

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129296/FO/2021

Date registered valid: 9 February 2021

Proposal: Erection of single storey rear extension and installation of rear dormer extension to enable changing property from 5 bed to 6 bed HMO

Address: 21 Albion Road, Manchester, M14 6LT

Ward(s): Fallowfield Ward

Applicant: Smales 222 Kensal Road, Unit 409, Canalot Studios , London, W10 5BN

Agent (if any): Mr Simon Casey BlueChip Architecture Ltd 18 Botany Road, Manchester, M30 8JS

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 01.04.2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: None undertaken due to Covid 19 pandemic

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 10 February 2021 Expired: 3 March 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

This application relates to a two storey mid terraced property currently in use as a 5 bed small HMO class C4. There is a two storey outrigger at the rear and a small single storey lean to extension. At the front of the property is a ground floor bay with a canopy across the full width of the property. There is no front garden although the entrance to the property is recessed. There is a small yard to the rear

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The property is located within the Fallowfield Brow area. This is close to the Higher Education campuses and is popular with students. The area comprised terraced properties, a high percentage of which have been converted to HMO's.

The properties to either side both gave single storey extensions on the rear of the outrigger extending the full depth of the yard. Across the alley at the bottom of the yard is the side gable of an end terraced property on Cawdor Road

Description of development

Consent is sought to install a flat roofed dormer on the rear roof slope and outrigger and to enlarge the existing lean to, to extend the full depth of the yard. The existing pitched roof would be replaced with a continuous flat roof. The dormer would have two windows in the rear

elevation and be finished in grey upvc cladding. There would be two windows in the side elevation of the extension looking over the yard area and there appears to be a large rectangular roof light in the extension adjacent to the rear wall of the property. In addition, two roof lights would be installed in the front roof slope.

The conversion would facilitate the creation of two bedrooms in the roof void where currently there are none. There would be three bedrooms and a shower room on the first floor and a bedroom, shower room and a large open plan living area where currently there are two bedrooms and a kitchen dining area.

Consultations & Notification Responses

Local residents

No representations received.

Fallowfield Community Guardians

From the proposed plans they note that there would be six bedrooms in what is currently a four bed HMO (on the HMO register).

The creation of a dormer and extension intensifies use reducing outdoor amenity space in the rear garden and cramming another person into a small bedroom.

Shared houses such as this with six adults (often plus friends and partners staying over) creates much nuisance for permanent residents and does not contribute to a sustainable community. Residents group are acutely aware of the harm caused by over intensification of properties in this road and others on the Fallowfield Brow.

Noise and anti social behaviour is driving permanent residents out of their homes. There are too many students in HMOs on this road and increasing the HMO to a 6 bed is against policy H11. There is a huge shortage of family homes in this neighbourhood. These extensions will not help to return to family home use which is what is needed in this area. Family homes need some amenity space and all of the indications are that these extensions are for intensification of use, the loss of rear garden space and the creation of lots of small bedrooms.

Policy

Core Strategy

The relevant Core Strategy policies are SP1, DM1 and H11

Policy SP1 sets down the spatial criteria to be considered in determining application in the City. A principle objective is the creation of neighbourhoods of choice.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Policy H11 says that extensions to HMO's in areas where there is a high concentration of such accommodation will not be acceptable where they will result in an increase in occupancy.

Unitary Development Plan

The relevant saved UDP policy is DC1 which sets down the criteria to be considered in determining residential extensions. Including the need to protect the amenity of residents and the character of an area.

Issues

Principle

The property is currently a five bed HMO and the proposed dormer and extension will facilitate the internal remodelling of the property and enable the creation of a sixth bedroom. The proposed development therefore conflicts with policy H11.

Dormer

In terms of its scale the proposed dormer occupies a substantial part of the roof, it is however set in from the eaves and is therefore on balance considered acceptable. The design incorporated a large triangular window, otherwise it is a simple box structure added to the roof. The choice of materials dependant upon the grey used would determine its acceptability or otherwise.

On balance the proposed dormer is considered acceptable.

Rear Extension

The rear extension has a flat roof rendering it subservient to the adjacent extensions. In terms of its scale it is considered acceptable, as is the design.

Increase in Accommodation

The proposed extension would result in an 20% increase in accommodation within the building. This is an area where a high proportion of properties are let as HMO's predominantly to students and there are issues with anti social behaviour. To this end the Councils policies seek prevent the over intensification of HMO's within areas and this includes the enlargement of existing HMO's. Whilst the proposal may only result in the creation of one additional person living in the property this is a substantial increase given the small size of the property and the number of people already resident there. On balance it is considered that the proposed development conflicts with policy H11.

Residential amenity

It is not considered that either of the proposed extensions would adversely impact on the amenity of residents in terms of either overbearing impact or loss of privacy. However, concern is expressed that an additional resident and the activity and coming and goings that would be associated with the additional room would further detract from the amenity of residents in the wider area.

Amount of accommodation.

Fallowfield Community Guardians indicate in their representation that the property is licensed for 4. HMO Licensing have confirmed that the license is for 5 person.

Conclusion.

Whilst the proposed extensions would be acceptable on a private residence as they would facilitate an increase in occupancy of this HMO the proposed development conflicts with Council policy and is therefore unacceptable.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. The concerns of the local planning authority with the proposals have been communicated to the applicants agent. In this instance there are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) The proposed extensions to an existing house in multiple occupation would facilitate an increase in occupancy of this small House in Multiple Occupation which would have a detrimental impact on the sustainability and character of an area in which there is a high concentration of houses in multiple occupation and would therefore be contrary to the provisions of policies SP1, H11 and DM1 of the Core Strategy of the Local Development Framework.

Appendix 1 – List of consultees & neighbours notified

64 Cawdor Road, Manchester, M14 6LR
19 Albion Road, Manchester, M14 6LT
17 Albion Road, Manchester, M14 6LT
14 Albion Road, Manchester, M14 6LT
12 Albion Road, Manchester, M14 6LT
10 Albion Road, Manchester, M14 6LT
66 Cawdor Road, Manchester, M14 6LR
23 Albion Road, Manchester, M14 6LT

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
Regulation 7 Direction (Control Advert) - Control Of To Let Boards (Fallowfield Central)
Area Team Boundary - Name: SOUTH