

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131456/FH/2021

Date registered valid: 20 August 2021

Proposal: Erection of a single storey side and rear extension to form additional living accommodation

Address: 15 Albemarle Avenue, Manchester, M20 1HX

Ward(s): Old Moat Ward

Applicant: Tim Wong, 15 Albemarle Avenue, Manchester, M20 1HX

Agent (if any): Jack Burney, TDG, Unit 5, Waterloo Park Industrial, Stockport, SK1 3BP

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 October 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 14 October 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 6 September 2021 Expired: 27 September 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of red brick with a hipped roof. The property features bay windows and an integral porch to the front, with a small original single storey projection at the rear. The plot includes a garden and driveway to the front and a garden containing an outbuilding to the rear.

Description of area

Located within the Withington ward, Albemarle Avenue is residential in nature and comprises of 8 pairs of semis, two detached properties and a grade II listed cottage, of varying ages. The area benefits from its proximity to the tram stop, shops, eateries and bars of nearby Burton Road.

Description of development

The applicant wishes to build a single storey side and rear wraparound extension to provide additional living accommodation for a family dwellinghouse.

Consultations & Notification Responses

Local residents, as per appendix 1 – Two letters of objection were received:

Objection 1 – *I would oppose this application on the grounds that it will adversely affect the pleasing appearance of Albemarle Avenue and will be detrimental to the whole road.*

I am also concerned that this extension will impact on to my property next door, blocking out daylight and shading and overlooking my downstairs living rooms. Albemarle Avenue consists of a small grouping of traditional semi-detached and two detached 1929 houses, a set of two pairs of later-dated 1960s semidetached houses and also the original Park Cottage, set within its own grounds, which dates back to the 18th century.

Building plans such as this, which include adding side extensions to an original semi-detached would seriously destroy the symmetry and character of the houses on what is a very short cul-de-sac and would substantially distort the vision of the original Architects' design for the Avenue from nearly one hundred years ago.

Should this small area ever be considered for Conservation status, any ugly mis-match and add-ons to houses would detract from an aesthetic appraisal of its attractiveness and diminish the quality of suburban West Didsbury living, which is so sought after.

Objection 2 – *I would oppose this application on the following grounds:*

– Residential character and street scene: *Park cottage has the English Heritage Grade2 listing status. The application needs to describe the significance of any heritage assets affected, including any contribution made by their setting. This means that more detailed reports are required with such an application affecting or having the potential to affect this heritage asset and street. The proposed extension detracts from the essential criteria and will adversely affect the pleasing appearance of Albemarle Avenue and will be detrimental to the whole road.*

– Public sewers and water mains: *The proposed rear wall of the extension would be built over the common sewer/drain line. There is an existing easement relating to this sewer/drain in the deeds of all the properties on this side of the street. It is important to give consideration to the location of existing infrastructure such as public sewers and water mains. Access for maintenance to this type of infrastructure must be maintained at all times and the building over and/or adjacent to such infrastructure should not be permitted.*

– Overlooking/loss of privacy: *The proposed rear skylight nearest to the common rear boundary will have a direct line of vision to the rear bedroom of No.17. This should be removed or replaced with obscured glass.(It is noted that there has been a recent change of use of the garage by the applicant into a separate sleeping area with toilet, with the introduction of large areas of glazing leading to loss of privacy to No.17.*

– Adequacy of parking: *The loss of access to the garage and the side drive of the property will only add to the ever increasing pressure of parking in the street. The desire of the applicant to create additional space for his family is noted. However, personal circumstances rarely outweigh more general planning considerations and it is likely that the proposal would remain long after the current personal circumstances cease to be material.*

Ward councillors – Councillor Gavin White's initial comments:

I write to object and support local resident's objections to this extension due to the impact it will have on the character, symmetry and visual amenity of the local area on Albemarle Avenue. The semi detached properties have a unique character which this extension doesn't fully respect. There are also concerns about overlooking, loss of daylight and impact on residential amenity with the applications in its current form.

His comments following an explanation of what can be built under Permitted Development:

Thanks for the reply Connie, and explaining that too in terms of this application v permitted development rights that could be applied here. That is useful to be aware of for further conversations I may have with residents who are opposed to this development and application on Albemarle Avenue.

Policies

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

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan, however select policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management

- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF 2021), in particular:

- Chapter 12 - Achieving well-designed places

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

Issues

Principle – The principle of building a single storey side and rear 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.

Siting, scale and massing – It would project 2.5m to the rear and 1.86m to the side, leaving a gap of 0.45m to the party wall shared with No.17, and 0.8m to the boundary shared with No.13. It would have an overall depth of 6.6m down the side, set back by 5.79m, and would occupy the full width at the rear, with an eaves height of 2.67m and a ridge height of 3.33m. The rear extension accords with the limit stipulated within policy DC1 (of 3.65m). If built separately, a larger rear extension and larger side extension could both be built under Permitted Development. The side extension is less than a third of the width of the original dwellinghouse, leaves an adequate gap to the boundary and is significantly set back from the principal elevation. The extension is deemed subservient to the host dwelling and appropriately sited and scaled, in accordance with policies DC1 and DM1.

Design, appearance and visual amenity – The extension is to be constructed of brickwork, roof tiles and uPVC, all to match the existing house, which has been conditioned. The front elevation would contain a small window and the rear elevation would feature a window and set of bi-folding doors opening onto the garden, with 3no rooflights above. The side elevations would comprise of blank brick walls. The roof would be hipped at the side/rear corner and mono-pitched at the front and rear. Due to the single storey nature, small scale and local precedence, it is not considered that it would significantly harm the visual amenity of the house nor area. The design is standard in appearance, to be expected of a single storey extension and is considered in-keeping with the property and street, pursuant to policies DM1, DC1 and SP1.

Residential amenity – The adjacent property, No.13, may lose some sunlight to the ground floor side-facing windows following these works, however, given the fallback position, of a potentially larger extension sited along a deeper portion of the shared boundary with no gap, the proposed works are on balance deemed acceptable. As it is sited north of the adjoining property No.17 it is not likely to affect their light. It is also not considered overbearing at 2.5m in depth and 3.3m in height. With no side-facing windows it is not considered to impact upon neighbouring occupiers' privacy. However, 2 objections were received from local residents, which raised the following concerns:

- Affects the setting of a listed building – The listed cottage is sited on the opposite side of the street and the extension would be sited approximately 50m away, hence the proposal is not considered to affect this building.
- ‘Destroys symmetry’ of semi – As viewed from the front the proposal is 1.86m in width, 3.33m tall and setback by over 5m, therefore its appearance from the street is minimal and is not considered to significantly unbalance this pair of semi-detached properties.
- Side extension would harm the chances of Albemarle Avenue gaining conservation area status – 5 other properties along this small cul-de-sac already feature their own side extensions, some two storey, and a further 5 feature garages or car ports to the side, therefore the addition of another single storey side extension is not considered to significantly harm the character or appearance of the street scene.
- Would cover access to shared mains sewer – This is a civil matter, to be sorted outside of planning. The onus is on the applicant to ensure access is maintained to underground amenities.
- The rear rooflights would provide opportunity to overlook No.17 – The rooflights in question are rear-facing and therefore not considered to cause privacy issues for neighbouring properties. The view from the nearest rooflight to No.17 will only have oblique views of the rear first floor bay window, which is not deemed significant.
- The existing outbuilding affects No.17’s privacy – This outbuilding does not form part of this application and is therefore not being assessed in this report.
- Pressure on highway due to parking requirements – The off-street parking space on the driveway is to be retained which is adequate for a single family dwellinghouse.

Having looked at the various issues raised by objectors, the proposal is not considered to unduly impact upon the residential amenity currently enjoyed by surrounding occupiers, pursuant to policies DM1 and SP1.

Parking and refuse – Although the existing garage will be demolished, the driveway is mainly unaffected by the works hence there will remain space for a car off the street which is adequate for a single family dwelling. A gap has been retained at the side of the extension, leaving approximately 0.8m to the boundary which will allow for the transportation of refuse bins to the rear, in accordance with policy DM1.

Conclusion – The proposal complies with policies DM1 and SP1 of the Core Strategy, saved policy DC1 of the UDP and the NPPF. Although the application received objections, on balance the works are not thought to significantly harm the existing levels of residential amenity currently enjoyed by neighbouring occupiers nor the visual amenity of the dwellinghouse and street scene. The proposed works are therefore deemed acceptable and may commence in accordance with the following conditions and approved drawings.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval

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 drawings numbered 'PL002', stamped as received by the City Council as Local Planning Authority on the 20th August 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 of the existing building in type, size, colour and texture, as stated 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.

Appendix 1 – List of consultees & neighbours notified

9 Langford Road, Manchester, M20 1QA
17 Albemarle Avenue, Manchester, M20 1HX
20 Albemarle Avenue, Manchester, M20 1HX
18 Albemarle Avenue, Manchester, M20 1HX
13 Albemarle Avenue, Manchester, M20 1HX

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
Susceptible to Surf Water Flood (Less)
Area Team Boundary - Name: SOUTH