

<b>Application Number</b>	<b>Date of Appln</b>	<b>Committee Date</b>	<b>Ward</b>
127769/FH/2020	8 Sep 2020	2 Sep 2021	Didsbury West Ward

**Proposal** Erection of single storey side and rear extension and re-cladding of existing rear dormer to form additional living accommodation

**Location** 91 Palatine Road, Manchester, M20 3JQ

**Applicant** Mr I Shezad , 91 Palatine Road, Manchester, M20 3JQ

**Agent** Mr Farhan Rama, Archirama Ltd, 3 Park Gate Avenue, Manchester, M20 3BZ

## Executive Summary

This application is for the erection of a single-storey side and rear extension and re-cladding of an existing rear dormer to provide additional living accommodation.

The property is not listed but is sited within the westernmost boundary of the Ballbrook Conservation Area.

The main issues arising from the proposals are the impacts on residential and visual amenity including the impact on the conservation area.

A total of 19no. neighbours, conservation and resident's groups were consulted on the application and the proposal was advertised by the display of a site notice.

Five objections from local residents and a local ward member were received in relation to the amended scheme.

Most objections concern the modern design and materials of the proposal which objectors believe is out of character with the conservation area.

Concerns have also been expressed that the single storey side and rear extension is too large and that it will give rise to a loss of privacy and light.

## Description

The application site relates to an early C20 Arts and Crafts style semi-detached dwelling situated on the eastern side of Palatine Road in the Didsbury West ward and within the Ballbrook Conservation Area.

The property is within a rectangular plot measuring 460m<sup>2</sup> and set back 15.5 metres off the Palatine Road frontage. There is access along the northern side to the rear garden.

It is of smooth red brick and render construction with a rosemary tiled cross-gable roof. There is decorative black and white applied timber bracing to a projecting front gable that spans both properties, terminating in a catslide roof.

There are full height canted black uPVC bay windows over both storeys with a black tile hung fascia between. The windows and fascia have been installed by the new owners to replace rotten timber frames. Similar frames have been replaced at the rear. It is noted that the property has been in a poor state of repair for several years until its sale to the applicant in 2017.

At the rear there is a low-profile shed type dormer that was installed without the benefit of planning consent by a previous owner. Retrospective consent sought by the current owner under application reference: 117915/FH/2017.



**Rear elevation of 91 Palatine Road (R/h side) with No.93 on the left, from Danesmoor Road**

**Front elevation of 91 Palatine Road (L/h side) with No.93 on the right, from Palatine Road**



The property is accessed via double vehicular gates on Palatine Road beyond which is space to park 1 or 2 cars.

The front boundary is a low stone wall with flat copers and gate piers of the same material.

To the north of the site is No.89, a large red brick detached building with distinctive domed roof on the corner of Sandleigh Avenue. This building has a long history in use as a medical centre but received the approval of the Local Planning Authority in 2015 for a change of use to a single-family dwelling house (109337/FU/2015/S2) which is understood to have been implemented. Windows on this building have recently been changed to a black-coloured material.

In August 2020, the application at the site originally sought the determination of the Local Planning Authority for a:

*Single storey side and rear extension, 2-storey front extension, rebuilding of front bay window and rear dormer with Juliet balcony.*

**Original Proposal – Front elevation**



**Original Proposal – Rear elevation**



The proposed works, particularly with respect to the front elevation were unacceptable due to their impact in a highly visible location on the Palatine Road frontage and which would dramatically unbalance the pair of semi's to the detriment of the street scene. The enlarged rear dormer was also considered to be unacceptable.

Following negotiations, the agent amended the scheme to omit the alterations to the front elevation which is now proposed to be retained intact as shown in the photo above left. The latest amendment before the Committee has also omitted the enlarged dormer, opting to re-clad the existing dormer instead.

The other half of the semi (No.93) is more or less original with the exception of a rear conservatory and uPVC materials applied to the original rear dormer window and fascia. The Google Street View image below taken from Danesmoor Road in 2014



shows the dormer at No.93 and the original dormer at the application site with a timber gable feature:



The character of the surrounding area comprises similarly scaled early C20 suburban dwellings. Most pairs of semi's have original features; a few also having original dual-pitched front and rear dormers. Other properties have been variously extended at roof level. Close to the site, Nos.2 and 4 Sandleigh Avenue to the north east both have shed-type front dormers; that at No.2 also has a rear shed-type dormer. There is no planning history for the front or rear dormers at No.2 (seen below on the right), whilst the front shed-type dormer at No.4 (seen on the left) was approved in 2016 (Ref:114227/FH/2016).



No.6 Sandleigh Avenue has a rear inset dormer with balcony for which there is no planning history.

## Site History

There are 3no. applications relating to the site:

In 2014, application 114105/FO/2014 was submitted for the change of use from a single residential dwelling to 3 x no. self-contained flats with associated elevational alterations, bins store to the side, 2 x no. Juliet balconies to rear, associated car parking and installation of rear dormer and basement lightwells to front and rear. It was refused on 2 grounds; the loss of family accommodation and an over-intensive use of the property. The decision was not appealed by the applicant.

An application in 2015 (Ref: 110135/FO/2015/S2) to convert the property into 4no. self-contained flats, together with Juliet balcony at first floor, was refused by the Council on 3 grounds including overlooking from a proposed first floor Juliet balcony. It was appealed and dismissed (Ref: APP/B4215/W/16/3142188) against non-determination.

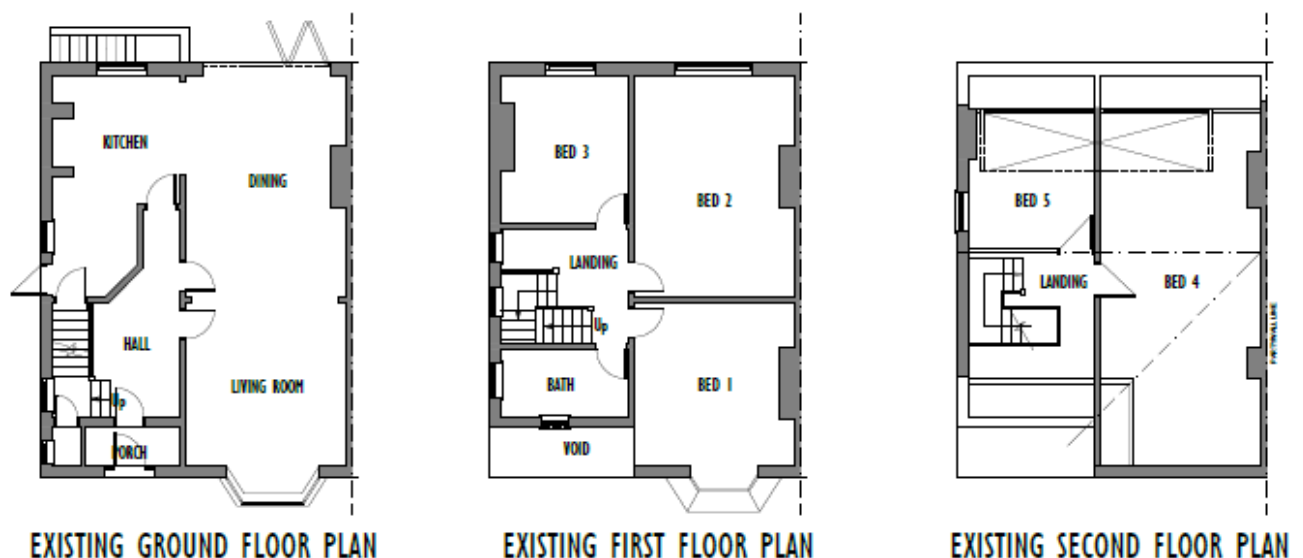
The rear dormer in situ was erected by the previous owner of the site, with consent granted to the present owner retrospectively under application 117915/FH/2017.

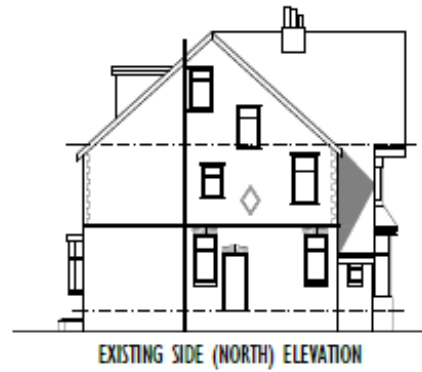
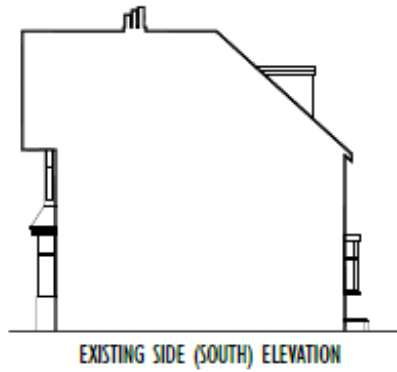
## Proposal

The existing and proposed floorplans and elevations are presented below giving context to the proposals in this application.

The existing house comprises of a porch, hallway, living room, dining room and kitchen at ground floor, 3no. bedrooms and bathroom at first floor and 2no. bedrooms in the roof space. The existing floor plans are shown below:

### Existing floor plans and elevations

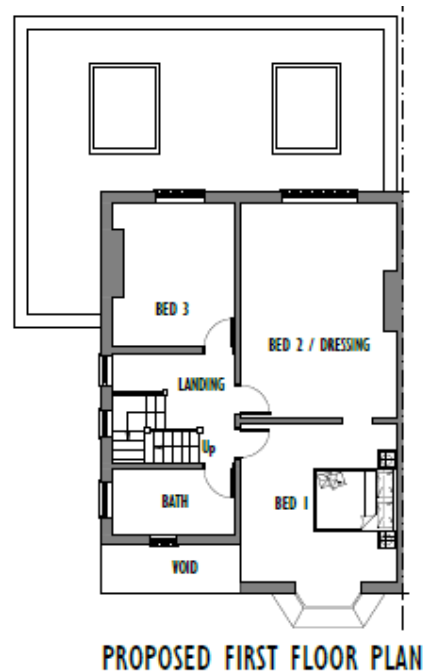
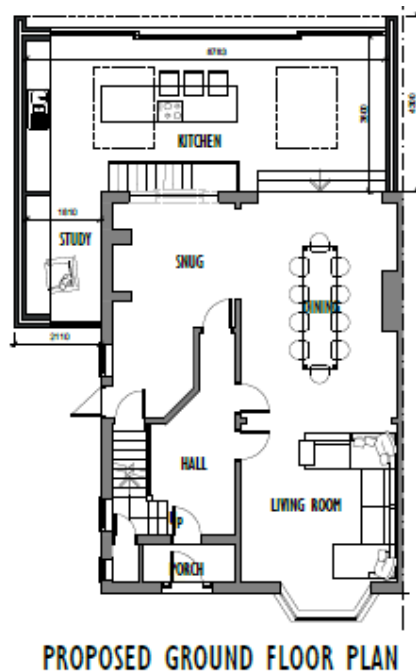


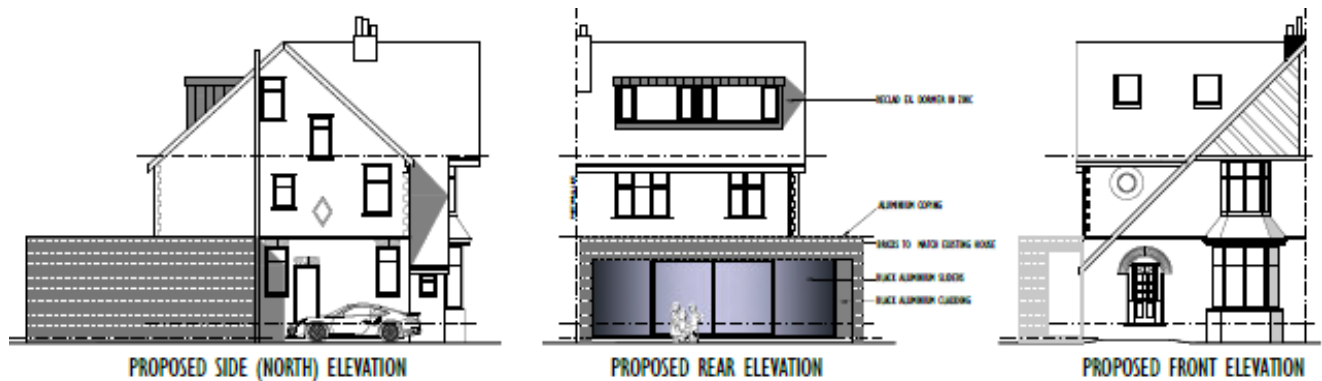


The proposals comprise an extended kitchen and study at ground floor and re-cladding an existing dormer serving bedrooms (4 and 5) in the roof space.

The proposed floorplans and elevations are shown below.

### Proposed floor plans and elevations





## Consultations

A total of 19no. neighbours, conservation and resident's groups were notified of the amended application. A public site notice was also displayed giving notification of the original scheme. A total of 5 comments from neighbours were received together with those from a conservation group and local ward member. The points raised on this amendment are summarised below:

### Neighbour comments:

They are visually appalling in terms of sheer scale and unsympathetic materials;

They would result in a horribly unbalanced pair of semis.

This is unnecessary over-development, the scale and dug out cellar makes us fear that this is a precursor to future internal works to divide the newly larger footprint into flats. A condition requiring occupation by a single household (or some other safeguard) would seem to be prudent.

They are clearly the thin end of the wedge - imagine the rest of Didsbury covered with huge rear extensions such as this.

They will have a disproportionate impact on 91's close neighbours.

There will no longer be a 'typical' aesthetic to the conservation area.

The character of this house is slowly ebbing away.

The ground floor extension seems unnecessarily large and out-of-keeping.

There is no justification for the use of out-of-character materials like this. The existing (unauthorised) dormer is ugly, but at least the dormer cheeks are clad in tiles, which are in-keeping. Cladding it in zinc will draw the eye by making it more visually obtrusive and there will be a greater clash with the other half of this pair of semis.

Impact of the size of the rear extension on the amenities of neighbouring occupiers being very obtrusive.

The extension projects 2.5m along the common boundary [with No.93] and therefore will project out at least 1.5m further and possibly considerably more and will have an impact on light and privacy.

The planning proposal for the rear extension would be fine if it were for a vulgar place such as Las Vegas but we are talking Didsbury here – a conservation area to boot – not Las Vegas.

It would set a precedent for others to follow, and soon enough it would be farcical to be calling this a 'Conservation Area'.

The extension is entirely different in form and scale from our [the] property which it adjoins.

The use of unsympathetic materials such as zinc and aluminium is out of character for these Edwardian properties. This [also] applies to clad the dormer window.

The size of the extension would considerably increase the amount of living accommodation in the property. The size of the property would therefore increase enormously beyond its original scale.

The large rear and side extension [and] basement, would make the property in the future extremely attractive to developers wishing to convert it into several apartments or/ multiple occupancy.

#### Ballbrook Conservation Area Group

The Ballbrook Conservation Area Group is supportive of the statement that 91 Palatine Road is in 'desperate need of a major overhaul' even more desperate than it was a year ago.

The Group is pleased that the property [is being repaired] as a single residential dwelling. However, there are concerns that the proposals could increase the likelihood of the property becoming a house in multiple occupation.

The Group SUPPORTS the withdrawal of proposed changes to the front elevation of 91 Palatine Road, such that it continues to mirror the front elevation of 93 Palatine Road.

The Group SUPPORTS the removal from the plans of the 'new larger dormer' 'clad in profiled zinc and [with] a glass Juliet balcony in front of bi-fold doors' at the rear.

The shape of the existing dormer is out of character with that of its neighbour at 93 Palatine Road [but] received retrospective planning approval in November 2017.

It is disappointing that the proposed re-cladding material of the dormer - zinc - does not respond to the statement on the City Council's website that 'Property owners in the [Ballbrook Conservation] 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.'

The plans for the proposed single storey side and rear extension at 91 Palatine Road show that it would protrude 4.3m into the rear garden immediately adjacent to the boundary with 93 Palatine Road and 2.11m to the side of the property, significantly increasing the footprint of the property by over 40m<sup>2</sup>. Neighbours remain concerned that the size of the extension and resulting decrease in back garden space at the property will affect their properties in terms of reduction of privacy and light. The Group suggests that the applicant liaises with immediate neighbours about these concerns.

On balance, taking account of the comments above and the need to stem any further deterioration of the property, the Ballbrook Conservation Area Group SUPPORTS the further-revised planning application.

#### Councillor John Leech

The extension is too large

The proposed materials for the dormer are inappropriate in the conservation area.

The negative impact on the neighbouring properties.



## West Didsbury Residents Association

No comments received. Any comments will be reported at the time of the Committee meeting.

### **Policy**

#### **Legislative requirements**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 72 of the Listed Building Act 1990 provides that in considering whether to grant planning permission for development that affects the setting or character of a Conservation Area the local planning authority shall have special regard to the desirability of preserving or enhancing the character or appearance of that area.

**The National Planning Policy Framework July 2021 (NPPF)** – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;

or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Section 16 (*Conserving and enhancing the historic environment*) is of relevance:

Paragraph 197 in Section 16 states that in determining planning applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 206 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 207 states that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 200 or less than substantial harm under paragraph 201, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole.

Paragraph 208 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with

planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those 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 DM1 – Development Management**

This policy is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states all development should have regard to the following specific issues, amongst others:

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Community safety and crime prevention.

Design for health.

Refuse storage and collection.

Vehicular access and car parking.

## **Policy EN3 – Heritage**

States that 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 listed buildings and conservation areas. The application relates to a site within the Ballbrook Conservation Area as set out within this report.

## **Unitary Development Plan for the City of Manchester (1995)**

The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant and are relevant to consideration to the proposed extension to a residential dwellinghouse.

## **Saved policy DC18.1 – Conservation Areas**

This policy states that the Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i. the relationship of new structures to neighbouring buildings and spaces;
- ii. the effect of major changes to the appearance of existing buildings;
- iii. the desirability of retaining existing features, such as boundary walls,

gardens, trees, (including street trees);

iv. the effect of signs and advertisements;

v. any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance or character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

### **Saved policy DC1 – Residential Extensions**

This saved policy of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed.

DC1.1 The Council will have regard to:

a. The general character of the property

b. The effect upon the amenity of neighbouring occupiers

c. The overall appearance of the proposal in the street scene;

d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

a. 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)

b. They do not create a loss of sunlight/daylight or privacy

c. They are not out of character with the style of development in the area

d. They would not result in the loss of off-street parking

Policy DC1.3 states that Notwithstanding the generality of the above policies, the Council will not normally approve:

a. rearward extensions greater than 3.65m (12 ft) in length;

b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;

c. 2-storey extensions to terraced properties which occupy the full width of the house;

d. flat roofed extensions to bungalows;

e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

### **Issues**



## **Manchester Residential Quality Guidance – 2016**

This document provides guidance on the direction that development within the City needs to take to deliver sustainable neighbourhoods. As design is a key component of sustainability, this guidance is of relevance to the present application.

### **Principle**

The application is for an extension at ground floor and alterations to an existing roof extension to a dwelling house which has occupied the site for many years, within a residential setting.

Saved UDP policy DC1 makes provision for occupiers to extend their homes to meet changing household needs; the principle of the proposal against these policy objectives is therefore acceptable.

The development seeks to create an extended ground floor and replace the materials on an existing dormer which provides light and ventilation into 2no. attic bedrooms. The proposal is supported in policies SP1, DM1 and EN3 of the Core Strategy.

The application raised objections on all 3 notifications, with some support for the present proposal coming from a local conservation area group who are active in the area. The matters of concern raised by residents relate mainly to the effects of overlooking / privacy and the visual impacts of the extensions, including the impact of the proposal on the appearance of the conservation area. These are material considerations which are discussed in the sections that follow.

### **Residential Amenity**

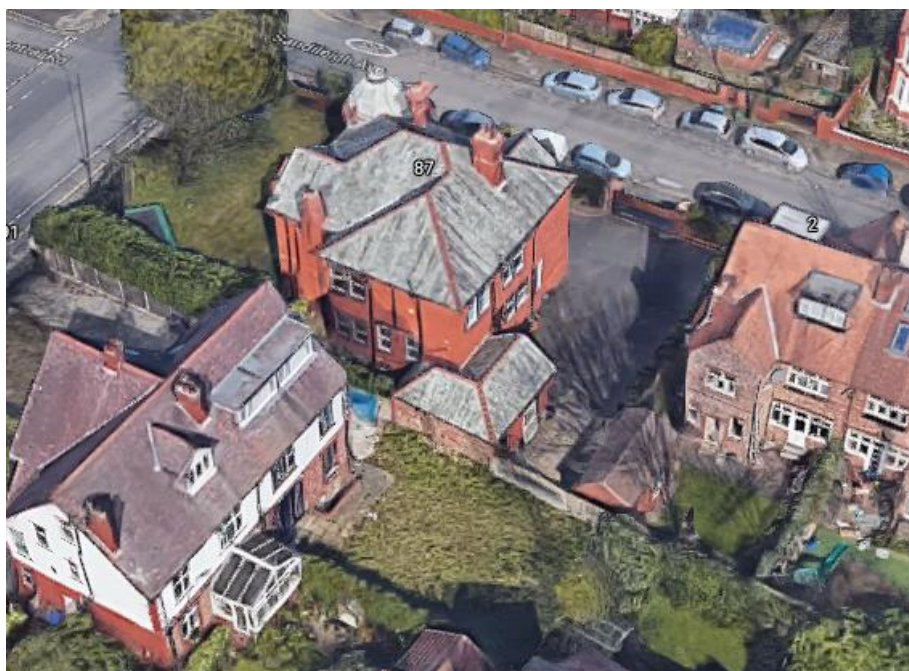
It is considered that the proposed side and rear extension is unlikely to have any unduly detrimental impacts on residential amenity for the following reasons;

The principle of householders extending their properties to provide additional living accommodation and meet changing needs is generally considered acceptable subject to further consideration of impacts on residential and visual amenity. As set out below the proposed development is considered to accord with the principle of extending a residential property as set out in saved UDP policy DC1.

The proposed single-storey side and rear extension would have a rearward projection of 4.3 metres along the boundary with No.93 to the south where there is a 2.5 metre length pitched-roof glazed conservatory. The extension would project beyond the conservatory by approximately 1.8 metres and would stand at a height of 3.5 metres to a flat roof.

Given that the site is orientated north of the adjoining property and that the height and rearward projection in relation to the conservatory on the adjoining land is relatively comparable, with only a small projection beyond, there are no concerns that this element of the proposal will lead to any overshadowing. Furthermore, any loss of light would not be so significant as to warrant a refusal of planning permission. Although the proposed extension is in excess of the guideline 3.65m, the potential impacts in this context are acceptable and would not warrant a refusal of planning permission.

Turning to the impacts on No.89 to the north, the Committee are asked to consider the single storey side and rear extension in the context of the side and rear extension at No.89 Palatine Road which is orientated north of the site. This extension has a rearward projection of 4.63 metres and width of 6.67 metres. It wraps around the south elevation of No.89 to the boundary with the site having a width of 3.41 metres at the side. Images on Google satellite indicate that the extension has been there in excess of 4 years and so has the benefit of a deemed consent. The proposal in this application almost mirrors the extension at No.89; this extension providing mitigation from any impacts arising from the application proposal, particularly in terms of overshadowing.



The Committee are also asked to consider that the proposal in this application has a lesser depth and does not extend as far to the boundary as the extension at No.89. In the proposal, the extension at the side leaves a gap for access to the rear and for the storage and manoeuvring of bins off the front elevation. This will be of benefit to the appearance of the dwelling and the wider street scene.

In the context of saved UDP policy DC1.4, and whilst the extension exceeds the 3.65 metre rearward guideline in this policy, the extension at No.89 establishes an extent of built form on the boundary that would result in any approval of the proposal having an acceptable and appropriate relationship with this site and with no loss of amenity to this occupier.

In terms of privacy and overlooking, the Committee are asked to consider that glazing, via full-height bi-fold doors is proposed at the rear, with brick elevations forming each side elevation. As the doors are at ground floor and would be sited 11.3 metres from the common boundary to the rear garden at No.1 Danesmoor Road, they would afford no more intrusive overlooking than any windows at ground floor at present. Furthermore, the doors would not directly face the side windows into habitable rooms of any property

The dormer is proposed to be retained in its current form with no alterations to the siting, scale and design and no Juliet balcony. The only alteration is to clad the

existing, approved dormer in a zinc finish. This is discussed in the sections on materials and impacts on the conservation area below.

Whilst assessment of the revised proposals for the dormer need not take account of any overlooking, this has been raised by neighbours as a point of concern. It is noted that as dormers are in evidence on several rear roof slopes as original features and in this case has a perpendicular relationship to the rear garden of No.1 Sandleigh Avenue 18 metres away, the effects of overlooking would be no more detrimental than that afforded by the upper floor bedroom windows present on all neighbouring dwellings which afford a degree of mutual overlooking.

For the above reasons, the proposal is considered to have an acceptable impact on residential amenity in accordance with the guidance contained within saved UDP policy DC1 and with policy DM1 of the Core Strategy.

### **Siting, Design, Height, Scale, Massing and Materials**

The single storey extension extends 9.4 metres across the rear elevation towards the boundary with No.87 and wraps part-way to the side having a width of 2.11 metres on this elevation. It would be set back 7.7 metres off the front elevation and would be finished in a combination of traditional brick and zinc materials with a slim aluminium parapet.

The ground floor extension is sited in the most logical position to take account of internal constraints and opportunities to provide an extended family kitchen and small study whilst the dormer is as existing providing light and ventilation into 2no. attic bedrooms.

The ground floor extension would have limited visibility within the street scene, the exception being a small section of wraparound at the side which is set well back off the front elevation, whilst the existing rear dormer would be updated to respond to the new windows and materials within the extension.

The extension is within a contemporary design language which, combined with the use of modern materials, seeks to create additions to the building with their own life and vitality; this is an appropriate design response to extensions in a conservation area which contrasts with the original design of the main house.

Current design guidance in the City is embodied within the Manchester Residential Quality Guidance document, (adopted 2016) which supports this approach: *“New development should investigate and reference its historical context; interpreting materials, styles and detailing in a contemporary context that can reinforce local distinctiveness and a sense of place”* (p43). It is considered that the proposal meets this guidance criteria utilising features which will forge an honest relationship between the older dwelling and the extension which can be clearly read and distinguished from the original as a C21 add-on.

The height, scale and massing fit the proportions of the plot. Taking the depth and height of the rearward extension into consideration, it should be noted that the rearward depth is only 0.65 metres in excess of the 3.65 metre guidance within saved UDP policy DC1, but is well below the 6 metre Permitted Development allowance under Class A for extensions where PD restrictions do not apply. At 3.5

metres, the height of the extension is also below the 4 metres allowed under current PD regulations for comparison.

The enlarged footprint creates a dwelling that is suitable for a growing family which contributes positively to the local housing stock, meeting the identified needs in Core Strategy policies H1 and H6.

Concern has been raised about the view of the extension by neighbouring occupiers. This however is not a material consideration in the present planning regulatory framework.

## **Materials**

The proposed materials palette includes matching red brick, glazing, aluminium and zinc.

The introduction of zinc contrasts well with the red brick and rosemary tiles, enabling both the original dwelling to be fully expressed and the extensions to be read as modern interventions.

As with the design, the materials avoid a pastiche of the original whilst having a clean finish. There is also precedent in terms of the colour of the material as seen in the front-facing dormers at Nos.2 and 4 Sandleigh Avenue, the latter receiving approval in 2016, and in the recently installed windows across all elevations of No.89 Palatine Road.

The details of the final finish are required to be submitted by way of the materials sample condition appended at the end of this report, to ensure that the quality of the materials are of a high standard.

## **Impact on the Conservation Area**

The NPPF requires that local planning authorities identify the significance of heritage assets and work to preserve and enhance them. This is echoed in saved UDP policy DC18.1 and Core Strategy policy EN3, whilst saved UDP policies DC1.1a and DC1.1d require that particular regard is paid to the character of the dwelling and the overall appearance of the street scene.

Part of the significance of the Ballbrook Conservation Area derives from the appearance of the dwellings in the street scene. One of the features of note in relation to roof slopes are the examples of original front and rear dormers.

As the dormer at the site is a modern intervention and is not of any heritage significance, the proposal does not entail the loss of heritage significance and the proposal is considered to be an opportunity to improve on the existing structure which is supported in the above policy framework.

The Council acknowledges that overwhelmingly, original dormers are discreet dual-pitched additions set well within the centre of the rear roof slopes. As the application site is the other half of the semi-detached property, consideration must also be given to the effect of the proposal on No.93 which has most visibility in the street scene.



There are views from both Danesmoor Road (see photo above) and, to a lesser extent, from the gap to the right of No.2 Sandileigh Avenue, as seen below.



From this aspect, the dormer would appear less obvious due to the darker zinc material than the existing white uPVC and red vertical hung tiles. The physical proportions are unchanged and are therefore not under assessment in this report, having previously been assessed and approved in the retrospective 2017 application.

The materials will harmonise with the other elements of the proposal at ground floor, giving a coherent and polished finish to the building to the benefit of the street scene. They will also respond to the colour palette of other windows across the building and in the street, including the dormer fascias at Nos. 2 and 4 Sandileigh Avenue and the colour of windows recently installed at No.87 Palatine Road.

Concerns have been raised with regards to the unbalancing impact of the dormer alongside the original form of the dormer at No.93. Whilst the Council does not dispute this effect, the proposal in this application strikes a balance between maintaining the existing situation which utilises materials of no particular significance and upgrading them to give the dormer a cleaner and smarter appearance.

The single storey extension has less visibility in the street scene, the most visible aspect being a 2.11-metre wide section that is set back 15.5 metres off the Palatine Road frontage. It is of a relatively simple, low-key appearance with brick materials to match the existing and a vertical window to the front elevation. As with the rear elevations, the simple flat-roof design contrasts with the original dwelling giving it an unobtrusive appearance which does not detract from the intentionally designed front elevation. As such, there is no perceived harm arising from this element of the proposal.

The cumulative impact of the proposal also needs to be weighed against the perceived harm to the wider conservation area. In this case, the effect of retaining, improving and investing in a neglected dwelling suitable for a growing family and creating a home fit for C21 living, overrides the concerns about the use of a modern material. As with the contemporary design approach to the ground floor extension, the modern materials are not only compatible with the design but represent a more honest intervention than a pastiche which can blur the lines between an original feature and modern addition.

On this basis, the proposal is considered to have a less than substantial harm to the appearance of the dwelling and the wider conservation area with the public benefits outweighing any harm, in accordance with saved UDP policy DC18.1 and Core Strategy policy EN3.

### **Other matters**

#### **Refuse storage**

Access would still be maintained to the rear of the property from the north side, hence bins could still be stored away from the front elevation, to the benefit of the street scene.

#### **Parking**

Parking is unaffected by the proposal which does not encroach onto the front driveway in this revised proposal.

#### **Trees**

There are no trees located within the side or rear curtilage which could be impacted by the proposals in this application.

#### **Vehicular gate**

The applicant has stated that this gate does not form part of this application, they have been informed that what has been installed does require planning permission and this matter would be dealt with separately to the proposals subject of this report.

#### **Errors within application drawings**

Concern has been raised that the submitted drawings have inaccuracies which should indicate that all drawings in the submission are regarded with caution.

The Council has assessed the proposal on the revised set of drawings which do not contain any inaccuracies which would impact on the determination of this application.

#### **Concerns regarding house in multiple occupation / flat conversion**

Concerns have been raised about the development which, due to the depth of rearward extension and use of the basement area, indicate that the property is proposed to be used as a house in multiple occupancy or flats. Planning permission

would be required for the use of the property as a House in Multiple Occupation or the use as flats.

## **Conclusion**

This application seeks to enlarge a property in order to create a larger family home, that maintains the existing character of this property within a conservation area.

The proposals are considered to have been sited and designed to minimise impacts on residential amenity and the visual amenity and character of the conservation area. On balance it is considered that the extensions are of a scale and design that is acceptable and that the development accords with the above Council policies.

## **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 the right to a fair hearing and to this end the Committee 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 of the application 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 local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received objections on notification of all revisions which has resulted in the amendments in the present scheme. It has been approved with appropriate conditions as set out below, in the interests of visual amenity and preservation of the conservation area.

## **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 127769/FH/2020 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national

planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

**Ballbrook Conservation Area Group**  
**Ballbrook Conservation Area Group**

**A map showing the neighbours notified of the application is attached at the end of the report.**

**Representations were received from the following third parties:**

<b>Relevant Contact Officer :</b>	Linda Marciniak
<b>Telephone number :</b>	0161 234 4636
<b>Email :</b>	<a href="mailto:linda.marciniak@manchester.gov.uk">linda.marciniak@manchester.gov.uk</a>



