

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140461/FH/2024

Date registered valid: 8 July 2024

Proposal: Elevation alterations to existing front entrance, including installation of a door and fence above the entrance, together with the incorporation of new rooflights to front and rear roof slopes

Address: 1A Cavendish Road, Manchester, M20 1JG

Ward(s): Didsbury West Ward

Applicant: Mr Matthew Smith

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 12 August 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 1 August 2024 Expired: 22 August 2024

Site notice

Posted: 12 August 2024 Expired: 3 September 2024

Press advert

Published: 6 August 2024 Expired: 27 August 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: No

The application site relates to 1A Cavendish Road within the south Manchester ward of Didsbury West. The application site relates to a late Victorian dwellinghouse (assumed c.1880), constructed in red brick (attractive Flemish bond with polychrome effect to north gable of particular interest) with stone dressing, slate pitched roofs, eminent chimneystacks and sash windows. Standing at three storeys, the building survives fairly intact externally and in plan form.

The front of the property is accessible from a gate off Cavendish Road to the south of the site, which leads to a small hard surfaced courtyard. Access into the property is from steps leading to the front door with a right hand turn leading into the property itself. The property benefits from further amenity space to the rear. A change in level occurs between the property itself and the rear amenity space and steps allow access down into the courtyard area. Boundary treatment surrounding the rear amenity space consists of an approx. 1.8 metre brick wall surrounding the perimeter of the site. The immediate neighbour to the south west benefits from a similar arrangement in terms of rear amenity space.

Description of area

The application site is located on Cavendish Road, although the primary elevation of the property faces towards the south-east in the direction of Burton Road. As such, the side elevation of the property fronts Cavendish Road. The front of the application property sits behind the single storey, flat roof structure of G.T Blagg hardware shop.

Immediately to the north-west and west of the site sits the Cavendish Community Primary School, with the front of the school leading out onto Cavendish Road. To the north there are residential properties. The immediate area surrounding the application site is characterised by retail units, cafes, restaurants, public houses and bars, with flats above, and residential dwellinghouses. Other local landmarks of the immediate area include the Cavendish Park Road playground, The Metropolitan West Didsbury, Burton Road Metrolink stop and Withington Community Hospital.

The property is located within the Albert Park Conservation Area. During the late Victorian period, the shopping area on Burton Road was developed to the south and culminated in the North with the large scale Victorian public house, the Midland, on the corner with Lapwing Lane. Around the 1900s Cavendish Road, a short cul-de-sac, was extended to continue the line of Lapwing Lane. This coincided with the construction of the largest buildings in the conservation area - Shawgrove and Cavendish Road Schools.

The application site is within a visually prominent location within the Conservation Area, especially from the junction of Burton Road, Lapwing Lane and Cavendish Road.

Description of development

The planning application seeks consent for elevation alterations to existing front entrance, including installation of a door and fence above the entrance, together with the incorporation of new rooflights to front and rear roof slopes.

The existing entrance to no.1a and no.1 Cavendish Road would be screened following concerns with security at the property. This would take the form of a fence structure and new external boundary door. The proposed door would have a width of 1.4 metres and the wooden slatted fencing above and around the door would have a width of 2 metres and a total height of 2.75 metres. The wooden slatted fencing above and around the door would match the adjacent property cladding.

New rooflights would be inserted to the front and rear roof slopes of the host property. This would take the form of 1no. skylight within the roof plane, with dimensions of 780mm x 980mm, with the existing roof light in the front elevation to be retained. The existing rooflight within the rear roof plane would be removed and replaced with 3no. 780mm x 1600mm rooflights.

Negotiations during the Course of the Application

During the course of the application, discussions took place with the applicant to discuss the materials to be used for the proposal. Materials were provided for consideration by the applicant.

Planning History

136444/FH/2023- Erection of new front porch, erection of single storey rear extension to form garage with terraced area above following excavation of section of existing rear courtyard, and erection of fencing above existing walls around perimeter of the site; following demolition of part of boundary wall.

Committee Decision 22 September 2023.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective
- b) a social objective
- c) an environmental objective

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8. Promoting healthy and communities

Chapter 12. Achieving well-designed and beautiful places

Chapter 16. Conserving and enhancing the historic environment

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management);

Policy SP1 (Spatial Principles);

Policy EN3 (Heritage).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;

- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. 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 original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

- a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Listed Building Act

Section 72 provides an exercise of the power to determine planning applications for land or buildings within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

JP-P2- Heritage.

ISSUES

Principle of Development

The submitted development application is for elevation alterations to existing front entrance, including installation of a door and fence above the entrance, together with the incorporation of new rooflights to front and rear roof slopes. It is noted that the insertion of new rooflights could be achieved through the route of Permitted Development (Part A Class C 'other alterations to the roof' of the GPDO). However, as the works relate to the front porch plus the insertion of the rooflights, all elements would be assessed within this application. The works proposed are considered acceptable in principle, as they would consist of small elevational alterations to the host property and screening the existing front entrance to improve security, as many people prefer to alter and extend homes rather than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and Albert Park Conservation Area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual /Residential Amenity

Elevation alterations to existing front entrance:

During the course of the application, the applicant provided supporting information to explain why the additional boundary treatment to the front entrance was required. The applicant property has experienced issues with security to the front of the property, so the proposal would allow the applicant enhanced security at the site. The increased height of boundary treatment of the front porch would be sited on Cavendish Road sited alongside the side elevation of the G.T Blagg hardware shop located on the junction of Cavendish Road/ Burton Road and Lapwing Lane. Due to the nature of the proposal, it is not considered to give rise to any adverse implications to the neighbouring properties. No adverse implications would occur for the commercial shop to the south east of the applicant site. Given the existing space between the entrance off Cavendish Road and the front door of the applicant property and neighbouring property would not be fully enclosed, i.e. with the insertion of the roof, it is not considered to adversely impact the access to light for the applicant's ground floor window or for the residents exiting and entering their properties. As such, the proposal would not give rise to any adverse visual/ residential implications pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Incorporation of new rooflights to front and rear roof slopes:

1no. rooflight would be inserted to the front roof slope and the existing rooflight within the rear elevation would be replaced with 3 no. rooflights. As all the works would be sited to the roof, it would not give rise to any adverse implications in terms of overlooking into the neighbouring properties or school to the rear nor to the detriment of the applicant property. Therefore, there

are no significant impacts associated in terms of residential or visual amenity with this element of works, pursuant to Policy DC1 of the UDP and DM1 of the Core Strategy for Manchester.

Design and Appearance

Elevation alterations to existing front entrance:

The overall height of the proposed elevational alterations to the front porch would measure 3.75 metres. Whilst this is considered tall given permitted development rights for a traditional front porch would be restricted to 3 metres and boundary treatment at this location limited to 1 metre, the height is considered appropriate to the context. The wooden slatting proposed would mirror the existing external cladding at the G.T Blagg shop and so it is hoped that fencing proposed would act as a continuation of the external facades in the surrounding area.

Materials were requested during the course of the application, to fully understand the appearance of the proposal. Specifications for a bespoke enclosed gate- exterior hardwood horizontal slatting (Timbersource) was provided for consideration and considered an acceptable solution so that the door and boundary treatment above would blend seamlessly together and provide a continuity from the existing cladding to the G.T Blagg shop next door. The materials provided would be attached as a condition to any approval granted. With this condition, any harm of the proposal in terms of appearance is considered to be mitigated.

Incorporation of new rooflights to front and rear roof slopes:

1 no. rooflight would be inserted to the front roof slope and the existing rooflight within the rear elevation would be replaced with 3 no. rooflights. It is noted Permitted Development rights allow the insertion of rooflights under Part A Class C 'other alterations to the roof' of the GPDO. There is no restriction to the use of Class C within a conservation area. Given the PD fallback, this element is considered acceptable in terms of design and appearance. A specification of the rooflights chosen was provided for review and would be a VELUX GPL roof window. This is considered acceptable and a materials condition to this effect would be attached to any approval granted.

It is noted the rooflights, due to the prominence of the applicant property would be visible from the surrounding streets of Cavendish Road and the junction of Cavendish Road/ Burton Road and Lapwing Lane. However, given the size and amount of rooflights proposed, it is considered an appropriate addition to the property.

As such, both elements of work are considered acceptable in design, pursuant to DM1 of the Core Strategy.

Albert Park Conservation Area

The property is located within the Albert Park Conservation Area. During the late Victorian period, the shopping area on Burton Road was developed to the south and culminated in the North with the large scale Victorian public house, the Midland, on the corner with Lapwing Lane. Around the 1900s Cavendish Road, a short cul-de-sac, was extended to continue the line of Lapwing Lane. This coincided with the construction of the largest buildings in the conservation area - Shawgrove and Cavendish Road Schools.

The application site is within a visually prominent location within the Conservation Area, especially from the junction of Burton Road, Lapwing Lane and Cavendish Road. The application site relates to a late Victorian dwellinghouse (assumed c.1880), constructed in red brick (attractive Flemish bond with polychrome effect to north gable of particular interest) with

stone dressing, slate pitched roofs, eminent chimneystacks and sash windows. Standing at three storeys, the building survives fairly intact externally and in plan form. As such, the property is considered to make a positive and important contribution to the Conservation Area.

Policy EN3 of Manchester's Core Strategy requires that 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 including conservation areas. Saved UDP Policy 18 considers the relationship of new structures to neighbouring buildings, in relation to conservation areas.

The proposal consists of elevation alterations to existing front entrance, including installation of a door and fence above the entrance, together with the incorporation of new rooflights to front and rear roof slopes.

It is noted that the front entrance to the applicant site is concealed by the hardware shop to the south east of the applicant site and the built form of the applicant property. Given the external cladding of the commercial unit, the proposed fencing would be viewed as a continuation of this material and height of development and so would provide the applicant property with security whilst acknowledging the built form of the immediate context. Given the existing brick wall would be retained at the site, the original features of the boundary treatment would be retained which is welcomed and future work would respect the existing built form at the site. It is noted the building makes the most contribution to the Conservation Area when viewed from a distance including at the crossroads of Burton Road, Lapwing Lane and Cavendish Road and so the alteration at ground floor level would be acceptable.

Specifications for a bespoke enclosed gate- exterior hardwood horizontal slatting (Timbersource) was provided for consideration and considered an acceptable solution so that the door and boundary treatment above would blend seamlessly together and provide a continuity from the existing cladding to the G.T Blagg shop next door. This element would be custom built and the hardwood material for the exterior finish has been selected in an attempt to best match the colouring of the surrounding timber in the proposed plans and on the adjacent property. As such, the proposed structure would result in a sympathetic feature for the Conservation Area and is of a high quality to not adversely impact the Conservation Area. As such, harm to the Conservation Area is considered mitigated with the use of the condition attached to any approval granted.

1no. rooflight would be inserted to the front roof slope and the existing rooflight within the rear elevation would be replaced with 3 no. rooflights. Again, there are no restrictions to the insertion of roof lights within the Conservation Area and as such, these elements could be obtained through permitted development. Although the rooflights would be visible from several vantage points of the Conservation Area, the number and size of rooflights proposed are considered sensible and appropriate. Aerial views of the surrounding area show several neighbouring properties have inserted roof lights within the Conservation Area and as such, the proposal would follow an appropriate precedence.

The materials for the rooflights to be inserted have been provided for review, considered acceptable and would be dealt with via condition and this is considered acceptable to ensure any harm to the Conservation Area is minimised as a result of the proposal.

The applicant property sits to the south east of listed building Cavendish Community Primary School and to the north east of the South Manchester Resources Centre located within the school grounds. As a result of the proposal, the listed buildings would only be impacted by works to the rear of the applicant property in the form of the 3no. rooflights. Views to the rear rooflights would be possible from around the school grounds. However, given the small

additions to the roof and given Permitted Development rights, this would not adversely impact the setting of the listed buildings. As such, the proposal is not considered to adversely impact the views or character of the listed buildings.

Therefore, it is not considered that the development would undermine the residential character of the Albert Park Conservation Area given they would be minor additions. As such, the proposal is considered pursuant to Policy EN3 of the Core Strategy and Places for Everyone JP-P2 relating to heritage. On balance, it is considered that the proposed development would cause the lower end of less than substantial harm to the conservation area and therefore would be in accordance with, relevant policies and the tests within the NPPF with public benefits outweighing any harm.

In line with paragraph 202 of the NPPF, where less than substantial harm occurs, public benefits are required to mitigate against that harm. The character of this part of the conservation area contains recent and more modern additions and interventions. On reflection, the current proposal being assessed is considered small in nature and would not drastically alter the character of the Conservation Area. Conditions have been attached to any approval granted to ensure materials reviewed are used in the construction of the proposal.

Bin Storage

Bin storage would be unaffected by the proposal.

Car Parking

Off- street car parking would be unaffected by the proposal.

Conclusion

The proposed development does not create any significant impacts in terms of visual or residential amenity. The design, size, position, and appearance are in keeping with the character of the property and local area. The proposal complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1, EN3, Places for Everyone policies JP-S1 and JP-J2 and Saved Policy DC1 and DC18 of the Unitary Development Plan.

Other Legislative Requirements **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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 proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and additional information has been requested during the course of the application. Appropriate conditions have been attached to the approval granted.

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:

-Application Form, stamped as received by the City Council as Local Planning Authority on 8 July 2024.

-Correspondence- Email Confirming Materials to be Used, stamped as received by the City Council as Local Planning Authority on 29 August 2024.

-Drawing- Existing & Proposed- Plans and Elevations, numbered REV B, stamped as received by the City Council as Local Planning Authority on 1 September 2024.

-Supporting Information- Bespoke Enclosed Gate REV A, stamped as received by the City Council as Local Planning Authority on 1 September 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the 'Application Form', 'Correspondence-

Email Confirming Materials to be Used' and 'Supporting Information- Bespoke Enclosed Gate REV A', specified in Condition 2 of this approval.

For the avoidance of doubt, 'Correspondence- Email Confirming Materials to be Used' relates to the approved materials for the rooflights only and no other materials.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Cavendish Community Primary School New Nursery, Cavendish Road, Manchester, M20 1NG
140 - 144 Burton Road, Manchester, M20 1JQ
150B Burton Road, Manchester, M20 1LH
Basement Flat, 1 Cavendish Road, Manchester, M20 1JG
M20 Dental, 152 Burton Road, Manchester, M20 1LH
150E Burton Road, Manchester, M20 1LH
Flat 5, 2 Cavendish Road, Manchester, M20 1JG
Flat 6, 4 Cavendish Road, Manchester, M20 1JG
Flat 3, 4 Cavendish Road, Manchester, M20 1JG
14 Cavendish Road, Manchester, M20 1JG
Flat 2, 2 Cavendish Road, Manchester, M20 1JG
Flat 2, 136A Burton Road, Manchester, M20 1JQ
Flat 1, 136A Burton Road, Manchester, M20 1JQ
148 Burton Road, Manchester, M20 1LH
146A Burton Road, Manchester, M20 1LH
148B Burton Road, Manchester, M20 1LH
136A Burton Road, Manchester, M20 1JQ
150D Burton Road, Manchester, M20 1LH
150C Burton Road, Manchester, M20 1LH
Flat 7, 2 Cavendish Road, Manchester, M20 1JG
Flat 6, 2 Cavendish Road, Manchester, M20 1JG
Flat 4, 2 Cavendish Road, Manchester, M20 1JG
Flat 5, 4 Cavendish Road, Manchester, M20 1JG
Flat 4, 4 Cavendish Road, Manchester, M20 1JG
Flat 2, 4 Cavendish Road, Manchester, M20 1JG
Flat 1, 4 Cavendish Road, Manchester, M20 1JG
Cavendish Community Primary School, Cavendish Road, Manchester, M20 1JG
150A Burton Road, Manchester, M20 1LH
138A Burton Road, Manchester, M20 1JQ
Flat 3, 2 Cavendish Road, Manchester, M20 1JG
138 Burton Road, Manchester, M20 1JQ
Gary J Fielding Dental Surgery, 148A Burton Road, Manchester, M20 1LH
12 Cavendish Road, Manchester, M20 1JG
12A Cavendish Road, Manchester, M20 1JG
Flat 1, 2 Cavendish Road, Manchester, M20 1JG
1 Cavendish Road, Manchester, M20 1JG
146 Burton Road, Manchester, M20 1LH
136 Burton Road, Manchester, M20 1JQ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA