

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136829/FH/2023

Date registered valid: 9 May 2023

Proposal: Reinstatement of basement window to the front together with elevational alterations to the rear.

Address: 20 Leopold Avenue, Manchester, M20 1JL

Ward(s): Didsbury West Ward

Applicant: Beardow

Agent (if any): Alison Taylor-Stokes, I.C.E. Arch

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 03 July 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 May 2023

Standard consultations: Printed: 16 May 2023 Expired: 6 June 2023

Neighbour notifications: Printed: 16 May 2023 Expired: 6 June 2023

Site notice: Posted: 25 May 2023 Expired: 15 June 2023

Press advert: Published: 23 May 2023 Expired: 6 June 2023

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 mid-terraced C3 dwellinghouse of redbrick with a grey slate tile dual pitch roof. The property features white uPVC windows, including a ground floor bay to the front, a front porch canopy, modest front garden bordered by a low-level redbrick wall, front-facing dormer window, two-storey rear outrigger and paved rear yard / garden.



Figure 1. Principal elevation of property.



Figure 2. Site of proposed lightwell.



Existing Rear



Figure 3. Submitted photographs of rear of property.

Description of area

Leopold Avenue is a residential cul-de-sac situated within the Didsbury West ward of Manchester, close to Burton Road Metrolink tram stop, Burton Road high street, and Cavendish Road Park. The area is mixed in terms of its character, consisting of terraced residential properties as well as shopping facilities, bars, restaurants and educational institutions and benefits from its proximity to West Didsbury town centre.

It should also be noted that the application site is situated on the northern / north-eastern outskirts of 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 reinstatement of the front basement window / lightwell together with elevational alterations to the rear.

Planning History

No previous planning history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

West Didsbury Residents' Association – no comments or objections received.

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

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

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 the proposal, to reinstate the basement window / lightwell to the front of the property together with elevational alterations, is acceptable given that many individuals prefer to alter and extend their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's siting, scale, and massing, appearance and impact upon visual amenity, residential amenity, waste storage, parking, and the Albert Park Conservation Area.

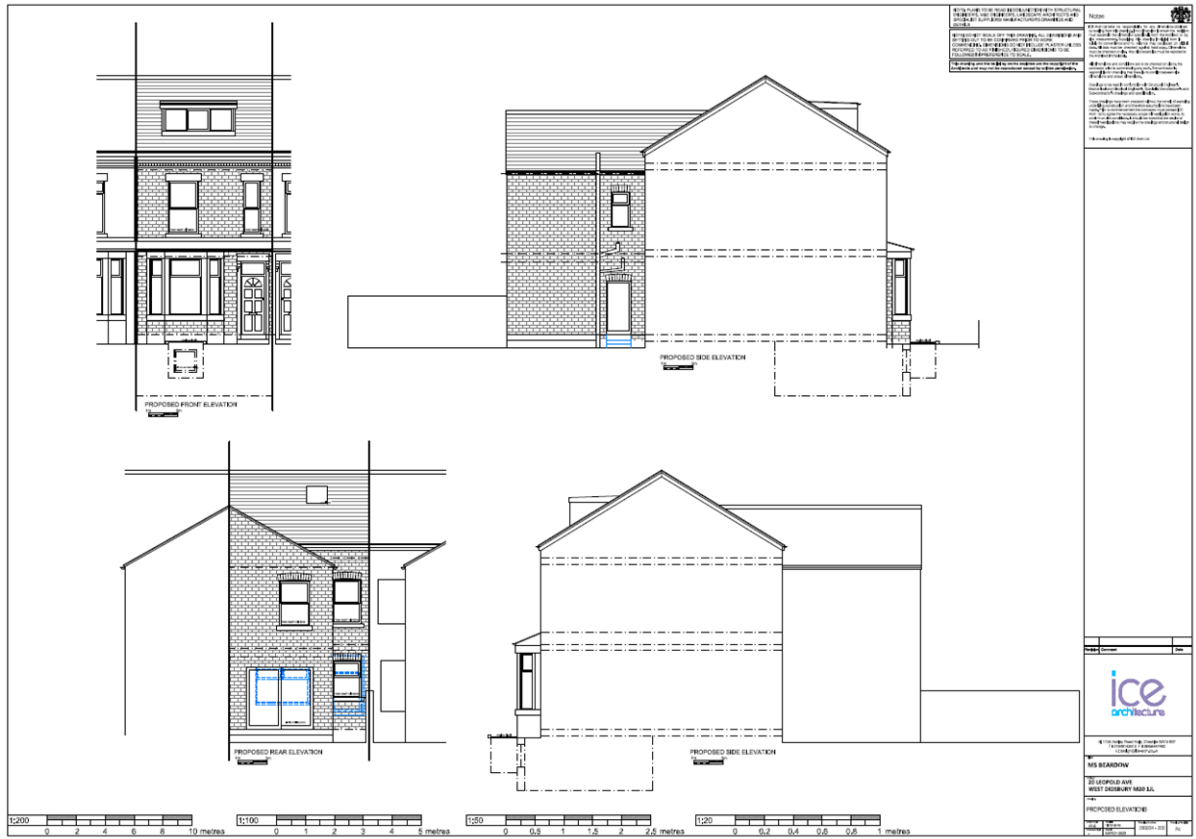


Figure 4. Submitted proposed elevations.

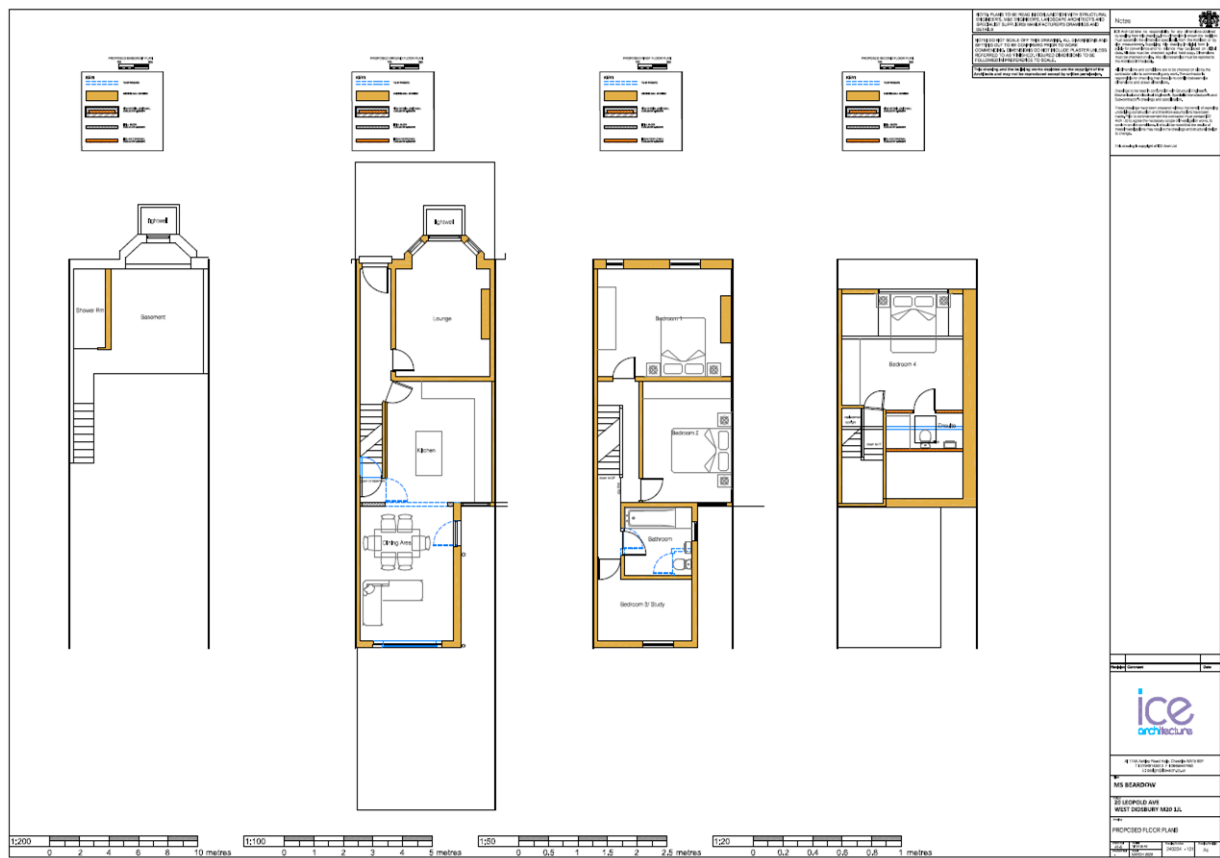


Figure 5. Submitted proposed plans.

Siting, scale, and massing – the proposed lightwell would be sited at the front of the property in front of the existing bay window. It would project 0.9m beyond the existing bay, with a width of 1.2m and an excavated depth of 1.2m below ground level. Its raised border would measure to 1m in length, 1.4m in width and 0.1m in height. A gap of 1m would be maintained to the boundary shared with No.22 Leopold Avenue and a gap of 2.315m would be maintained to the boundary shared with No.18 Leopold Avenue.

Given the appropriate siting of the lightwell, its retained gaps to the shared boundaries, as well as its small-scale nature and subservient dimensions, it is not believed that the development would result in an ‘excessively large or bulky’ addition to the property. The proposal therefore accords with policy DC1 of the UDP and policy DM1 of the Core Strategy.

Appearance and visual amenity – the design of the proposed lightwell is considered to be relatively standard for developments of this type consisting of an excavated trench, a window to match the existing, a flat metal security grid and a raised border. The lightwell would be in-keeping with the existing precedent for lightwells in this area, noting that many of the terraced properties lining the surrounding streets would also have originally possessed a front lightwell in some form, as indicated by the presence of stone window cills / lintels at ground level. The proposed materials for the development are also understood as being visually subservient to the host dwellinghouse. Sited 1.486m away from the plot’s front boundary, it is believed that the lightwell would not form a prominent or obtrusive feature within the street scene.

Overall, the proposal is considered to cause minimal visual harm to the appearance and character of the host dwellinghouse as well as the visual amenity of its surrounding area, thus according with policies DM1 and SP1 of the Core Strategy.

Residential amenity – sited at the front of the property, at a depth below ground level and away from the plot’s shared boundaries, the proposed lightwell should not cause issues associated with overshadowing, loss of light, overlooking, and loss of privacy, nor would it introduce an overbearing presence into the area.

The proposed development is therefore considered acceptable due to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy.

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

Parking – the current on-street parking arrangements would be unaffected by this proposal.

Impact upon the Albert Park Conservation Area – the overall form and design of the proposed lightwell is believed to be subservient and sympathetic to the existing character of the Albert Park Conservation Area. The proposal would utilise subservient materials and would be in-keeping with the existing precedent for lightwells on the surrounding terraced streets. Moreover, front lightwells are likely to have been an original feature of these properties, as indicated by the stone window cills / lintels present at ground level.

The proposal is therefore considered acceptable as it is not believed to cause undue harm to the architectural and historic interest of the Albert Park Conservation Area, thereby according with Core Strategy policy EN3, UDP policy DC18 and chapter 16 of the NPPF.

Other matters – the proposal also includes a number of elevational alterations to the property including replacement timber sash windows to the front, replacing the existing door on the side elevation facing No.22 with a long-panelled window, installing one flat skylight on the rear-facing roof of the property, replacing the rear windows with new timber sash windows, and installing new aluminium sliding doors along the rear outrigger, facing into the garden. The long-panelled

window on the side elevation facing No.22 has been conditioned to be obscurely glazed so as to protect the residential amenity of neighbouring occupiers. Moreover, save for the new long-panelled side window, these alterations are able to be undertaken as permitted development and do not require planning permission. As such, they have not been considered in the assessment of this proposal.

Initial proposal – the application as it was originally submitted also included the installation of a dormer window on the rear-facing roof of the property. This was deemed unacceptable as it was believed that the rear dormer would introduce a visually incongruous feature into the area, causing unnecessary visual harm to the Albert Park Conservation Area, and detracting from its special architectural and historic interest. The applicant and agent were notified of these concerns and chose to submit a revised scheme which omitted the dormer initially proposed.

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 policies DC1 and DC18 of the UDP, policies DM1, SP1, EN1, EN3 and EN19 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 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

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. 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 labelled:

- 'PROPOSED SITE PLAN & BLOCK PLAN', numbered '230204 - 100 P4', stamped as received by the City Council as Local Planning Authority on the 7th June 2023.

- 'PROPOSED FLOOR PLANS', numbered '240204 - 101 P4', stamped as received by the City Council as Local Planning Authority on the 7th June 2023.

- 'PROPOSED ELEVATIONS', numbered '230204 - 200 P4', stamped as received by the City Council as Local Planning Authority on the 7th June 2023.

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 development hereby permitted shall match those specified on the submitted application form and approved plans.

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 development, 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) Before first occupation the proposed ground floor window in the side elevation facing No.22 Leopold Avenue shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association

124B Burton Road, Manchester, M20 1JQ
Flat 4, 22 Leopold Avenue, Manchester, M20 1JL
Flat 1, 22 Leopold Avenue, Manchester, M20 1JL
Flat 5, 22 Leopold Avenue, Manchester, M20 1JL
Flat 3, 22 Leopold Avenue, Manchester, M20 1JL
Flat 2, 22 Leopold Avenue, Manchester, M20 1JL
21 Leopold Avenue, Manchester, M20 1JL
19 Leopold Avenue, Manchester, M20 1JL
18 Leopold Avenue, Manchester, M20 1JL
17 Leopold Avenue, Manchester, M20 1JL
124A Burton Road, Manchester, M20 1JQ
124 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
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