

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132144/FH/2021

Date registered valid: 5 May 2022

Proposal: Erection of a two storey side extension following demolition of existing single storey attached outbuilding

Address: 3 Burton Road, Manchester, M20 3GD

Ward(s): Old Moat Ward

Applicant: Mr Gabriel Neal 3 Burton Road, Manchester, M20 3GD

Agent (if any): Mr Jordan Walker J C Building Design Limited 23 Gordon Street, Bacup, OL13 8DH

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

Recommendation: Approve

Date of recommendation: 27 July 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 17th June 2022

Standard consultations:

Printed: 6 July 2022 Expired: 13 July 2022

Neighbour notifications

Printed: 6 July 2022 Expired: 13 July 2022

Site notice

Posted: 25 May 2022 Expired: 15 June 2022

Press advert

Published: 24 May 2022 Expired: 14 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The property that is the subject of this application is a 2 storey cottage style property. It is identified as 3 Burton Road and is located within the Withington ward of the City and in Withington conservation area. The property sits within a small complex of buildings that sit behind a high 2m brick boundary wall which forms the boundary to a walled garden. There are high steel electronic gates to the Burton Road frontage. The cobbled courtyard is located to the front of the property with an attractive cottage style garden to the rear. There is off road parking for several vehicles. The original property has dormer roof features to the front and rear, with small cottage leaded windows to the front elevation, and bow bay windows on the rear. There is a single storey brick built store attached to side elevation with a covered ginnel entrance between the house and the store that leads through to the front courtyard.

Listed building: Not applicable

Conservation area: Withington Conservation Area 1983

Tree Preservation Order: Within Conservation area

Description of area

The area is predominantly residential in nature and is in close proximity to Withington District Centre on Wilmslow Road / Palatine Road, and is within easy access of sustainable modes of transport.

Description of development

The proposal is for the erection of a 2 -storey side extension following the demolition of the attached single storey store. The extension will be in the same materials as the main house and will mirror details on the front and rear with dormer roof detailing.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Cllr White- no objections however considers there should be a dormer on the frontage as well as the rear as this would pick up the detail which is common within the street scene. The window detail should match the existing. (These 2 suggestions were picked up by the applicant and the scheme has been amended to accommodate those comments).

Withington Civic Society – Make similar comments to those expressed by Cllr White in terms of inclusion of front dormer.

Neighbourhoods Arboriculture- The tree in question is in a prominent location and contributes to green street scene.

The proposed development encroaches into the trees root protection zone and therefore it is proposed in the method statement to use piled foundations.
Even with piled foundations, there is substantial root disturbance in the construction zone. I was unable to locate an exact percentage of the root protection zone which will be disturbed, however, I would suggest it was around the maximum tolerance level.

For the reasons stated above, the developer should ensure that the remaining portion of the root protection zone is adequately protected via the use of ground boards and fencing. No materials should be stored within the root protection zone of the tree and all work should be carried out in accordance with BS:5837.

I can confirm that we would have no objection to the proposed development subject to the method statement being adhered to.

Issues

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.
- o Policy DC18.1 - Conservation Areas
- 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 The National Planning Policy Framework (NPPF) Principle - The proposal is for the erection of a single storey rear extension, to form additional living accommodation is considered acceptable in principle.

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.

Siting - The proposed extension is to the side of the property, occupying the footprint currently occupied by the attached store building, this is to be demolished to facilitate the 2 storey side extension. The extension would be internal to the courtyard area, and would not adjoin the

neighbouring property. It has a dual pitch roof with a gable end. The siting of the proposed extension is considered acceptable

Design and Appearance - The design is in keeping with the character and appearance of the original dwelling house and should not detract from the architecture of the host property. As the property is in a Conservation Area, the detail of design including the introduction of the dormers and the materials used are of primary importance and the choice of materials should match the existing property, as such appropriate conditions will be attached to any consent granted.

Scale and Massing - The extension would extend the property on the side elevation replacing the single storey store. The roofline is stepped down reading lower than the existing outrigger. The scale of the extension is proportionate to the host property and is not bulky in appearance retaining subservience.

Residential Amenity- There are no windows proposed in the side elevation, with the windows being in the front and the rear overlooking the applicants own garden area. The proposal would square off the property, and as such is not readily viewed from the neighbouring property at number 1 Burton Road. Both 1 and 3a Burton Road have had the benefit of extensions. There have been previous consents for the same development at 3 Burton Road, however these have never been implemented. The accommodation provided would be for a studio to the ground floor and a study to the first floor. The accommodation will be used ancillary to the host property. There is sufficient external amenity space retained for the occupants of the property.

Visual Amenity- The host property along with the others within this wider site/ courtyard are of some architectural merit and contribute to the character of the Withington conservation area. The extension would sit behind the high walled garden and with the tree cover would not be widely visible from within the street scene. The materials to be used would match those of the existing property being brick and slate. To ensure that there is no detrimental impact upon either the visual amenity of the neighbouring properties or the character of the Conservation area a condition relating to the materials to be used shall be attached to any consent granted.

Refuse bin storage - The storage of refuse bins are not affected by this proposal, there would be space retained to store the bins in the rear garden and bring them kerb side on collection day.

Parking - parking is not affected by the proposal.

Impact on the character of the Withington Conservation Area - Extant Policy DC18.1 states that applications within conservation areas should preserve or enhance the appearance and character of a conservation area and that it is desirable to retain the existing features, such as boundary walls, gardens, trees and, where possible, preserving, enhancing the character, setting within the conservation area. Given that the extension is not viewed within the street scene, and the extension does not impact upon the original features of the property, it seeks to mirror those features assimilating well into the Conservation area. It is considered acceptable and in compliance with policy DC18.

Conclusion - The proposal is considered acceptable in this location, in terms of design, scale, massing and amenity allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, or the character and appearance of the surrounding street scenes or Conservation Area, and there are no material considerations of sufficient weight to indicate otherwise. The proposal therefore complies with Policies DC18.1, DC1, DM1 and SP1.

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. The application has been determined 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:

BS 5837:2012 Pearce Arboricultural Method Statement April 2022

JCBD-21-252 - 2 REV 01- Proposed Plans Elevations and Roof 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 of the extension hereby permitted shall match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form.

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) 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 the developer should ensure that the remaining portion of the root protection zone is adequately protected via the use of ground boards and fencing.

No materials should be stored within the root protection zone of the tree and all work should be carried out in accordance with BS:5837 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.

5) 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

Neighbourhood Team Leader (Arboriculture)
Withington Civic Society
Neighbourhood Team Leader (Arboriculture)
Withington Civic Society

Palatine Mews, 6 Palatine Road, Manchester, M20 3JB
2 - 4 Palatine Road, Manchester, M20 3JA
4 Burton Road, Manchester, M20 3ED
17 Bridgelea Mews, Bridgelea Road, Manchester, M20 3BJ
2 Burton Road, Manchester, M20 3ED
Flat 10, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
Flat 9, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
Flat 7, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
Flat 6, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
2 Palatine Mews, 6 Palatine Road, Manchester, M20 3JB
1 Palatine Mews, 6 Palatine Road, Manchester, M20 3JB
Flat 2, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
Flat 3, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
21 Patten Street, Manchester, M20 3HD
1 Burton Road, Manchester, M20 3GD
Flat 8, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
15 Bridgelea Mews, Bridgelea Road, Manchester, M20 3BJ
Flat 5, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
3 Palatine Mews, 6 Palatine Road, Manchester, M20 3JB
Flat 1, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
Flat 4, Alpine Court, 8 - 10 Palatine Road, Manchester, M20 3JA
3A Burton Road, Manchester, M20 3GD

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 - Withington Conservation Area 1983
Area Team Boundary - Name: SOUTH