

## Planning

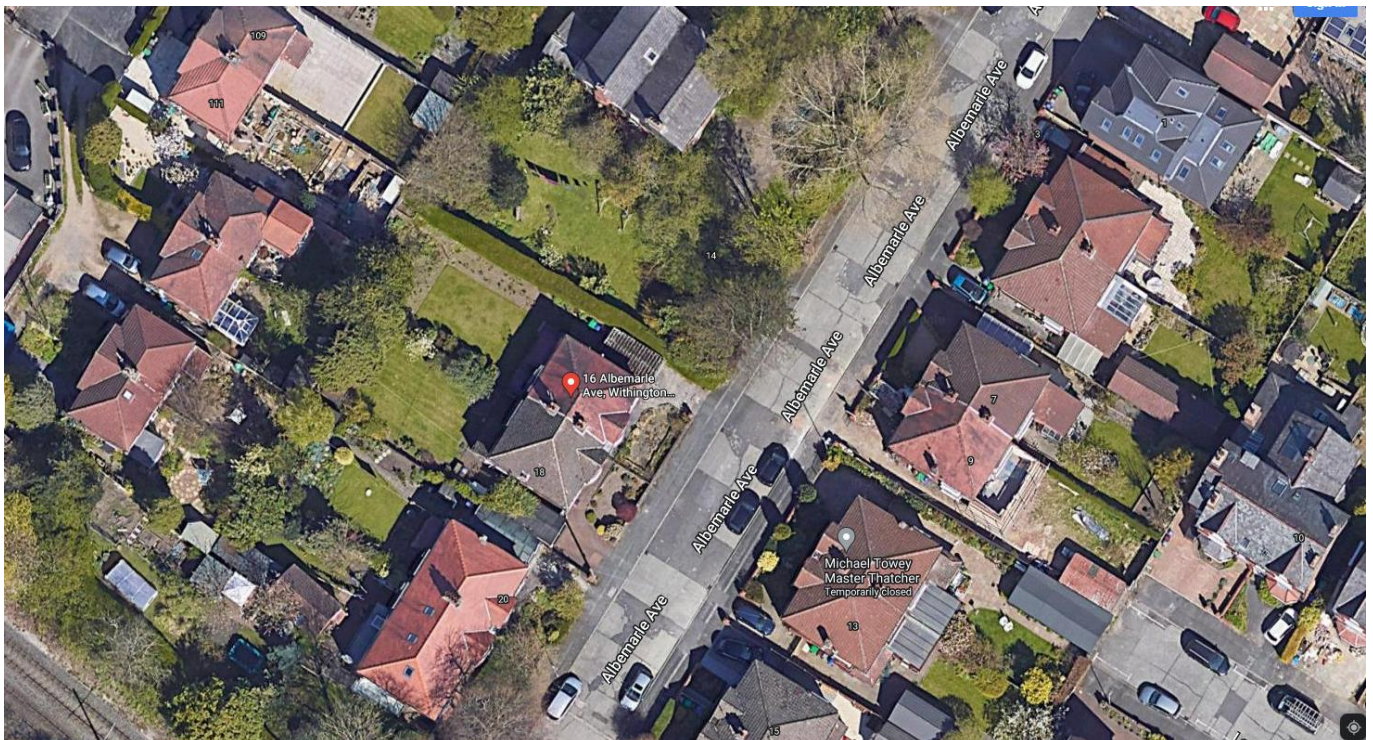
## Growth & Development

### Delegated officer report for planning application

**Application no.** 135245/FO/2022  
**Date registered valid:** 28 November 2022  
**Proposal:** Erection of single storey side extension to provide additional living accommodation  
**Address:** 16 Albemarle Avenue, Manchester, M20 1HX  
**Ward(s):** Old Moat Ward

**Applicant:** Mr Richard Wright Taylor  
**Agent (if any):** Mr Chris Taylor, TKA Spacestudio  
**Case officer:** Tracie Simpson  
Tel: 0161 234 4537  
Email: [tracie.simpson@manchester.gov.uk](mailto:tracie.simpson@manchester.gov.uk)

**Recommendation:** Approve  
**Date of recommendation:** 23<sup>rd</sup> January 2023



## Application details

|                                  |                                                   |
|----------------------------------|---------------------------------------------------|
| Type of application:             | Full Application Consent                          |
| Development type:                | Minor Dwellings                                   |
| Date of site visit:              | 6 December 2022                                   |
| Standard consultations:          | No consultations have been printed and sent.      |
| Neighbour notifications          | Printed: 30 November 2022 Expired: 21 Dec 2022    |
| Site notice                      | Posted: 6 December 2022 Expired: 27 December 2022 |
| Press advert                     | Published: 6 December 2022 Expired: 27 Dec 2022   |
| Departure from Development Plan: | No                                                |
| Environmental Statement:         | Not required                                      |

## Description of site/building

The property site relates to a two storey property in the Old Moat ward area of Manchester and features bay windows with a gable front addition above and single storey rear extension. Gardens are to the front and rear with high boundary hedging along the side and low brick wall to the front with some soft landscaping. Off road car parking is available to the front.



|                          |                |
|--------------------------|----------------|
| Listed building:         | Not applicable |
| Conservation area:       | Not applicable |
| Tree Preservation Order: | Not applicable |

## Description of area

The area is predominantly residential in nature

## Description of development

The applicant is proposing the erection of a single storey side extension to provide additional living accommodation

## Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. 3 objections from 1 local resident in respect of this application were received. Summary of comments as follows:

- Object, imposing build to be erected next door which has spoilt the outlook
- Didsbury is a leafy, tasteful area which has already been marred by overbuilding and this kind of disregard for period properties and residents' opinions is a sign of further deterioration.
- Work has been ongoing on number 16 all through the week including weekends
- Overlooked by neighbours
- No longer enjoy the garden
- The mere concept of further extending next door is outrageous
- The new owners have demolished the brick wall which has stood there since 1930, in keeping with the street
- No notification was given about the loft conversion which is both an eyesore
- This is a short cul-de-sac street and consists of a small number of semi-detached houses which have asymmetry and aesthetic appearance, created by the original architects almost a hundred years ago.
- Efforts to retain the original external features of our houses and preserve the vision of the designers, architects and builders of the 1929 development.
- The presence of Grade 2 Listed Park Cottage on the road has always been a spur to preserve an area of South Manchester which has particular historical interest
- The relentless attempts by newcomers to the avenue to personalize their property and mar the integrity of the semi-detached pattern of houses is to be deplored.

## **Policy and Issues**

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

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

## **Principle**

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

### History

Previous application relating to this site as follows:

Planning reference number: 133035/PDE/2022 for Prior notification of proposed larger home extension projecting 3.9m to the rear with a maximum height of 3.1m and a height at eaves of 2.9m. This application was turned away on 28.03.2022

Planning reference number: 133504/FH/2022 for erection of a single storey rear extension together with erection of a garage following demolition of existing. This application was approved on 28th June 2022

### Residential Amenity

The application proposes the erection of a single storey side extension to provide additional living accommodation. Concerns have been raised by a local resident in relation to appearance of further additions to the property and the loss of privacy.

The extension would be setback from the front wall of the property by 225mm extending along the side with a projection beyond the rear wall of approximately 1.8m and would adjoin a previously built single storey rear extension forming a wraparound of the property. The roof would be sloping; A gap of approximately 1.4m would be retained to the boundary; Garage doors are proposed on the front elevation, a door on the side and a window on the rear elevation. Given the gap retained to the boundary, together with the current boundary treatment and the distance to the adjacent property no. 14, it is not anticipated that the location of the door on the side elevation would provide overlooking or loss of privacy.

It is not anticipated that the introduction of an extension in this location would impact on the occupiers of properties either side. The footprint is not considered to create a bulky or disproportionate scale addition to the property. Although the extension would be visible from the public highway and therefore would feature within the street scene, it is considered that the character of the property would be retained and therefore the appearance is acceptable and its impact upon visual amenity is considered negligible.

On balance, the extension is considered can be acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

The proposal therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 Unitary Development Plan.

### Siting, scale and massing

The size and footprint of the proposed extensions are comparable in size to many others found in the area and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. It is therefore considered that the scale and mass of the proposed

extensions are satisfactory and therefore considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

### Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are set to be matching brick and tile as specified in the application form. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

### Refuse

The storage of refuse bins are not affected by the proposal.

### Parking

Not affected by this proposal.

### Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

## **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**

Positive and proactive working - 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. The application has been determined in a timely manner and in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

### **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:

Received on 20th October 2022 numbered Revision 103 Proposed Elevations  
Received on 20th October 2022 numbered Revision 104 Proposed Floor Plan

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 hereby permitted shall match those as specified on the application form and the existing dwellinghouse in type, size, colour and texture.

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

### **Appendix 1 – List of consultees & neighbours notified**

14 Albemarle Avenue, Manchester, M20 1HX  
9 Albemarle Avenue, Manchester, M20 1HX  
111 Meltham Avenue, Manchester, M20 1FD  
18 Albemarle Avenue, Manchester, M20 1HX  
13 Albemarle Avenue, Manchester, M20 1HX  
11 Albemarle Avenue, Manchester, M20 1HX  
115 Meltham Avenue, Manchester, M20 1FD  
113 Meltham Avenue, Manchester, M20 1FD  
109 Meltham Avenue, Manchester, M20 1FD

## **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

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA