

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133314/FH/2022
Date registered valid: 24 March 2022
Proposal: Installation of rear roof dormer and front rooflight to form additional living accommodation
Address: 164 Palatine Road, Manchester, M20 2QH
Ward(s): Didsbury West Ward
Applicant: Mr A Mancini 164 Palatine Road, Manchester, M20 2QH
Agent (if any): Mr Simon Miles S R Miles Ltd 28 Parrs Wood Avenue, Manchester, M20 5ND
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 18 May 2022



Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 14 April 2022
Standard consultations: Printed: 9 May 2022 Expired: 16 May 2022
Neighbour notifications: Printed: 9 May 2022 Expired: 16 May 2022
Site notice: Posted: 14 April 2022 Expired: 5 May 2022
Press advert: Published: 12 April 2022 Expired: 3 May 2022
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Albert Park Conservation Area 1988
Tree Preservation Order: Not applicable

Description of site/building

The application site is a three storey Victorian end terraced dwelling with associated cottage situated on the western side of Palatine Road, close to the junction with Barlow Moor Road in the Albert Park conservation area. The dwelling is constructed of red brick with blue brick decoration, stone dressings to window cills and a slate roof which extends over two canopied windows supported on timber brackets. This decorative feature is repeated in a canopy over the central front door and two main windows either side.

The dwelling has been extended in two phases at the front, side and rear including a uPVC conservatory on the front elevation and 1950's 2-storey bay-windowed rear extension with various brick infills as detailed in the Heritage Statement. A recently approved application for demolition of the 2-storey extension and erection of a two-storey rear extension together with elevational alterations to the ground floor front elevation was being implemented at the time of a site visit for the current application (Ref: 125605/FH/2019).

The site has an extant consent granted in September 2019 for the installation of vehicular access gates and brick piers to a maximum 2 metres in height in association with the widening of existing access and dropped kerb (Ref: 124433/FH/2019). This had not been implemented at the time of a site visit.



Description of area

The application site sits within a predominantly residential area bounded at the rear by Tripps Mews to the west, a parade of 8 shop units fronting Barlow Moor Road to the south, 162 Palatine Road, a large recently extended detached dwelling (Refs: 116699/FH/2017, 116441/NMC/2017 and 111503/FO/2016/S2) to the north and 171 Palatine Road, a large semi-detached Edwardian dwelling currently let as flats to the east. Of note is the implementation of the approval for 2 x 2-storey dwellinghouses with rooftop amenity space at No.4 Tripps Mews (Ref: 119931/FO/2018) including a later approval of contemporary external materials (Ref: 125938/JO/2020).

The dwelling was built approximately around 1863 as a modestly scaled dwelling within a setting of much larger Victorian villas set within large garden plots. The setting now is one of a mature treed highway with strong evidence of the Victorian villas still intact together with some later C20 infill flats to the north, and contemporary infill housing to the south across Barlow Moor Road. There is also a prep school, Moor Allerton to the south-west and everyday amenities in Didsbury District Centre located 800 metres to the south-east.

Description of development

Installation of rear roof dormer and front rooflight to form additional living accommodation.

The proposal creates an en-suite bedroom with 3no. rear-facing French windows, one of which has a Juliette balcony. The original scheme proposed 3no. balconies. Another amendment proposes a conservation rooflight to the front elevation.

The application is accompanied by a Heritage, Design and Access Statement which sets out further details of the proposal and site context.

Consultations & Notification Responses

The application was subject to 2no. rounds of notifications:

1st notification:

WDRA comments

When viewed from the front the most evident changes would appear to be:

Increased roof height
new velux rooflights
individually elevated solar panels.

Viewed from the rear the changes would be:

increased roof height
additional 2nd floor fenestration
individually elevated solar panels.

There is increased potential for overlooking of neighbouring gardens particularly from the proposed new full height opening glass doors to the second floor roof extension.

The increased dormer roof height would seem to be in conflict with conservation area guidelines particularly when considered in conjunction with the full property width specification and the full depth of roof occupied as far down as gutter level.

The dormer would dominate rather than being subordinate to the host property.

While WDRA have no wish to discourage fitting of photovoltaic solar panels we take the view that within conservation areas these should be limited to those panels mounted close to and in line with the plane of the roof.

Accordingly WDRA wish to object to the proposal on the following grounds:

Potential for loss of neighbour privacy arising from new fenestration proposed to dormer extension.

Failure to achieve a subordinate dormer extension.

Proposed location for solar panels would be visually inappropriate within a conservation area.

2nd notification:

No comments received.

Policies

The framework for assessing development in relation to heritage assets is set out in the following national and local policies and statute:

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Primary legislation requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character of a conservation area.

The National Planning Policy Framework (NPPF) (2021) – Chapter 16 Conserving and Enhancing the Historic Environment.

The Framework gives emphasis to a presumption in favour of sustainable development which means approving development, without delay, where it accords with the policies of the development plan, unless material considerations indicate otherwise.

The proposed development is considered to accord with Chapter 16 of which the following sections apply:

194. Local planning authorities should require an applicant to identify and assess the significance of any heritage asset that may be affected by a proposal, including any contribution made by their setting, taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy")

The Core Strategy was adopted by the City Council on 11th July 2012. The following policies are material to this application:

- o Policy DM1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN3 – Heritage

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan. Several policies have been saved by way of a Secretary of State Saving Direction. For the purposes of this application, policies DC1 'Residential Extensions' and DC18.1 'Conservation Areas' are extant and therefore material to the assessment of the application.

For reasons to be outlined below, it is considered the proposal accords with the principles of the Development Plan.

Principle

Policies SP1, DM1 and EN3 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 and DC1.3 of the UDP relate specifically to residential extensions and set out criteria against which proposals for extensions will be assessed, whilst saved policy DC18.1 requires that development preserves and enhances the character of Conservation Areas.

The proposal represents a scale of development that is acceptable in principle, subject to satisfactory compliance with policies that protect residential and visual amenity including the character of the Conservation Area.

Issues

Chapter 16, paragraph 197 of the NPPF (2021) requires that in determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 requires applicants to identify and assess the significance of heritage assets which should be used as the basis for proposals affecting their conservation. The Conservation Area is the heritage asset and its significance has been identified as described in Sections 1, 8 and 9 of the submitted Heritage Assessment.

The Council's identification of significance is set out in its description of the designated land:

Significance of the Conservation Area

Five nearly parallel roads - Burton Road, Northen Grove and Cresswell Grove, Clyde Road, Old Lansdowne Road and Palatine Road - form the basic structure of an area of housing constructed principally during the late Victorian period.

Many of the fine residences are now converted into flats and bedsits for students. Those on Palatine Road have either been converted into institutional or hotel uses, or demolished and their sites re-developed for blocks of flats.

The shopping centre on Burton Road was created to cater for this housing boom, and for the housing over to the west in the Orchard Grove and Bottesford Avenue area which is terraced and on a smaller scale.

Oakbank, 112-114 Barlow Moor Road, dated 1851, is similar to typical Georgian style. It has a distinctive iron lattice porch in the centre of the façade and a projecting bay to the left.

The former bank on Lapwing Lane is a finely detailed building in red brick, with red and yellow terracotta dressings forming string courses, eaves cornices with brackets and hood moulds over the semi-circular arched windows.

Withington Town Hall, originally the local Board of Health offices, was built in buff brick with richly decorated dressings of red brick and terracotta. These form elliptical arches over the first floor windows. The parapet is decorated with finials and has a central gable, behind which is a clock turret surmounted by a weathervane.

The synagogue on Queenston Road is a fine example of the inter-war period. It is constructed in red brick, with a Portland stone entrance and architraves round the side doors, a symmetrical composition employing both semi-circular arched and flat headed windows.

Albert Park Methodist Church, on the corner of Barlow Moor Road and Burton Road, is a Gothic-style church built in orange-red Manchester brick with yellow stone dressings. It has a bell tower with a modest spire and slate roof.

The Cavendish Road School is red brick with strongly contrasting yellow terracotta dressings forming decorative panels, cornice mouldings and horizontal bands.

Impact of the proposals

Rear Dormer

Alterations to the rear roof slope proposes a flat roof shed type dormer of 2.93 metres high x 8.82 metres width x 2.7 metres depth. Three pairs of French windows, 2no. top hung without Juliet Balconies and one pair with are proposed.

The dormer volume amounts to $69.78\text{m}^3 / 2 = 35\text{m}^3$

It sits within the rear roof slope spanning its width and is set down 335mm off the original ridge. The 2no. tall chimneys at both ends of the roof are unaffected by the proposal. The materials are grey slate walls and cheeks to match the existing with a grey GRP rolled roof and grey aluminium framed double-glazed windows and doors.

In the context of the designation guidance where:

The main aim of designation is to ensure that the character and quality of both the buildings and the spaces between them is retained. As with all conservation areas, attention must be paid to maintaining harmony with regard to building heights, the type and colour of materials... Roofs on Albert Park houses are predominantly of blue slate and this should be used as a replacement... Property owners in the area are encouraged to retain the original character and detail of their houses. This should include the details, colour and materials of window frames, doors and other elements of the buildings.

It is considered that the proposal will have a neutral impact on the character and appearance of the dwelling and the character of the Conservation Area. Original details of the dwelling which lend character and significance to the Conservation Area are largely confined to the front elevation which has a relatively unique character. This special character will be retained in accordance with the general principles within the above designation guidance.

Views of the rear roof slope are limited to within Tripps Mews which is a narrow cul-de-sac. The width of the Mews and position of the building line on the north side, together with the height of existing development along the Mews means that only a partial view of the roof is possible from this vantage point, and none from Palatine or Barlow Moor roads. Notwithstanding this, the development is assessed on its own merits considering the siting, scale, height, design, mass, and materials. It is considered that on those terms, the proposal responds appropriately to the pitch, width, proportions and materials of the roof without harming its legibility and follows the pattern and form of existing development in the local area. Specifically, the dormer will be seen from the west in relation to the contemporary development at No.4 Tripps Mews and is relative to the approved dormer at No.162 Palatine Road to the north (Ref: 116699/FH/2017). The materials are required to be implemented on condition of any approval.

In residential amenity terms, the dormer would directly face the second storey gable of No.4 Tripps Mews where there are no windows. The design and width of this new build acts as a buffer to any overlooking of the rooftop gardens from the dormer windows, so there will be no loss of existing levels of amenity.

The nearest dwelling within the sightline of the rear windows, is No.5 Agalia Gardens. This property has a rear roof dormer and is situated 27 metres at an oblique angle to the proposed development. This is in excess of the generally accepted privacy distance between windows to avoid any intrusive overlooking. As such, there are no concerns that a loss of residential amenity will follow from any approval.

The agent was advised that the original 3no. Juliet balconies would need to be fixed and not a swing opening type to avoid any use of the flat roof that was under construction below the balconies. The agent confirmed that the balconies would be fixed and subsequently removed two of them from the scheme. Following discussion with the agent, it was agreed that a condition requiring the balcony to remain fixed was nonetheless prudent to avoid any doubt in future that access could be gained onto the flat roof. It was noted that at the time of approval of the 2-storey rear extension with the flat roof, there was no indication that a rear dormer was also proposed, hence a condition was not applied at that time to remove use of the flat roof. With the recommended condition in situ, it is considered that there would not be any risk of noise and disturbance or enhanced overlooking opportunities, particularly for No.162 Palatine Road as a result of any approval.

Front Rooflight

During the course of the application, the agent requested that consideration be given to the installation of a front rooflight. This is shown on the amended elevation drawing as to the left of the left-hand conical roof canopy. A Conservation-type rooflight is proposed with a low upstand and traditional black conservation finish. This will have a low impact when viewed from the front elevation given the angle of visibility from the Palatine Road entrance.

The application was re-notified on receipt of the rooflight drawing; no further comments were received.

Other Matters

First notification of the application resulted in comments from WDRA who raised concerns regarding overlooking Agalia Gardens and visual impacts relating to an increased roof height and solar panels.

As noted above, there will not be any overlooking impacts arising from the proposal. Furthermore, an increase in roof height is not proposed – the dormer will sit 335 mm below the ridge, and no solar panels are proposed.

Re-notification of the application to include the front Velux rooflight did not result in any further comments from WDRA or other consultees.

Conclusion

The proposal is assessed as having acceptable impacts on residential and visual amenity with no loss of significance or harm to the Conservation Area. The proposals are in keeping with the aesthetic of recent permissions in close proximity to the application site and respond to their pattern and form.

The proposal blends a modern design aesthetic with traditional materials at the rear and an acceptable conservation-grade installation at the front. These will help the developments to assimilate well with the heritage asset and so represent a sustainable form of development. Accordingly, the proposals comply with saved UDP policies DC1 and DC18, policies DM1 and EN3 of the Manchester Core Strategy and to the general principles contained with the extracts of Chapter 16 of the National Planning Policy Framework.

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 for the reasons set out in the delegated report. The application received comments on the proposal which was subsequently amended. No further comments were received on re-notification of the amended scheme.

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 24 March 2022 or as specified:

Application Form 24 Mar 2022
Location Plan Ref: 22 328 PI000
Existing Floor Plans Ref: 22 328 PI100
Existing Elevations Ref: 22 328 PI1001
Proposed Sections Ref: 22 328 PI202 Rev P1

Proposed Floor Plans Ref: 22 328 PL200 Rev P2 received by email on the 09 May 2022
Proposed Elevations Ref: 22 328 PL201 Rev P2 received by email on the 09 May 2022
Heritage, Design and Access Statement prepared by SR Miles Ltd Ref: Rev P1 17.03.2022
Velux Conservation Roof Light Specification received by email on the 17 May 2022

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 in construction of the development hereby approved, shall be implemented in accordance with the details as set out on the application form, Heritage, Design and Access Statement, submitted drawings and Velux Conservation Style specification sheet as listed in Condition 2 above.

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 and DC18.1 of the Unitary Development Plan for the City of Manchester and policies DM1, EN3 and SP1 of the Manchester Core Strategy.

4) The Juliet balcony on the rear elevation of the dormer hereby approved as shown on drawing No. 22 328 PL201 P2, shall not incorporate any changes or alterations to permit access to the flat roof of the extension below. The balcony shall be maintained as a fixed structure whilst the development is in use and at all times thereafter.

Reason - In the interests of residential amenity, to protect against overlooking, perceived overlooking and noise and disturbance to neighbouring occupiers, in accordance with saved UDP policy DC26.1 and Core Strategy policies DM1 and SP1.

5) The en-suite bathroom windows shown on drawing 22 328 PL201 P2, 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 properties from overlooking or perceived overlooking in accordance with policy DM1 of the adopted Core Strategy Development Plan Document for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association
West Didsbury Residents Association
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94 Barlow Moor Road, Manchester, M20 2PN
4 Tripps Mews, Manchester, M20 2JT
5 Tripps Mews, Manchester, M20 2JT
162 Palatine Road, Manchester, M20 2QH
90A Barlow Moor Road, Manchester, M20 2PN
Flat 2, 173 Palatine Road, Manchester, M20 2GH
173 Palatine Road, Manchester, M20 2GH
Flat 6, 173 Palatine Road, Manchester, M20 2GH
Flat 4, 173 Palatine Road, Manchester, M20 2GH
Flat 5, 171 Palatine Road, Manchester, M20 2GH
96A Barlow Moor Road, Manchester, M20 2PN
Didsbury Dental Practice, 90 Barlow Moor Road, Manchester, M20 2PN
171 Palatine Road, Manchester, M20 2GH
Flat 5, 173 Palatine Road, Manchester, M20 2GH
Flat 3, 173 Palatine Road, Manchester, M20 2GH
Flat 1, 173 Palatine Road, Manchester, M20 2GH
166 Palatine Road, Manchester, M20 2QH
Flat 7, 171 Palatine Road, Manchester, M20 2GH
Flat 6, 171 Palatine Road, Manchester, M20 2GH
Flat 4, 171 Palatine Road, Manchester, M20 2GH
Flat 3, 171 Palatine Road, Manchester, M20 2GH
Flat 2, 171 Palatine Road, Manchester, M20 2GH
Flat 1, 171 Palatine Road, Manchester, M20 2GH
92A Barlow Moor Road, Manchester, M20 2PN
92 Barlow Moor Road, Manchester, M20 2PN
96 Barlow Moor Road, Manchester, M20 2PN

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