

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132330/FO/2021
Date registered valid:	26 November 2021
Proposal:	Erection of single storey dwellinghouse with room in the roof space and associated car parking, amenity space and other works
Address:	Land Adjacent To 10 Spring Bridge Road, Manchester, M16 8PL
Ward(s):	Whalley Range Ward
Applicant:	Mrs S Zakir C/o Agent
Agent (if any):	Mr Barry Tang Tang and Associates Ltd - Chartered Architects Entrance W1 First Floor, Westwood House, Greenwood Business Centre, Manchester, M5 4QH
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	1 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 9 December 2021

Standard consultations:

Printed: 1 December 2021 Expired: 22 December 2021

Neighbour notifications

Printed: 1 December 2021 Expired: 22 December 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a parcel of land which was formerly the rear garden of no. 2 Manley Road, a three storey residential property in use as six self-contained flats. The land has since been fenced off from no. 2 Manley Road and is in an overgrown and neglected state. The application site is shown edged in red below:



To the north of the site stands no. 10 Spring Bridge Road, a detached bungalow with living accommodation in the roofspace. To the east, on the opposite side of Spring Bridge Road, there is a row of interwar semi-detached dwellings. To the south stands no. 2 Manley Road, while immediately to the east lies the rear garden of no. 4 Manley Road, a property also in use as self-contained flats.

Listed building: no
Conservation area: no
Tree Preservation Order: no

Description of development

Erection of single storey dwellinghouse with accommodation room in the roofspace and the provision of associated car parking and amenity space.

Consultations & Notification Responses

Local Residents – Two letters of objection have been received, the comments are summarised below:

- This proposal would overdevelop the site.

- The area already suffers from parking problems, the addition of another dwelling will exacerbate the problem. All the homes opposite the site, on the odd numbered side and at 2 and 10 Springbridge Road, use and have a number of cars. There have been problems encountered with parking by existing occupiers in general; especially because Springbridge Road is quite narrow and if cars are parked on one side of the road only then persons living on the odd numbered side can gently manoeuvre their cars outward from their drives onto the street; but if the proposed development goes ahead then it is practically likely that there will be parking on the street by the proposed developers when not using car bays and there could be an accident waiting to happen; especially as there is secondary school on the road and Springbridge Road is a rampant school run during term time; which would make the area even more accident prone should this development go ahead.
- The properties in this area are very diverse architecturally, this proposal would not complement the character of the area.
- A single 3 bedroom house would not be in keeping with this old, established residential area with pre-1st World War houses on the even numbered side (from number 12 onwards) and older Victorian properties (from number 6 and below) The odd numbered properties are in the main from N0 9 to the end of the same road interwar semi-detached 1934-1935 houses – apart from 1- 7 which are small modern semi-detached modern homes built on land next to the road (no rear gardens used).
- The proposed build is in no way in character with the area with the vast majority many homes built prior to the 1st War and during the inter-war years. There are absolutely no new dwelling homes on this long street; especially to be built in a garden.
- This site was and should still be the garden area associated with the flats at no. 2 Manley Road. It has been fenced off and allowed to be overgrown and derelict in order to facilitate its redevelopment.
- The proposal would result in a loss of privacy and lead to overshadowing.
- There would be further use of drainage and water services to the area which has suffered very badly from poor water pressure including to all houses opposite the site and we believe this has been due to overall development of the area.

Highway Services – Have made the following comments:

- Given that the proposed development is resultant in one additional residential dwelling, the number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.
- The addition of a H-Bar making could be considered in order to protect driveway access points from inconsiderate parking. It is also recommended that the applicant liaises with MCCs Street Lighting Team regarding any potential requirement to relocate an existing street lighting column located on the Spring Bridge Road footway at the front of the site.
- There are two car parking spaces located within the site's curtilage. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles / pedestrians do not impact on the adopted highway. It is required, in line with MCC Residential Guidelines, that the provision of an Electrical Vehicle charging point (minimum 7kW) is made available.
- In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.
- It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians. The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

- A bin store will be in place to the right of the property. Highways consider this to be acceptable in order to prevent any obstruction to passing pedestrians on the adjacent footway.
- A Construction Management Plan should be provided by the applicant prior to any construction works beginning.

Environmental Health – Suggests the imposition of conditions concerning contaminated land, refuse storage and vehicle charging points.

MCC Flood Risk Management – Suggests the imposition of conditions to manage flood risk and drainage.

Neighbourhood Team Leader (Arboriculture) – The encroachment into the root protection zone is within the accepted percentage and therefore we would have no objection, however, the use of ground boards and protective fencing needs to be exercised as per the method statement.

United Utilities – Suggests the imposition of conditions to manage flood risk and drainage.

Policies

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:
 - i. 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
 - ii. 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, Sections 5 (*Delivering a sufficient supply of homes*), 9 (*Promoting sustainable transport*) and 16 (*Conserving and enhancing the historic environment*) are of relevance:

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 104 states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued.

Paragraph 107 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Core Strategy Development Plan Document – 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, Spatial Principles – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H6, South Manchester – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.

- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- • Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

Issues

Principle of the Proposal – Whilst the site is located within a residential area, given the constraints of its size and its relationship with adjoining properties, it is not considered that it is capable of being redeveloped for residential purposes without having a detrimental impact on the streetscene and the levels of residential amenity enjoyed by the neighbouring occupants. Accordingly, the principle of the redevelopment of the site is not considered acceptable.

Character of the Area – The predominant character of the area is one of dwellings that follow a recognised building line and which are set behind relatively deep front gardens with generous gardens to the rear.

The site has been formed from part of the rear garden of 2 Manley Road and consequently is not particularly deep. As a consequence, in order to provide the required amount of floorspace, the proposed building has been sited forward of the adjoining dwelling on Spring Bridge Road. It is considered that siting the proposed dwelling in this location would result in an awkward juxtaposition between the neighbouring properties that would create an incongruous feature in the streetscene and a proposal that would be out of character with the pattern of development in the area.

Given the above, it is considered that the proposal would have a detrimental impact on the existing levels of visual amenity enjoyed within the vicinity of the site.

Residential Amenity – It is noted that the first floor windows facing the rear garden of no. 4 Manley Road would be obscurely glazed. Nonetheless, as the proposal would be sited so close to the rear garden boundary of no. 4 Manley Road, it would still have an overbearing impact on the occupants of that property and would detract from the enjoyment of their rear garden. Consequently, it is considered that the siting the dwelling in the local proposed, would have a detrimental impact on the existing levels of residential amenity enjoyed by the occupants of no. 4 Manley Road.

Design – The design of the proposed dwelling is traditional in nature and this approach is considered acceptable.

Scale and massing – Given its traditional design and that fact its height sits in between the two adjacent properties the scale and massing of the proposal is considered acceptable in principle, however, as stated above this causes harm to residential amenity.

Car Parking – The proposed parking provision is considered acceptable in this instance.

Pedestrian and Highway Safety – It is not considered that the comings and goings of residents and visitors to the site would be of such a level so as to prove detrimental to the existing levels of pedestrian and highway safety enjoyed along Spring Bridge Road.

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: Refuse

Article 35 Declaration

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document, the guidance contained within the National Planning Policy Framework and National Design Guide. The applicant was advised that the provision of residential accommodation in this location would not be appropriate as it was out of character with the pattern of development and have an unduly detrimental impact upon neighbouring residents. As the nature of the proposal was considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed development by reason of its siting will form an overdominant and incongruous feature in the street scene and will have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site, contrary to Policy DM1 in the Manchester Core Strategy and the guidance contained within the NPPF.

2) The proposed development, by reason of its siting will have an overbearing impact on the neighbouring property and will as a result have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of no. 4 Manley Road, contrary to Policy DM1 in the Manchester Core Strategy and the guidance contained within the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
United Utilities Water PLC
Whalley Range Forum

13 Springbridge Road, Manchester, M16 8PL
15 Springbridge Road, Manchester, M16 8PL
17 Springbridge Road, Manchester, M16 8PL
19 Springbridge Road, Manchester, M16 8PL
21 Springbridge Road, Manchester, M16 8PL
Flat 2, 2 Manley Road, Manchester, M16 8PN
Flat 6, 2 Manley Road, Manchester, M16 8PN
Flat 5, 2 Manley Road, Manchester, M16 8PN
Flat 4, 2 Manley Road, Manchester, M16 8PN
Flat 3, 2 Manley Road, Manchester, M16 8PN
Flat 1, 2 Manley Road, Manchester, M16 8PN
Flat 5, 4 Manley Road, Manchester, M16 8PN
Flat 4, 4 Manley Road, Manchester, M16 8PN
Flat 3, 4 Manley Road, Manchester, M16 8PN
Flat 2, 4 Manley Road, Manchester, M16 8PN
Flat 1, 4 Manley Road, Manchester, M16 8PN
11 Springbridge Road, Manchester, M16 8PL

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