| Application Number | Date of Appln | Committee Date | Ward |
|---|---|---|---|
| 086202/FH/2008/S1 | 11th Sep 2008 | 23rd Oct 2008 | Old Moat Ward |

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

**Location** 8 Albemarle Avenue, Withington, Manchester, M20 1HX

**Applicant** Andy Lovatt, 8 Albemarle Avenue, Didsbury, Manchester, M20 1HX

**Agent**

## Description

The application site relates to a two storey semi detached property. The area is predominantly residential in character and is adjoined with residential properties on all sides.

The character of the area is defined by 2 storey semi-detached dwellings, although some of the dwellings are extended, most properties still appear to retain their original built form.

The application site adjoins Park cottage, a two-storey detached building grade II listed building which was formerly a farmhouse built in 1825, it is currently used as a shared house.

The proposal seeks approval to for a single storey side, which extends to the side boundary and wraps round to the rear of the property, projecting 3 metres from the original house. It is of a modern design including white render with a zinc roof. The scheme has been revised from that originally submitted.

This application has been submitted by a Manchester City Council officer and therefore is being referred to the Planning and Highways Committee for determination.

## Consultations

Local residents were notified about the planning application, 5 letters of objection and two petitions with 13 signatures were received, the objections are summarised below:

The proposed extension will be overbearing and overshadow the rear of the adjoining property.

Design - The contemporary design and layout would not be in keeping characteristically with the surrounding 1930's style semi-detached/detached houses and the adjacent listed park cottage.

Parking - The property currently has hard standing for 2 cars to the side of the property which lie behind the frontage building line. The proposed application

shows just one off road parking space and this is in the front garden space. This contrary to current policy.

Bin Storage - The proposed bins store is located in front of the property, which affects the visual amenity of the street.

Visual amenity - The proposed extension would have a negative visual impact on the street scene. It would also detract from the visual amenity of the approach to Park Cottage, through loss of landscaping. It would have negative visual impact on the amenity of the occupants of Park Cottage as there is no space shown on the plans for screening of the proposed side elevation.

Ecology - There is rich established wildlife in the grounds of Park Cottage (next door) including woodpeckers, doves, wood pigeons, sparrows, blackbirds, wrens, robins, tits, foxes, etc. These will be disrupted/disturbed with the noise of the construction work and the proposed uprooting of the established hedge between Park Cottage and No 8.

Noise/disturbance - The noise and the increase in traffic during the building work will be disruptive.

**Withington Civic Society:**

Access between the front and rear will be removed, reducing amenity and making garden maintenance difficult. Further bin storage will be at the front therefore which will be unattractive.

The long term characteristics of zinc should be explored i.e. design life and discoloration. The application is therefore opposed.

**Issues**

Unitary Development Plan - There are no site specific policies relating to the application site. However, the following citywide policies are relevant to this proposal:

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider include the scale and appearance of the development and it's impact in terms of noise, vibration, traffic generation, road safety and air pollution

Policy DC1 relates to residential extensions and requires that consideration be given to various factors with particular regard given to the general character of the property and the effect upon the amenity of neighbouring occupiers.

Policy DC19.1d relates to the setting of a Listed Building and seeks to preserve and enhance the setting of such buildings by appropriate control over the design of development in their vicinity.

Regional Spatial Strategy - There are no specific policies that are relevant to this application.

Principle of the proposal - 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. The principle of creating additional living accommodation to the existing dwelling houses is considered to be acceptable. This application is for a modest sized single storey side extension that wraps around the rear of the house.

Residential Amenity – The proposed extension is single storey therefore it is considered that there will not be a detrimental impact on the residential amenity of neighbours in terms of loss of light or overshadowing.

Amenity Space - The level of amenity space remaining after the proposed extension is erected is considered to be acceptable.

Design: Although the design of the proposed extension is contemporary and modern in character, it is considered that the contrast of the contemporary extension with the traditional 1930's semi-detached property would enhance the built environment and it is therefore considered that the proposal does not adversely effect the setting of the Listed Building. The revisions to the proposal since originally submitted, have resulted in the removal of the projecting front porch element and the change to the materials which are considered to be positive.

**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 Unitary 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 DC19.1d which seeks to protect and enhance the setting of a listed building 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 stamped 16/09/2008.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 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 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: 086202/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:**

Withington Civic Society
101 Meltham Avenue, Manchester, M20 1FD
103 Meltham Avenue, Manchester, M20 1FD
105 Meltham Avenue, Manchester, M20 1FD
107 Meltham Avenue, Manchester, M20 1FD
93 Meltham Avenue, Manchester, M20 1FD
95 Meltham Avenue, Manchester, M20 1FD
97 Meltham Avenue, Manchester, M20 1FD
99 Meltham Avenue, Manchester, M20 1FD
1 Albemarle Avenue, Manchester, M20 1HX
14 Albemarle Avenue, Manchester, M20 1HX
2 Albemarle Avenue, Manchester, M20 1HX

3 Albemarle Avenue, Manchester, M20 1HX
4 Albemarle Avenue, Manchester, M20 1HX
5 Albemarle Avenue, Manchester, M20 1HX
6 Albemarle Avenue, Manchester, M20 1HX
7 Albemarle Avenue, Manchester, M20 1HX
9 Albemarle Avenue, Manchester, M20 1HX
9 Abberton Road, Manchester, M20 1HQ
11 Abberton Road, Manchester, M20 1HQ
6 Albermarle Road, Withington , Manchester, M20 1HU
16 Albermarle Road, Withington, Manchester, M20 1HU
18 Albermarle Road, Withington, Manchester, M20 1HU
11 Albermarle Road, Witington, Manchester, M20 1HU
13 Albermarle Road, Withington, Manchester, M20 1HU
4 Albermarle Road, Withington, Manchester, M20 1 HU
20 Albermarle Road, Withington, Manchester, M20 1HU
7 Albermarle Road, Wihtington, Manchester, M20 1HU
2 Albermarle Road, Withington, Manchester, M20 1HU
3 Albermarle Road, Withington, Manchester, M20 1HU

**Representations were received from the following third parties:**

Nicky Ford, 58 Kingston Road, Didsbury
Gerry Bell, 3 Albemarle Avenue, Withington, Manchester
Richard Dodd, 1 Albemarle Avenue, Withington, Manchester
Mary Murphy, 6 Albemarle Avenue, Withington, Manchester
Withington Civic Society

**Relevant Contact Officer** : Charenjit Kaur
**Telephone number** : 0161 234 4548
**Email** : c.kaur@manchester.gov.uk