

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129881/FH/2021

Date registered valid: 12 April 2021

Proposal: Erection of single storey rear extension and installation of rear dormer to provide additional living accommodation.

Address: 227 Burton Road, Manchester, M20 2NA

Ward(s): Didsbury West Ward

Applicant: Mr Oliver Carter 18 Mosley Road, Altrincham, WA15 7TF

Agent (if any):

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 28 September 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 May 2021

Standard consultations:

Printed: 21 April 2021 Expired: 12 May 2021

Neighbour notifications

Printed: 21 April 2021 Expired: 12 May 2021

Site notice

Posted: 27 April 2021 Expired: 18 May 2021

Press advert

Published: 27 April 2021 Expired: 18 May 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to mid terraced two storey dwellinghouse and has a blue slate roof and dark red facing brick walls some of which have been painted dark red over time. The Windows are vertical in proportion often in bays. Some have stone heads or brick arches over and stone the sills are painted white, the brickwork is stretcher bond and the current windows are white PVCu.



Photograph 1 227 Burton Road as outlined in red

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: None

Description of area

The area is located within Albert Park Conservation area. It is principally an area of housing but also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches.

Description of development

The applicant is seeking planning permission for the erection of a single storey rear extension , and rear dormer to provide additional living accommodation.

Consultations & Notification Responses

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) 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.

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

SP1 – Spatial Principles

DM1 – Development Management 1

EN3 – Heritage

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

DC18.1 – Conservation Areas

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning History – There have been no previous planning applications at this address.

The Principle – Policies SP1 and DM1 of the Manchester 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.

During the course of the application, concerns were raised with the applicant regarding the front and rear dormers and amended drawings have been received to address these concerns with the rear dormer remaining unchanged. Details of these changes will be discussed within this report.

Development in this application proposes a front and rear dormer and a modest rear extension to which there is no objection in principle, subject to satisfactory impacts on residential and visual amenity, parking and bin storage in accordance with the above development plan policies.

The site is also located within a designated conservation area, in this case Albert Park and therefore consideration should be given to the proposal impact upon heritage and the conservation area.

Design and Appearance/ Impact on the Conservation Area and Amenity –The property is located within Albert Park Conservation Area as such consideration must be given to the NPPF,

policy EN3 and extant policy DC18.1 seeks to preserve the historic environment and conservation areas.

Paragraph 189 of the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting, proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

The application was accompanied by a heritage statement, in terms of the impact on a heritage asset this is likely to be the conservation area as the property is not within the curtilage of a listed building.

The heritage statement considered the impact on the Conservation Area to be as follows:

"As the proposals will maintain the property as single-family dwelling, which is becoming increasingly limited in the area it is our opinion that the proposals are needed to preserve and upgrade the building while the use of modern materials will contrast with the existing building to enhance the Conservation Area."

The proposal can be split into two parts, a rear single storey rear extension and a front and rear dormer. In terms of the single storey extension, the siting of the proposal would result in limited views from within the conservation area and result in an extension that would infill the area between the side of the existing two storey outrigger and the shared boundary wall with no. 225 Burton Road. Therefore, the rearward projection would be the same as the existing two storey outrigger at 4.55 metres and the width of the extension would be 2.2 metres. The proposed extension would have a glazed roof with a lean to roof built to a maximum height of 3.81 metres reducing to 3.168 metres close the shared boundary with no. 225 Burton Road.

Development is likely to have an impact on 225 Burton Road, given the proximity to the shared boundary and that the floor plan of the existing dwellinghouse identifies the room close the shared boundary as a lounge, it is likely that the room at 225 Burton Road is a lounge also and therefore a habitable room. The orientation of the properties would mean that the lounge rooms would have sunshine first thing in the morning but by 11am to noon the light would be reduced due to the existing two storey outrigger and therefore it is unlikely that the development would result in a loss of light to warrant the refusal. In terms of overbearing impacts, the extension would have an eaves height of just over 3.1 metres which close to the shared boundary could appear to be unduly intrusive and oppressive on the neighbouring property. Under permitted development rights had the application site been outside of the conservation area the applicant could have built an extension with a rearward projection of 3 metres and an eaves height of 3 metres, however this fall back position as discussed below cannot be relied upon in this case.

Therefore whilst a height of 3.1 metres is not considered to be excessively tall and together with a rearward projection of over 4 metres, it is acknowledge that there would be some impact on the neighbours property it is considered that in this case it is not sufficient to warrant the refusal of the application.

The fallback is a material consideration in the decision making process, of which the PD rights given by the Order comprise an element. Thus, when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if

permission were refused, permitted development rights would in fact be resorted to. In this case the single storey extension would not be permitted as despite being at the rear extends beyond a side wall and therefore would be contrary to Class A of the GPDO as the property is located within a conservation area.

Concerns were raised with the applicant regarding the front and rear dormer which will be discussed below. In terms of the front dormer the applicant is now seeking to retain the dormer, which is small and set within the roofspace. As a collective these dormers make a positive contribution to its character and appearance and are particularly important when seen in the context of the neighbouring houses within the conservation area.



Photograph 2 Front dormers on Burton Road

At the rear the dormer has been amended so that it is set within the roofspace by 57 centimetres from the eaves and 29 centimetres from the shared boundary with no. 225 Burton Road.

The rear dormer would have a width of 3.375 metres, a height of 2.2 metres and a length of 2.7 metres thus resulting in a volume of 11.71 cubic metres. The volume together with the dimensions are an indication of the minor nature of the proposed development within the roof space. Therefore in terms of its sitting, scale and massing the proposed dormer would be subservient to the main dwellinghouse and would not be a bulky addition to the roof space.

The Albert Park Conservation area is predominantly an area of late Victorian era dwellinghouses dated in part by the English Bond red brickwork and blue slate roofs. Although the dormer due to its position within the roof space would not be viewed from the public highway, it would be visible from the communal courtyard/garden area at the rear of the property. The design of the dormer

is relatively simple as it would be a box dormer. The materials will match that with the colour of the roof and therefore the visual impact will be similar to that of the slate roof.

Both policy EN3 and extant policy DC18 state that new proposals should preserve or enhance the conservation area. Furthermore, the NPPF requires that new development should protect and enhance the historic environment. Pursuing sustainable development involves seeking improvements in the quality of the historic environment, replacing poor design with better design that makes a positive contribution to local character and distinctiveness.

It is considered that in this case the simple design of the dormer and rear extension together with the appropriate choice of materials the proposal would have a neutral impact on the conservation area.

Therefore, the proposal is in accordance with the NPPF, saved policy DC18.1 and policy EN3 of the Core Strategy.

Car Parking and Refuse Storage – There is no impact on car parking or refuse storage at the property

Conclusion - The extension is considered to be in accordance with SP1, EN3 and DM1 of the Core Strategy and saved policy DC1 and DC18 of the UDP.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: APPROVE

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policies DC1 and DC18 of the Manchester Unitary Development Plan and to policies SP1, EN3 and DM1 of the Core Strategy.

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:

0250_00_201 REV C, 0250_20_201 REV D and 0250_ 21_210 REV E received by the City Council as Local Planning Authority, on the 17.09.2021

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 development hereby approved shall be carried out in accordance with the materials as set out in drawings:

0250_00_201 REV C, 0250_20_201 REV D and 0250_ 21_210 REV E received by the City Council as Local Planning Authority, on the 17.09.2021

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1, EN3 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association

Withington Community Hospital, Nell Lane, Manchester, M20 2LR

225 Burton Road, Manchester, M20 2NA

Flat 6, 229 Burton Road, Manchester, M20 2NA

Flat 5, 229 Burton Road, Manchester, M20 2NA

Flat 1, 229 Burton Road, Manchester, M20 2NA

Flat 4, 229 Burton Road, Manchester, M20 2NA

Flat 3, 229 Burton Road, Manchester, M20 2NA

Flat 2, 229 Burton Road, Manchester, M20 2NA

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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH