MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138685/FH/2023
Date registered valid:	7 December 2023
Proposal:	Erection of a single storey side and rear extension together with a rear dormer to provide additional living accommodation
Address:	247 Burton Road, Manchester, M20 2WA
Ward(s):	Didsbury West Ward
Applicant:	Mrs Francesca Bryan
Agent (if any):	Mr Simon Oates SPO Design Ltd
Case officer:	Holly Wright Tel: 0161 219 6381 Email: holly.wright@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**29 January 2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 December 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 15 December 2023 Expired: 8 January 2024

Site notice: Posted: 20 December 2023 Expired: 13 January 2024

Press advert: Published: 19 December 2023 Expired: 2 January 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: Not applicable

The application relates to a two-storey end-terraced C3 dwellinghouse of redbrick with a grey slate hipped roof. The property features white uPVC windows, including a ground floor bay to the front, a ground floor bay and projecting box window to the side, and a front-facing dormer window. The property also features a two-storey rear outrigger, a spacious wraparound garden with mature trees and foliage, and a paved vehicular access leading off Leamington Avenue.



Figure 1. Principal elevation.



Figure 2. Side of property.



Figure 3. Rear of property.



Figure 4. View from Leamington Avenue.

Description of area

The southern end of Burton Road is a residential street situated within the Didsbury West ward of Manchester, close to Withington Community Hospital, Didsbury Central Mosque, and Burton road high street, sited to the north. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced residential properties, and benefits from its proximity to West Didsbury district centre.

It should also be noted that the application site is situated within the Albert Park Conservation Area, which was first designated in 1988. The Albert Park Conservation Area is principally an area of housing but also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches. The conservation area was designated in March 1988 and the boundaries are Barlow Moor Road to the south, Withington Hospital and Government buildings to the west, the disused Midland railway line to the north and Palatine Road to the east, the latter being a common boundary with the Blackburn Park Conservation Area.

Development control in Albert Park is aimed at encouraging development which enhances the prosperity of the area whilst paying attention to its special architectural and visual qualities. Property owners in the area are encouraged to retain the original character and detail of their houses. This should include the details, colour and materials of window frames, doors and other elements of the buildings.

Description of development

The applicant is seeking permission for the erection of a single storey side and rear extension together with a rear dormer to provide additional living accommodation.

Planning history

091943/TCA/2009/S2 - Removal of four Leylandii – **APPROVED** (13.01.2010).

138515/TCA/2023 - Works to tree - proposed felling of T1 Lime Tree and T2 Sweet Chestnut – **PCO**.

Consultations & Notification Responses

Correspondence was received from Councillor John Leech in response to this application, with comments made in relation to the site's vehicular access alterations and potential impact upon trees in a conservation area. No formal objection was received.

Two letters were received from local residents in response to this application. Their concerns are summarised as follows:

- No objection to the proposed extension.
- Concerns relating to the proposal's impact upon the plot's existing mature trees.
- Requests for adequate tree protection to be undertaken during the delivery of the works (submission of a Tree Protection Plan (TPP), root protection zones, fencing in accordance with BS5837).

Neighbourhood Officer (Arboriculture) made the following comments in response to this application.

- I have visited the location, and I can confirm that the excavation works have already been carried out, however, the trees are in a raised bed and therefore the works will have had a minimal impact on the trees overall health.
- The trees must be protected during any further construction works via the use of Heras fencing to ensure no materials or machinery are stored within the root protection zones of the trees.
- This does not apply to the Sweet chestnut in the raised bed as this tree is in a raised area and it would not be practical to fence this area off, however, due to the tree's raised position, it is unlikely the tree will be impacted by machinery or materials.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:
- Policy DC1 – Residential Extensions
- Policy DC18 – Conservation Areas

The Manchester Core Strategy – Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on the 11th of July 2012:
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy EN19 – Waste

The National Planning Policy Framework (NPPF, 2021)
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 - Conserving and enhancing the historic environment

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.

Issues

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

Principle – the principle of erecting a single storey side and rear extension together with a rear dormer in order to provide additional living accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. The principle of the proposal therefore accords with policy DC1 of the UDP; however, consideration must be given to the development's siting, scale and massing, appearance, and impact upon visual amenity, residential amenity, waste storage, parking and the Albert Park conservation area.

Siting, scale, and massing – the single storey rear extension would be sited at the back of the property, facing southeast. It would project 2.8m rearwards from the host dwellinghouse, with a width of 4.125m, mono pitch roof height of 4.844m, and an eaves height of 2.768m. It would be sited along the boundary shared with No.249 Burton Road and would maintain a gap of 1.113m to the boundary shared with No.2 Leamington Avenue and a gap of 6.03m to the boundary shared with Leamington Avenue.

The single storey side extension would be sited along the northeast edge of the property, acting as an infill extension. It would project 1.518m sidewards from the host dwellinghouse, with a length / depth of 4.663m, mono pitch roof height of 3.955m, and an eaves height of 2.781m. A gap of 3.915m would be maintained to the boundary shared with No.2 Leamington Avenue and a gap of 4.543m would be maintained to the boundary share with Leamington Avenue.

The rear dormer extension would be sited within the rear roof slopes of the host dwellinghouse, facing southeast. It would have a length / depth of 2.541m, width of 1.248m, and height of 1.31m (set 1.565m below the existing ridge and 0.92m away from the eaves), with a resulting volume of 2.08 cubic metres. It would run up to the edge of the host dwellinghouse's roof and would maintain a gap of 1.801m to the boundary shared with No.249 Burton Road.

The 2.8m rearward projection (of the rear extension) does not exceed the limit stipulated within policy DC1 of the UDP (of 3.65m) and is therefore considered acceptable. Moreover, the developments are understood as being subservient to the host dwellinghouse in terms of their dimensions and would not result in 'excessively large or bulky' additions to the property.

The proposal therefore accords with policies DM1 and SP1 of the Core Strategy.

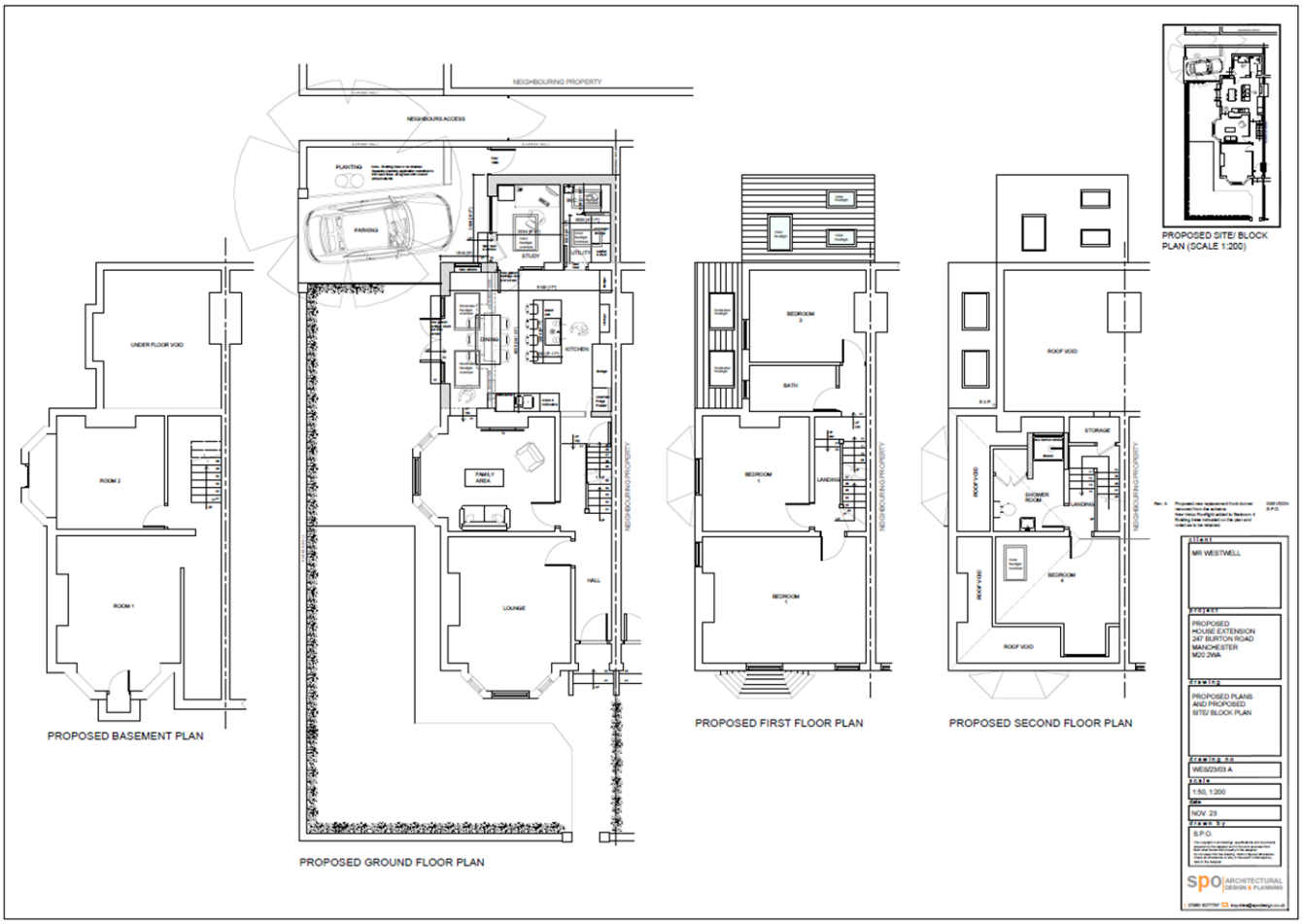


Figure 5. Submitted proposed plans.



Figure 6. Submitted proposed elevations.

Appearance and visual amenity – the single storey rear extension would be built of brickwork and roof tiles to match the existing in addition to aluminium-framed windows and doors. Both its southwest side elevation and rear elevation would be blank and featureless, whilst its northeast side elevation would feature one window and one inward-opening door. Its rear-facing roof slope would feature three flat skylights.

The single storey side extension would also be built of brickwork and roof tiles to match the existing in addition to aluminium-framed windows and doors. Its rear elevation would feature one window, whilst its northeast side elevation would feature a set of outward-opening doors and two windows. Its side-facing roof slope would feature two flat skylights.

The rear dormer extension would be clad in hanging roof tiles to match the existing, with a flat roof and aluminium-framed windows. Its side elevations would be blank and featureless, whilst its rear elevation would feature one window.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the existing precedent of residential extensions in this locale. Sited at the side and rear of the property, on a corner plot, elements of the proposal would be visible within the street scene, however its use of matching materials should provide a blended appearance with the host dwellinghouse, ensuring that the developments do not form prominent visual features. Hence, the overall character of the property and its surrounding area should not be significantly harmed by these works.

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Impact upon the Albert Park Conservation Area – the proposal would utilise matching and sympathetic materials to those already featured on the host dwellinghouse, which would provide a blended appearance with the existing property, ensuring minimal harm is caused to the visual amenity of the area and the character of the Albert Park conservation area, in accordance with policy DC18 of the UDP, policy EN3 of the Core Strategy and chapter 16 of the NPPF.

Residential amenity – given that both the side and rear extensions would be single storey, sited north of the adjoining residential property and with considerable gaps to the plot's shared boundaries maintained, it is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, any boundary-facing windows would be sited at a considerable distance from the nearest residential property, thus ensuring that the privacy of neighbouring occupiers is not infringed upon.

The rear dormer's siting within the host dwellinghouse's roof space, with a considerable setback from the eaves, should ensure that the development does not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, its blank side elevations should ensure that the privacy of neighbouring occupiers is not infringed upon.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the proposed vehicle access alterations as shown on the submitted proposed plans do not require planning permission as they do not relate to a trunk or classified road. As such, they have not been considered in the assessment of the proposal.

Trees – concerns were raised in relation to the proposal's potential to impact trees due to the plot's siting within a conservation area. This was relayed to the applicant's agent who amended the plans, providing clarification of the plot's trees being retained.

The Neighbourhood Officer (Arboriculture) requested that protective measures be implemented during the construction of the development in order to safeguard the site's protected trees from harm. This should include the use of Heras fencing to ensure that no materials or machinery are stored within the root protection zones of the trees.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance, impact upon visual and residential amenity and effect upon the Albert Park Conservation Area, waste storage and parking as it broadly complies with policy DC18 of the UDP, policies DM1, SP1, and EN3 of the Core Strategy and chapters 12 and 16 of the NPPF.

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 polices 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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 permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

-'PROPOSED PLANS AND PROPOSED SITE/BLOCK PLAN', numbered 'WES/23/03 A', stamped as received by the City Council as Local Planning Authority on the 5th January 2024.
-'PROPOSED ELEVATIONS', numbered 'WES/23/04 B', stamped as received by the City Council as Local Planning Authority on the 5th January 2024.

Reason - To ensure 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 developments hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

Reason- To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the developments, 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) 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.

Appendix 1 – List of consultees & neighbours notified

Flat 2, 245 Burton Road, Manchester, M20 2NA
Flat 10, 288 Burton Road, Manchester, M20 2NB
Flat 6, 288 Burton Road, Manchester, M20 2NB
Flat 3, 288 Burton Road, Manchester, M20 2NB
Flat 1, 288 Burton Road, Manchester, M20 2NB
284 Burton Road, Manchester, M20 2NB
2 Leamington Avenue, Manchester, M20 2WQ
251 Burton Road, Manchester, M20 2WA
245 Burton Road, Manchester, M20 2NA
288 Burton Road, Manchester, M20 2NB
Flat B, 288 Burton Road, Manchester, M20 2NB
Flat A, 288 Burton Road, Manchester, M20 2NB
Flat 8, 288 Burton Road, Manchester, M20 2NB
Flat 1, 245 Burton Road, Manchester, M20 2NA
Flat 12, 288 Burton Road, Manchester, M20 2NB
Flat 11, 288 Burton Road, Manchester, M20 2NB
Flat 9, 288 Burton Road, Manchester, M20 2NB
Flat 7, 288 Burton Road, Manchester, M20 2NB
Flat 5, 288 Burton Road, Manchester, M20 2NB
Flat 4, 288 Burton Road, Manchester, M20 2NB
Flat 2, 288 Burton Road, Manchester, M20 2NB
Flat 1, 286 Burton Road, Manchester, M20 2NB
Flat 3, 286 Burton Road, Manchester, M20 2NB
Flat 2, 286 Burton Road, Manchester, M20 2NB
4 Leamington Avenue, Manchester, M20 2WQ
3 Leamington Avenue, Manchester, M20 2WQ
1 Leamington Avenue, Manchester, M20 2WQ
243 Burton Road, Manchester, M20 2NA
241 Burton Road, Manchester, M20 2NA
249 Burton Road, Manchester, M20 2WA

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
Area Team Boundary - Name: SOUTH AREA