

List No. 9

Withington Ward	Application Number 083063/FH/2007/S1	Date of Appln 8th May 2007	Committee Date 26th Jul 2007
Proposal	Erection of a two storey side and rear extension to form additional living accommodation		
Location	37 Edgeworth Drive, Fallowfield, Manchester, M14 6RS,		
Applicant	Mrs Martine Richardson 7 Norgate Street, Didsbury, Manchester, M20 2DG		
Agent	Architectural Drawings 7 Darley Street, Sale, Manchester , M33 7TB		

Description

The application relates to a two storey semi detached property. The property has a single storey side garage that extends to the boundary and adjoins the garage at 35 Edgeworth Drive, the property also has gardens to the front and rear.

The application site is bordered on all four sides by residential properties where the dominant house type is semi detached dwellings.

This application now relates to a two storey side and rear extension, the original proposal consisted of a side extension that had a rearward projection of 2.8 metres at both ground and first floor. This proposal would have allowed for 2 additional bedrooms and two additional rooms at ground floor. However, by reason of it's scale and massing it was the head of planning's view that this would constitute over development, the proposal was revised so that the side extension did not project further than the end of the original house.

The revised scheme relates to a two-storey side and rear extension to extend the kitchen and form a study to the side at ground floor level and create one additional bedroom and extend the existing rear bedroom at first floor level.

The extension is set back 2 metres from the original house to allow for bin storage and includes windows to the front and rear, with the side elevation containing no windows.

Consultations

Local residents -

9 letters of objection have been received, and one petition with 35 signatures, the objections are summarised below:

If the extension is built, we would experience a significant deterioration in the quality of light to the rear of the property, 39 Edgeworth Drive.

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There will be no space between my property (no. 35) and the number 37, it will also block the sunlight at the side of the property, my front room will be very dim at daytime.

The increased occupancy and the lack of provision for off road parking would be a negative impact upon the immediate area in terms of increased noise, traffic and other environmental concerns.

A rise in the number of absent landlords and short term tenants has lead to increased noise, litter and crime to the detriment of local residents, community and the council alike.

The property is not suitable for renting to students. Increasingly, properties in the street and are being developed for and occupied by students and other short term tenants which is beginning to change the character of the area. Noise, litter, parking, and neglect of properties and gardens are gradually bringing the area down.

The two-storey extension will extend above the gutter line, will cause loss of light and interfere with adjoining residents view and sight line.

Ward Members: A letter has been received from the Withington ward councillors: Alison Firth, Audrey Jones and Simon Wheale. The objections are summarised below:

We would like this application to be rejected on the grounds that it is too large an extension and it constitutes over development with potential problems with parking and loss of amenity.

Local Member of Parliament: Two letters received from John Leech MP, outlining concerns that the proposal constitutes over development, and will cause a 'terracing effect'. Concerns about whether the application should be for a House in multiple occupation were also raised.

Councillor Audrey Jones -
Councillor Alison Firth -

Issues

Unitary Development Plan - There are no site specific policies relating to the application site. However, the following citywide policies are relevant to this proposal:

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider include the scale and appearance of the development and it's impact in terms of noise, vibration, traffic generation, road safety and air pollution

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Policy DC1 relates to residential extensions and requires that consideration be given to various factors with particular regard given to the general character of the property and the effect upon the amenity of neighbouring occupiers.

Regional Spatial Strategy - There are no specific policies that are relevant to this application.

Principle of the proposal - The principle of creating additional living accommodation on an existing dwelling house is considered acceptable

Visual Amenity/Residential amenity - The principle issue is whether the proposal will result in an overbearing appearance in the street scene and whether there will be any detrimental impact on the adjoining occupiers in visual terms or otherwise reduce their amenity.

The proposed extension is set back by 2 metres, it is therefore considered that this will prevent any 'terracing effect' and still allow a distinct delineation between the architectural styles of the properties concerned. Further, as the proposed side extension will not project further than the rear of the original house, there will be no impact in terms of overshadowing or overlooking to number 35 Edgeworth Drive and as the two storey rear extension is 2 metres away from the adjoining house 39 Edgeworth Drive the overshadowing that will be caused will not be significant.

Parking - The proposal includes the provision of one off road space via a surface level

Other concerns:

Concerns have been raised about the current owners possible interest of using the dwelling for rented accommodation. Planning legislation allows a property to be occupied by up to 6 unrelated persons without the need to obtain planning permission, providing that the persons concerned are living as a household i.e no locks on doors, shared bills etc. The present occupancy of the application site is described as a dwelling house consequently providing that the persons occupying the house are living as a single household there is no action that can be taken under planning law.

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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval

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and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation APPROVE

Approve on the basis that the proposal accords with Policies DC1 and H2.2 of the Unitary Development Plan for the City of Manchester and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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) No development that is hereby approved shall commence unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policy **** of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the City Council as Local Planning Authority: Drawing no. 2b stamped 13/06/2007

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy H2.2 of the Manchester Unitary Development Plan.

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: 083063/FH/2007/S1 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 all held by the Planning Division.

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

31 Edgeworth Drive, Manchester, M14 6RU
22 Edgeworth Drive, Manchester, M14 6RU

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24 Edgeworth Drive, Manchester, M14 6RU
26 Edgeworth Drive, Manchester, M14 6RU
28 Edgeworth Drive, Manchester, M14 6RU
33 Edgeworth Drive, Manchester, M14 6RU
35 Edgeworth Drive, Manchester, M14 6RU
37 Edgeworth Drive, Manchester, M14 6RU
39 Edgeworth Drive, Manchester, M14 6RU
19 Beverly Road, Manchester, M14 6TZ
21 Beverly Road, Manchester, M14 6TZ
23 Beverly Road, Manchester, M14 6TZ
25 Beverly Road, Manchester, M14 6TZ
20 Edgeworth Drive, Manchester, M16 6RU
Members Services, Room 3024C, Town Hall Extension, Manchester, M60 2LA

Representations were received from the following third parties:

Councillor Audrey Jones, Members Services, Room 3024C, Town Hall Extension, Manchester, M60 2LA,
Councillor Simon Wheale, Members Services, Room 3024C, Town Hall Extension, Manchester, M60 2LA
John Davies, 31 Edgeworth Drive, Manchester, M14 6RU
Mr Ian McKinstrie, 33 Edgeworth Drive, Manchester, M14 6RU,
Mr & Mrs Islam, 35 Edgeworth Drive, Manchester, M14 6RU,
Mr G Hodgkins, 39 Edgeworth Drive, Manchester, M14 6RU,
Tessa Brannan & Leon McDonnell, 20 Edgeworth Drive, Manchester, M16 6RU
Councillor Alison Firth, Members Services, Room 3024C, Town Hall Extension, Manchester, M60 2LA,

Relevant Contact Officer: : Charenjit Kaur
Telephone No. : (0161) 234 4548
Email : c.kaur@manchester.gov.uk