

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132235/JO/2021

Date registered valid: 16 November 2021

Proposal: Variation of condition 2 (specified plans) of planning approval reference 129641/FO/2021 to allow amendments to the external elevations, re-siting of bin store to rear gardens, landscaping amendments, and addition of front gate

Address: 86 Demesne Road, Manchester, M16 8PJ

Ward(s): Whalley Range Ward

Applicant: Mrs Shazia Akram, Greystone construction solutions, 86 Demesne Road, Manchester, M16 8PJ

Agent (if any): Abdel Koussa, Koussa Architects, 57 Hinchly Road, Manchester, M9 7FG

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 11.01.2022

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 19.11.2021

Standard consultations:

Printed: 25 November 2021

Expired: 16 December 2021

Neighbour notifications

Printed: 22 November 2021

Expired: 13 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 large two storey double fronted detached property on the south side of Demesne Road. The property has an elevated ground floor and a substantial basement. There are two full height bays on the front elevation, between which is a substantial set of steps leading to the entrance. At the rear are two four storey, including basement and roof space outriggers. The property is offset to one side of the site. At the front there is a 10 metre deep garden and at the rear the garden is 4 metres deep. There is a 3.7 metre drive at the side of the property. The property has previously been used as a large HMO and was vacant prior to the building works that are currently on site commencing.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This is a predominantly residential area. At this point Demesne Road is a Cul -de sac. Facing the site is Alexandra Park. Adjoining to the west is a three storey residential block. To the south is Montgomery House a four storey student block and to the east is open space linked to Montgomery House.

Description of development

This application that seeks to regularise works not carried out in accordance with the development approved under references 115695/FO/2017 and amended under reference 129641/FO/2021 for Conversion of property into two dwelling houses (Class C3) including three-storey side extension and associated landscaping and car parking

The principle change is the repositioning of the stairs leading to the rear entrances to the properties and the creation of a landing in the rear elevation of each property. The consequence of these works is that a door has been repositioned and a new window added to the rear elevation of one of the properties, the refuse storage arrangements are changed and the landscaping amended.

Consultations & Notification Responses

Local residents

No representations received.

Environmental Protection

The refuse storage arrangements are acceptable.

Policies

The Development Plan

Manchester's Core Strategy Development Plan Document now forms part of the development plan for Manchester and its policies provide the basis for planning decisions in the City. The Core Strategy replaces a large number of policies in the Unitary Development Plan; however, some of the UDP policies will remain extant until they are superseded by policies in a future Development Plan Document.

Policy SP1 - sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and states that outside the City Centre and the Airport the emphasis is on the creation of neighbourhoods of choice. It also sets out the core development principles, including:

- creating well designed places,
- making a positive contribution to health, safety and well-being,

- considering the needs of all members of the community, and
- protecting and enhancing the built and natural environment.

Policy H1 - Housing - Proposals for new residential development should contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing population. The design and density of a scheme should contribute to the character of the local area and should include usable amenity space and be designed to give privacy to both residents and neighbours.

Saved UDP Policies DC1.1 to DC1.6 set out the guidance on household extensions.

Policy DC1.1 sets out the criteria for assessing residential extensions including the general character of the property, impact on the amenity of neighbouring occupiers and the appearance in the street scene.

Policy DC1.2 states that extensions to residential properties will not be allowed if they are excessively large or bulky and result in structures which are not subservient to the original house, or which create undue loss of sunlight, daylight or privacy.

Policy DC1.3 states that the Council will not normally approve rearward extensions greater 3.65m in length, or two-storey extensions with a flat roof.

Policy DC1.6 states that in addition to domestic houses the above policies apply to flats, houses in multiple occupation, nursing homes rest homes and hotels.

Issues

Principle

This application relates to changes in detail to a previously approved consent. The principle of the proposed development is therefore acceptable and it is a matter of considering only those elements of the development that have changed.

Rear stairs/landing





The proposed stair relocation is in principle acceptable. The landings, which were not part of the original consents provide an elevation position which could impact on the privacy of the adjoining properties. However, in this case the adjacent property is the grounds to the student accommodation in Montgomery House and as these areas mainly provide a setting and circulation space it is considered that there would not be a significant loss of privacy, particularly as the landings are quite small and not particularly suited to sitting out.



On balance it is considered that the modified rear stairs and landings are acceptable.

Elevational changes.

The elevational changes affect the right hand property when viewed from the rear. The changes are that the door has been moved from one side of the rear elevation of the extension to the other and a new small window added. The door raises no issues however, the window is new. In terms of aesthetic the window is the wrong proportion however, it is on the rear extension so its impact is not so significant as to justify changing it for one that is vertically proportioned.

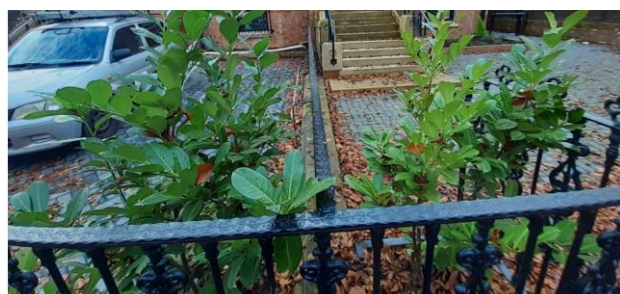
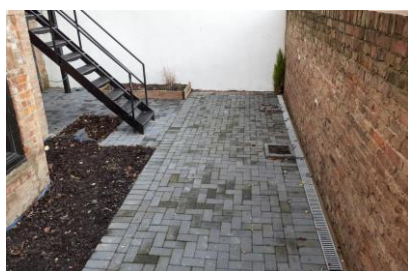
In terms of privacy, there are other larger windows at the same level in the property and the additional window is unlikely to adversely impact to any greater extent than those.

On balance the proposed elevational alterations area acceptable.

Refuse storage

The approved scheme stored the refuse in the rear gardens in positions now occupied by the relocated stairs. The new scheme makes provision beneath the landings in the rear gardens. This revised scheme is acceptable.

Landscaping

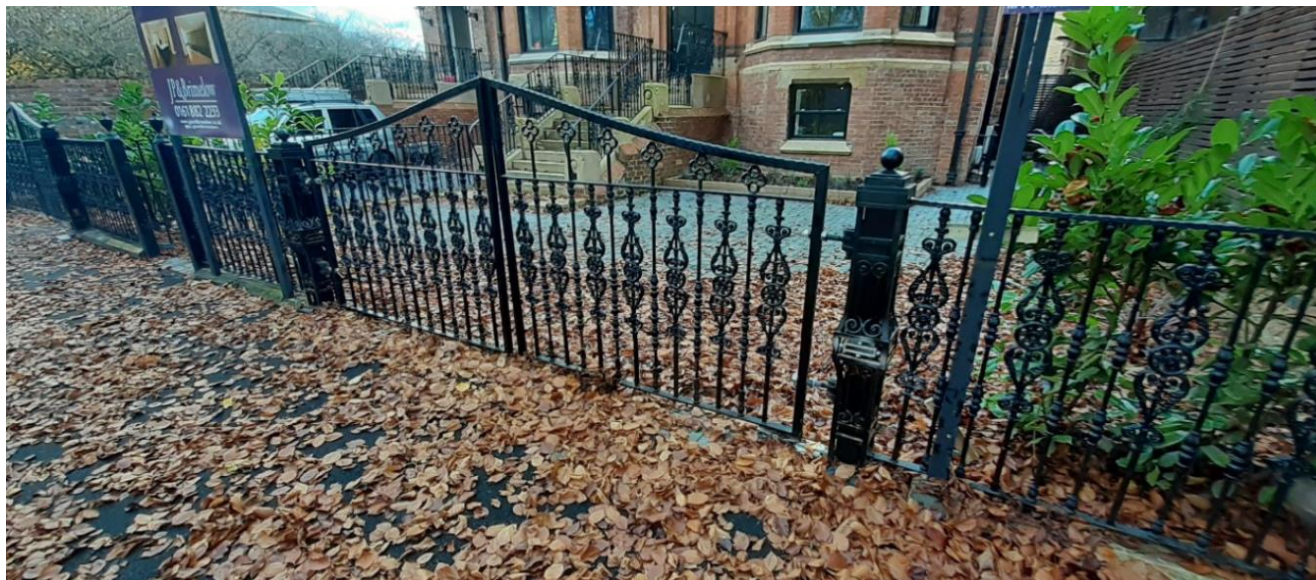


As built the areas given over to soft landscaping have been reduced. Principally in the rear yards and to a lesser extent at the front. The areas of soft landscaping at the front of the property remains sufficient to help create a setting for the properties and it is considered that the landscaping would, once established achieve this. The rear areas are less important and ultimately boils down to the personal taste of the owner.

It is therefore considered that the revisions to the landscaping are acceptable.

Boundary Treatment

The boundary treatment was conditioned on the original consents. The side and rear boundaries remaining largely untouched. The front boundary has been provided with decorative steel gates and railings which are considered to be acceptable.



Conclusion.

It is considered that the proposed alterations to the scheme are acceptable and accord with Council policy.

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 issues arising from the consideration of this application.

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 19 May 2024

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:

A-Planning 100 revision D received 25 November 2021

Condition Discharge information received 25 November 2021

Waste Management Strategy received 25 November 2021

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 elevations and the roof of the extension hereby permitted shall be as stated on the planning application form and match those of the existing elevations and roof in type, size, colour and texture as appropriate.

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 policy DC1 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

- 4) The details of the waste storage arrangements shown on the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interest of residential amenity, pursuant to Policy DM1 of the Core Strategy.

- 5) If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning

(Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

7) Before first occupation the windows in the east elevation shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

8) Before the development hereby approved is first occupied electric vehicle charging points shall be provided and available for use for the parking spaces shown on the approved drawing.

Reason - To secure a reduction in air pollution from traffic in order to protect existing and future residents from air pollution pursuant to core Strategy policies EN16, SP1 and DM1

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Room 4, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 30, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 25, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 126, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 113, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Flat 1, Montgomery House, Demesne Road, Manchester, M16 8PH
Third Floor Left, Montgomery House, Demesne Road, Manchester, M16 8PH
Ground Floor Right, Montgomery House, Demesne Road, Manchester, M16 8PH
Montgomery Halls, Demesne Road., Whalley Range., Manchester., M16 8PH
Parkway 5, Parkway Business Centre, Princess Road, Manchester, M14 7HR
80 Demesne Road, Manchester, M16 8PJ
Room 233, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Beehive Lodge, Alexandra Park, Alexandra Road South, Manchester, M16 8PJ
Second Floor, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 235, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 230, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 237, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 236, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 229, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 234, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 232, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 303, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Bright Eyes Child Care Nursery, Demesne Road, Manchester, M16 8PJ
Ymca, Bright Eyes Child Care Nursery, Demesne Road, Manchester, M16 8PH
Montgomery House, Demesne Road, Manchester, M16 8PH
Room 220, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 2A, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 131, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 125, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 122, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 25, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 22, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 21, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 12, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 328, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 327, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 319, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 315, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 314, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 310, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 307, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 305, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 241, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 228, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 225, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 210, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 201, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 104, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 27, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 23, Main House Montgomery House, Demesne Road, Manchester, M16 8PH

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Room 104, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 10, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 339, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 335, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 326, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 217, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 313, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 303, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 226, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 213, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 209, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 109, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 101, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 32, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 28, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 26, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 20, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 18, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 6, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 5, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 120, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 119, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 112, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 338, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 336, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 332, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 308, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 211, The Annexe Montgomery House, Demesne Road, Manchester, M16 8PH
Room 208, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 207, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 218, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 220, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 203, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 107, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 106, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 29, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 12, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 9, Main House Montgomery House, Demesne Road, Manchester, M16 8PH
Room 7, Main House Montgomery House, Demesne Road, Manchester, M16 8PH

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH