage
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is believed that there are no factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposal is deemed to accord with saved policies DC1 and DC18 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There have been no previous applications relating to this site.

Residential Amenity

The applicant is seeking Replacement French doors to form Juliet balcony and creation of a further Juliet balcony with French windows. The site lies within a parade of shops close to Nell Lane on Burton Road within the Albert Park Conservation Area.

There is an existing two storey rear outrigger to the property and a small rear yard. The property itself is located on Burton Road within the local centre. To the rear of the application site is a parallel terrace of residential properties on Arley Avenue which is separated from the site by a narrow alley. There have been raised concerns from a local resident in relation to the creation of an additional Juliet balcony overlooking to rear of properties and associated noise.

To the rear is an existing balcony located at first floor which has French doors. The applicant proposes to remove the balcony which has a small platform projection you can step out onto and replace with a Juliet Balcony. In addition, the applicant proposes to change an existing rear bedroom window on the outrigger replacing it with French doors and a Juliet balcony. The City Council believes that the removal of the balcony with the replacement of a Juliet balcony would be a welcome change, especially given that the Juliet balcony would not allow use to step forward of the elevation of the property which would encourage overlooking and loss of privacy. The change of a window with French doors and a Juliet balcony is considered would provide no further overlooking than already exists from a rear view window.

The proposal would not increase in occupancy and therefore it is not anticipated that the change in style of rear windows would be particularly intrusive in terms of noise increase for which openings already exist.

In view of the Juliet balconies facing the rear residential properties along Arley Avenue, this is not considered would provide any further impact in terms of residential amenity it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy Core Strategy policies DM1 and EN3 and saved Unitary policies DC1 and DC18.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original property, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policy DC1, DM1 and EN1 and EN3 of the Core Strategy

Design

On balance it is considered that the design of the proposed Juliet balconies achieves the high standard of design required to enhance or preserve the character of the host property and therefore conflicts with Core Strategy policies DM1 and EN3 and saved Unitary

Impact on the Albert Park Conservation Area

The City Councils aim is to encourage development which enhances the prosperity of the area whilst paying attention to its special architectural and visual qualities.

A considerable degree of sympathy with older buildings can be achieved in the appropriate siting of a new building, in its massing, scale, proportion, rhythm and materials used in its construction while still allowing it to demonstrate the vitality of the present day.

Notice should be taken of these characteristics when preparing new schemes. Features, such as garden walls, hedges, gate posts, porches, styles and colours of window frames and roofing materials should all be taken into consideration, their form analysed and new buildings designed to harmonise with them.

The proposal would be located in a suitable position to the rear of the property and therefore would not be viewed from the main road. It is considered that the proposal would not interfere with the existing characteristics of the conservation area. Material choice would be an acceptable selection for the conservation area and given that the predominant material choice within this location is Galvanised steel on other Juliet balconies in the area, material choice is considered acceptable.

On balance, it is believed that the proposal would enhance the character of the Conservation Area which is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Conclusion

In this case it is considered that the changes to the rear would not interfere with the preservation or enhancement and would enhance the character of the Conservation Area. The proposal therefore complies with the provisions of Core Strategy policies DM1 and EN3 and saved Unitary Development Plan policies DC1 and DC18.

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

Positive and proactive working - 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. No significant problems have arisen during the consideration of this 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 and documents:

Received on 15th July 2021 numbered P101 Proposed Plans

Received on 15th July 2021 numbered P101 Proposed Elevations

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 hereby permitted shall match those as specified on the application form/drawings in type, size, colour and texture.

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association

12 Arley Avenue, Manchester, M20 2LQ
Flat Above, 234 Burton Road, Manchester, M20 2LW
Flat Above, 238 Burton Road, Manchester, M20 2LW
Flat Above, 232 Burton Road, Manchester, M20 2LW
240A Burton Road, Manchester, M20 2LW
10 Arley Avenue, Manchester, M20 2LQ
Garden Flat, 232 Burton Road, Manchester, M20 2LW
236 Burton Road, Manchester, M20 2LW
234 Burton Road, Manchester, M20 2LW
240 Burton Road, Manchester, M20 2LW
238 Burton Road, Manchester, M20 2LW
8 Arley Avenue, Manchester, M20 2LQ

16 Arley Avenue, Manchester, M20 2LQ
14 Arley Avenue, Manchester, M20 2LQ
12 Arley Avenue, Manchester, M20 2LQ

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
Conservation Area - Albert Park Conservation Area 1988
Area Team Boundary - Name: SOUTH