

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138875/FH/2023

Date registered valid: 20 December 2023

Proposal: Installation of rear roof dormer together with erection of a single storey rear extension following demolition of existing lean-to together with the installation of a rear external timber 'shading' structure

Address: 5 Walsingham Avenue, Manchester, M20 2XG

Ward(s): Didsbury West Ward

Applicant: Colin Horan

Agent (if any): Chris Mulholland Mulholland Architecture Ltd

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 February 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 2nd February 2024

Standard consultations:

Printed: 21 December 2023

Expired: 14 January 2024

Neighbour notifications

Printed: 21 December 2023

Expired: 14 January 2024

Site notice

Posted: 4 January 2024

Expired: 25 January 2024

Press advert

Published: 2 January 2024

Expired: 23 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this householder application is a mid-terraced two storey brick and slate dwellinghouse. There is an original small flat roof dormer which is a feature on the other properties within the terrace. There is a small garden to the front of the property with original wall and gate posts and a walled yard to the rear. The rear of the properties have original 2 storey outriggers.

The rear is accessed by a passageway that runs alongside the terrace and into a large grassed communal area that is shared by the properties on Walsingham Avenue and Leamington Avenue. The grassed area is used for drying, and as this is a secure area, the residents store the bins tight up against the boundary wall of each property.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: Not beyond Conservation area TPO's

Description of area

The property is located within the Albert Park Conservation area which was designated in 1988. The properties are of a similar age and design. The pattern of development is replicated as you head north of the site, and a combination of terraced and semi-detached properties flanking these along Burton Road and Northern Road. To the north of the site lies Withington Community Hospital on Burton Road.

Description of development

The proposal is for the installation of a rear roof dormer, together with the erection of a single storey rear extension to provide a window seat, following demolition of the existing lean to together with a timber pergola style shading structure. The dormer is proposed in a standing seam zinc panel finish.

Consultations & Notification Responses

Local Residents were informed- 1 representation was received which raised the following concerns:

There are no concerns with the proposed works on the top floor but have concerns with the proposed changes on the ground floor given that our dining room is adjacent to the proposed ground floor timber structure and the extension that would house the window seat, as this sits forward of the dining room window and as such there are concerns that this would reduce the amount of light to the dining room further. We are supportive of the rest of the application.

West Didsbury Residents Association- no comments received.

Issues

For reasons to be outlined below, it is considered the proposal accords with these policies.

Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ("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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy DM 1, 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 sensitive to existing environmental conditions, such as noise.

Policy SP1 'Spatial Principles' which 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 EN 3 Heritage, The City Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. 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.

The National Planning Policy Framework (NPPF) - The NPPF was published on the 27 March 2012. 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.

Unitary Development Plan (UDP)

The UDP has been superseded by the Core Strategy Development Plan, however, some policies have been saved and are still considered as part of the planning process. Policy DC1 for Residential Extensions is still considered of relevance and 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 for 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

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, 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 significant weight in the planning balance.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle of the Proposal

The principle of extending a residential property in a residential area to provide additional living accommodation is considered acceptable. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Residential Amenity

The application site comprises a two storey terraced property within a predominantly residential area of Didsbury within the Albert Park Conservation Area. The site is bounded by a low brick wall to the front with a small paved garden area to the frontage, and a brick wall with timber gate to the rear. There are no windows proposed in the dormer cheeks with the window being in the rear elevation overlooking the applicants own garden. As such there is no issue with regards to overlooking arising from the dormer extension. The dormer extension enables the increase in the amount of residential space provided by creating additional living accommodation in the form of an additional lounge area and an office within the roof-space. The proposed dormer when viewed in the context of the property is relatively modest.

To the ground floor is proposed a small single storey extension, which would be erected following the demolition of the existing lean to. There would also be a timber posted pergola structure which is constructed of timber posts with the same sized rafters continuing from the posts to the side wall of the house forming the 'roof'. Both additions therefore form lightweight structures. Given that there is a 2 storey original outrigger on the rear of the property, it is not considered that the small extension or the hit and miss pergola structure would cause any undue overshadowing or loss of light to the neighbouring properties so as to merit refusal of the application. There is still sufficient external amenity space retained for the occupants of 5 Walsingham Avenue.

Visual Amenity

The proposed dormer would be set within the rear roof plane of the existing house, it is set back slightly from the roof edge, set in from the sides, and would be much lower than the existing ridge height. Due to the position of the host property within the terrace, it is not visible from within the street scene, being only viewed from internal to the neighbouring gardens. The materials to be used would comprise of standing seam zinc panels, which is sympathetic to the slate roof, but with a contemporary twist. It is not considered that the proposed dormer extension would have a detrimental impact upon the visual amenity of the neighbouring properties, nor have a detrimental impact upon the property itself nor the character of the Conservation area within which it is located. The proposed development therefore accords with Core Strategy Policy DM1 and saved policies DC1 and DC18 of the UDP.

Siting, scale and massing

The projection of the rear dormer extension would be set back from the roof edge and set in off the common boundary with the neighbouring properties, it is set down from the existing ridge, and presents as a modest extension, subservient to the existing property and is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 and DC18 and accords with Core Strategy policies DM1 and EN3 of the Core Strategy.

Design and appearance

The design of the proposals would complement the original aesthetic of the property in that the materials would either match or complement the host property, and the dormer together with the ground floor additions are modest. It is considered that the proposals are acceptable in terms of design and appearance and would not adversely impact upon either the property itself or on the character of the conservation area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN3 and in general the design is considered acceptable.

Impact on the Character of the Albert Park Conservation Area

The City Council encourages where appropriate the retention of the original character and detail of properties within the Conservation Area. In terms of their size they are modest and being on the rear of the property they are not visible at all from the terrace frontage therefore they do not interfere with the existing characteristics of the property or surrounding properties within the conservation area, being only viewed from within the private areas of the properties that are set around the rear communal garden. The materials are sympathetic in terms of their interpretation of the materials of the existing properties in terms of design and colour pallet. It is considered that the proposal accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Trees

The proposal has no impact upon the trees.

Disabled access

Not applicable

Bins

The proposal has no impact on the current waste management.

Parking

Car parking is not affected by this proposal.

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 negotiations took place with regards to the material finish for the dormer. Amended materials were submitted and the application has been determined with the attachment of appropriate conditions.

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:

Proposed Site Plan- Pr-42-001 Revision A

Proposed Ground and First Floor Plan- Pr-42-100 Rev A

Proposed Second Floor and Roof Plan-Pr-42-101 Rev A

Proposed Front Elevation- Pr-042-200 Rev A

Proposed Side Elevation-Pr-042-201 Rev A

Proposed Section- Pr-042-300 Rev A

Received by email from Mulholland architecture 20th February 2024

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

3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, including mortar and patching in, and as stated on the Householder Application Form and in the email from Mullholland Architecture received 20th February 2024.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association

6 Walsingham Avenue, Manchester, M20 2XG
8 Leamington Avenue, Manchester, M20 2WQ
6 Leamington Avenue, Manchester, M20 2WQ
7 Walsingham Avenue, Manchester, M20 2XG
3 Walsingham Avenue, Manchester, M20 2XG
8 Walsingham Avenue, Manchester, M20 2XG
4 Walsingham Avenue, Manchester, M20 2XG
Flat 1, 10 - 12 Leamington Avenue, Manchester, M20 2WQ
4 Leamington Avenue, Manchester, M20 2WQ

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 - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA