

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128720/FH/2020

Date registered valid: 1 December 2020

Proposal: Erection of a single storey rear extension with extension to existing basement to form additional living accommodation together with rear patio

Address: 16 Lyndhurst Road, Manchester, M20 3JU

Ward(s): Didsbury West Ward

Applicant: P. & G. Donegan, 16 Lyndhurst Road, Manchester, M20 3JU

Agent (if any): Mr Mark Whitfield, Whitfield Architects 27 High Grove Road, Cheadle, SK8 1NS, UK

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 25 January 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 3 December 2020

Standard consultations:

Printed: 2 December 2020 Expired: 23 December 2020

Neighbour notifications

Printed: 2 December 2020 Expired: 23 December 2020

Site notice

Posted: 3 December 2020 Expired: 24 December 2020

Press advert

Published: 8 December 2020 Expired: 29 December 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is a semi-detached red brick and roughcast rendered property situated on the corner of Lyndhurst Road and Ballbrook Avenue in the Ballbrook conservation area.

The Arts and Crafts style property has gardens on three sides and accommodation at basement level with a lightwell on the rear elevation.

The rear garden is bounded on the Ballbrook Avenue elevation by a 1.8-metre-high brick wall partly covered over with mature shrubbery. This reduces to a dwarf wall height with hedging along the side and front elevations.

There is a mature tree on the rear boundary and several specimens of younger trees within the site.

An Arboricultural Impact Assessment has been submitted with the application but no Heritage Statement was requested on validating the application.

Listed building: Not applicable

Conservation area: Ballbrook Conservation Area 1992

Tree Preservation Order: None

Description of area

The site lies within a residential estate of similar housing typology defined by medium to large semi or detached Arts and Crafts style dwellings situated within a mature tree-lined landscape.

The site lies to the east of Wilmslow Road, and north of Lapwing Lane, close to a range of independent shops and cafés / bars on Lapwing Lane facing the Metrolink West Didsbury tram stop. North of Ballbrook Avenue is a Job Centre, bus terminus and optician's.

Given the short depth of most front garden's, parking is generally on street in the area.

Description of development

Erection of a single storey rear extension with extension to existing basement to form additional living accommodation together with rear patio.

Consultations & Notification Responses

Neighbour notifications - No comments received.

Ballbrook Conservation Area Group - Supports this application.

MCC Arboriculturalist - No comments received.

Issues

The National Planning Policy Framework (NPPF)

The NPPF was published on the 27 March 2012 and updated in February 2019. The NPPF replaces and revokes all Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF is therefore a material planning consideration in the determination of planning applications.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

The Core Strategy was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles

DM1 - Development Management

EN3 - Heritage

Policy SP1 - Spatial Principles

This policy states that priority will be given to the creation of neighbourhoods of choice outside of the regional centre. In particular, developments which make a positive contribution and enhance areas for residents will be supported.

Policy DM1- Development Management

Follows the principles advocated in the aforementioned policies and informs that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are given below:-

- o Appropriate Siting, layout, scale, form, massing, materials and detail.

- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- o Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be to existing environmental conditions, such as noise.

EN3 - Heritage

The policy provides that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its neighbourhood. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and therefore remain material to the consideration of the application. These include:

DC1 - Residential Extensions
DC18 - Conservation Areas

DC1 - Residential Extensions

States that in determining planning applications for extensions to residential properties, the Council will have regard to:

- o the general character of the property,
- o the effect upon the amenity of neighbouring occupiers,

Extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- o they are not excessively large or bulky (for example, resulting in structures which are not subservient to original houses or project out too far in front of the original buildings);
- o they do not create an undue loss of sunlight, daylight or privacy;
- o they are not out of character with the style of development in the area or the surrounding street scene by virtue of design, use of materials or constructional details;

DC18 - Conservation Areas

Pays particular regard to developments within conservation areas:

- o the relationship of new structures to neighbouring buildings and spaces;
- o the effect of major changes to the appearance of existing buildings

For the reasons outlined below, it is considered the proposal accords with the principles of the planning regulatory framework.

Issues

The key issues in this application are the impacts on residential and amenity including taking into consideration the context of the property within the Ballbrook Conservation Area.

The extension provides an extended dining room at ground floor and additional bedroom with re-configured space to provide an en-suite at basement level. The steps down into the basement are proposed to be repositioned away from the boundary with No.14 and further towards the Ballbrook Road elevation.

Residential Amenity

Single storey rear extension

It is considered that the proposals in this application would not harm residential amenity for the following reasons;

The proposal is single storey only and confined to the rear elevation of the dwelling. It has a projected depth of 3.5 metres and height of 3.291 metres to the flat roof. A window is proposed on the south-facing elevation looking towards the Ballbrook Road boundary and bi-fold doors across the rear elevation together with a lantern in the roof.

The extension will result in some shading over the rear of the adjoining semi, No.14 which is orientated north-east at the rear with a garden that is 10.69 metres in length. However, this will be confined to the early part of the afternoon and will not result in a total loss of daylight or sunlight.

As these properties have basements, the internal floor level is raised. At present, the rear door is situated 279.25mm above ground level with 3 steps into the garden, including 2 added with an area of raised decking. Following any approval, the extension will sit 606.39mm above ground level, with 3 steps into the garden. It is considered that this relatively modest increase in height (327.14mm) will not give rise to any significant overlooking opportunities into the rear of No.14 and given the new access will be positioned 3.5 metres along the common boundary from the rear elevation.

Basement

There are no amenity concerns regarding the basement extension and access. Two windows are proposed on the south elevation, facing the Ballbrook Road garden boundary. This element of the proposal will have no visibility from within the conservation area.

For these reasons, the proposed extensions are considered acceptable and would not give rise to any harm to residential amenity in accordance with saved policy DC1 and policy DM1 of the Core Strategy.

Visual Amenity

The extension is designed as a modern addition to the Arts and Crafts property. In contrast to the front and side elevations, the rears of these properties are relatively simple with only contrasting brick arch details around doors and windows on the otherwise plain brick elevations.

The extension follows this simple theme being a box shape composed of brick elevations and a band of white rendered masonry forming a fascia with the flat roof. A significant area of glazing on the rear elevation and a single window on the south facing elevation provide light and ventilation. These details will help to relieve the mass of the extension. The materials respond to those found on the front and side elevations, creating a harmonious finish, whilst the roof lantern adds visual interest.

Impact on conservation area

The new extension sits within the building lines of the original dwelling with no projection towards Ballbrook Avenue. It will be visible on approach from the west and when facing the site

on the opposite side of the road, but at this distance, its impact will be relatively minimal over the 1.8-metre-high boundary.

The extension will block part of the view of the simple rear elevations, however the addition is clearly read as such and saved UDP policy DC18 together with Core Strategy policy EN3, do not preclude extensions in designated areas, only that development should preserve and enhance character. The application was advertised by way of letters and site notices and received one letter of support from the Ballbrook Conservation Area Group.

As noted above, the simple design responds to that of the rear elevation, whilst the materials and lantern add visual interest. On this basis, the extension is considered acceptable. Notwithstanding this, the extension will largely be concealed by the shrubbery and tree that is present on the Ballbrook Avenue boundary. The impact of the development on trees is material to the application and so is considered below.

Impact on trees

The tree survey identifies that there are 5 no. trees and a hedge on the site. Three of the trees are Category B whilst the other two and the hedge are Category C. The Category C trees, a magnolia and Japanese Maple are proposed to be removed from the site. These are small garden trees which are assessed as low-quality specimens. All other trees which are to be retained and protected are identified as street trees which are large mature specimens whose root protection zones fall partially within the site.

The Arboricultural Impact Assessment includes a Tree Protection Plan which highlights the street trees and recommends tree protection measures, including ground protection to avoid soil compaction and hand digging down to a depth of 600mm within the RPZ. A condition is appended to ensure that construction works are carried out in accordance with the recommended measures in the AIA and to British Standard B5837:2012, to ensure that they remain in a healthy condition during and post development, and as street trees are recognised as assets of considerable benefit to biodiversity as well as the physical and visual environment.

Any arboricultural work undertaken is required to be carried out in accordance with British Standard BS3998:2010, for which a condition is appended.

Parking and Bins

The opportunities for parking and managing bins within the site is not affected by the proposal in this application.

Conclusion

For the above reasons, the proposed extension is acceptable and, provided that the recommended conditions are heeded, would not give rise to significant harm to residential and visual amenity including any harmful impacts on the character of the Ballbrook conservation area and street trees, in accordance with saved policies DC1 and DC18 and policies DM1 and EN3 of the Core Strategy.

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 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 subject to appropriate conditions and for the reasons outlined in the delegated report. The neighbour consultation process including posting of site notices did not result in any objections and the application has been determined in a timely manner.

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 as follows;

Application Form 26 Nov 2020

Location Plan 26 Nov 2020 P(00)01 REV A

Existing Floor Plans 26 Nov 2020 P(01)01 REV A

Existing Floor Plans 26 Nov 2020 P(01)02 REV A

Existing Elevations 26 Nov 2020 P3(01) REV B

Proposed Floor Plans 26 Nov 2020 P(02)01 REV D

Proposed Floor Plans 26 Nov 2020 P(02)02 REV A

Proposed Elevations 26 Nov 2020 P3(01)11 REV B

Photos 01 Dec 2020

Arboricultural Impact Assessment provided by Godwins Arboricultural Limited (no reference) 26 Nov 2020

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to saved UDP policy DC1 'Residential Extensions' and policies DC18 'Conservation Areas', DM1 'Development Management' and EN3 'Heritage' of the Manchester Core Strategy.

3) The materials to be used on external elevations shall match those on the external elevations of the existing building in colour, size and texture.

Reason - In the interests of visual amenity pursuant to policies EN3 and DM1 of the Manchester Core Strategy and saved policy DC18 of the UDP.

4) Prior to commencement of above ground works, detailed design drawings, including cross sections, and the methods for protecting the roots of the retained trees identified in the Godwin Arboricultural Impact Assessment which includes the statutorily protected street trees which may be affected by any development, including the movement of mechanical digging equipment, storage of materials and any other activities which may impact on the root protection zone of these trees, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be constructed in accordance with the approved drawings.

Reason - To safeguard the root protection zones of retained trees on the site in the interests of residential and visual amenity, and biodiversity, pursuant to policies DC1, DM1, EN9 and EN15 of the Development Plan for Manchester.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
Ballbrook Conservation Area Group

11 St Aldwyns Road, Manchester, M20 3JF
1 Lyndhurst Road, Manchester, M20 3JU
16 Ballbrook Avenue, Manchester, M20 6AB
18 Lyndhurst Road, Manchester, M20 6AA
14 Lyndhurst Road, Manchester, M20 3JU
12 Lyndhurst Road, Manchester, M20 3JU
9 St Aldwyns Road, Manchester, M20 3JF

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 - Ballbrook Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH