Application Number	Date of Appln	Committee Date	Ward
086941/FH/2008/S1	30th Jun 2008	23rd Oct 2008	Old Moat Ward

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

Location 19 Burton Road, Withington, Manchester, M20 3GD

Applicant Mr Jeff Smith, 19 Burton Road, Withington, Manchester, M20 3GD

Agent Bailey & Co Architects 21A Spath Road, Didsbury, Manchester, M20 2QT

Description

The application relates to a substantial mid terraced residential property with large gardens to the front and rear. The rear garden is offset to one side and is largely behind the adjoining property, 21 Burton Road. The outrigger of 19 Burton Road overlooks the rear garden of 17 Burton Road, though this garden is separated from the application site by a passage providing access from the rear gardens of 17 and 19 to Bridgelea Road.

It is proposed to erect a single storey rear extension with a mono pitch roof. The extension would infill the area be the outriggers of nos. 19 and 21 Burton Road.

This application has been submitted by a Member of Manchester City Council and therefore is being referred to the Planning and Highways Committee for determination. Number 21 Burton Road is the home address of another elected member of the City Council.

Consultations

Local residents - No representations have been received.

Issues

Unitary Development Plan - The relevant policies are H2.2 which seeks to protect the amenity of local residents from the potentially adverse impact of developments and DC1 which sets down the criteria to be considered in determining applications.

Regional Spacial Strategy- There are no relevant policies.

Principle - Policy Dc1 says that the council will have regard to the desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs. This is a small extension infilling the space between the outrigger and the adjoining property, which in principle is considered acceptable.

Permitted development - Ordinarily the extension of the volume proposed would be permitted development, however, at its highest point the roof is over 4 metres high within two metres of the boundary and therefore planning permission is required.

Residential amenity - the proposed extension is sandwiched between two existing structures and would be extremely difficult to see other that from the rear garden areas. The proposed extension will cause no loss of amenity to neighbouring properties.

Design - The design of the proposed lean-too extension is appropriate to the architectural style of the existing property.

Conclusion - the proposed extension will result in a modest increase in the amount of accommodation available and will be largely unseen from outside of the site. The proposed development is therefore considered acceptable in terms of policies H2.2 and DC1.

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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning 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. He believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

On the basis that the proposal is in accord with the City Council's Uniatray Development Plan, in particular policy H2.2 which seeks to protect the amenity of residents from the adverse impact of developments and policy DC1 which sets down the criteria to be considered in determining applications for residential extensions and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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 unless otherwise agreed in writing by the City Council as Local Planning Authority: drawings numbered 1 to 4 stamped as received on 16th June 2008

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 and Dc1 of the Manchester Unitary Development Plan.

3) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 policy H2.2 and DC1 of the Unitary Development Plan for the City of Manchester.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 086941/FH/2008/S1 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted/notified on the application:

14 to 20, 17, 21 Burton Road
2a, Bridgelea Road,

Representations were received from the following third parties:

Relevant Contact Officer : Dave Morris
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