

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130760/FO/2021

Date registered valid: 27 July 2021

Proposal: Erection of 4 no. dwellinghouses following demolition of existing properties

Address: 74-76 Old Hall Lane, Manchester, M14 6HN

Ward(s): Rusholme Ward

Applicant: Airshacks Projects Ltd, 396 Wilmslow Road, Manchester, M20 3BN

Agent (if any): David Ormesher, Holborow and Ormesher, Via Email

Case officer: Dave Morris
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Recommendation: Refuse

Date of recommendation: 17.01.2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 8 September 2021

Standard consultations:

Printed: 2 August 2021 Expired: 23 August 2021

Neighbour notifications

Printed: 2 August 2021 Expired: 23 August 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 broadly rectangular site on the north side of Old Hall Lane at its junction with Old Hall lane and Birchfields Road. The site is currently occupied by a pair of two storey semi detached houses which front Old Hall Lane. The site is enclosed by a 2m high Privet hedge. There are no trees on the site, although there are street trees on Old Hall Lane.



The properties appear to be vacant and the gardens are overgrown. There is a derelict garage in the side garden of 74.

In March 2013 planning permission was granted for the erection of 3no. dwelling-houses (Class C3, (1no. detached, 2no. semi-detached) with associated landscaping and boundary treatment, reference 100458/FO/2012/S1.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

Predominantly residential. The area contains a variety of house styles both two and three storey. To the west of the site is another pair of slightly smaller semi detached properties fronting Old Hall Lane. Adjoining to the north is the gable elevation and front and rear gardens of a quasi-semi property on Birchfields Road and the rear garden of a house on Westray Road. Facing the site across Birchfields Road are the front elevation of a pair of semi detached houses and the side elevation of a large semi detached house on Old Hall Lane. Facing the site across Old Hall Lane are the front elevations of a pair of semi detached houses and the gable elevation front and rear gardens of a house on Birchfield Road.

The Old Hall Lane / Birchfields Road Junction is light controlled.



Birchfields Road

Description of development

The agent was advised of the council's concerns regarding the scheme as submitted and sought to modify the application to address these. However, the agent has requested that the application is determined on the basis of the originally submitted drawings. Consent is sought to erect two pairs of semi detached properties, four house in total. The dwellings would be set to the building line of the existing building. At the western end of the site the proposed dwelling would be set in 1.25 metres and there would be a gap of approximately 2 metres between the pairs of semis. The gap from the eastern gable to the Birchfields Road frontage is approximately

Hand-drawn floor plan of a four-unit residential building. The plan shows two identical units side-by-side. Each unit has a front entrance (CP), a living area, a kitchen/dining area, and a bathroom (BATH). There are also stairs leading up (NC) and down (DC) from the living area. The building is surrounded by a 1.5m high castor boarded fence. A car is parked in front of the building. The plan is labeled with dimensions and notes such as "1.5M HIGH CASTOR BOARDED FENCE" and "EXTG. LEADING TO ROYAL HIGHWAY".

Local residents

- Wants to be kept informed of applications for residential developments and objects to flats.

- The building of a 4 house property (2 semi houses) in the existing space of 2 is impractical and will be very cramped in too small a place.
- The housing plan is clearly targeted at the student market and for letting purposes. There are far too many students locally in purpose built houses and don't need any more.
- The housing should be targeted for families I.e with larger downstairs living areas, dining/ kitchen space and gardens for families.
- The appearance of a 3 storey building (including attic) at the corner of a busy junction will be out of character for area. The nearby houses both on the road and Birchfields road are all built in the 1940's and look similar. Have a new/ modern building at this junction will be odd.
- The proposed work of building 4 houses will mean much more disruption traffic and noise. The house is on the road of an extremely busy road and junction which has bad levels of traffic all ready. There are 5 schools within very close proximity of site (with the boys Grammar school being on the same road and 4 all within 5 mins walk). The building work will only add to the chaos of traffic already in the area.

Highways

- The proposed development will result in two additional dwellings. Although, it is anticipated that the associate vehicular trips will not be great Highways have some concern of the vehicular build up in this location. This is due to the proximity of the signalised crossing.
- Regular bus services are routed along Birchfields Road
- Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for construction of the proposed vehicular access and dropped kerbs on Old Hall Lane and will require a crossing licence/agreement.
- There are four car parking spaces (one per dwelling) located within the site's curtilage, thus equating to a provision of 100%. 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. Two vehicular crossing points at in place off Old Hall Lane. These will be retained, and two additional vehicular crossings installed. Access and egress on the eastern most crossing is a concern to Highways due to the proximity of the signalised crossing
- 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. All gated accesses need to provide inward opening gates to ensure they do not impact on the adopted footway or highway. The proposals have inward opening gates and therefore is acceptable to Highways.
- Two mature trees are situated along the existing verge along Old Hall Lane. Plans suggest that these two trees will be retained but Highways have concern on the impact these will have on the new driveways.
- Designated refuse storage has been accommodated for each individual dwelling with kerbside collection noted from Old Hall Lane. 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 Protection

Conditions requested in respect of a construction management plan, contaminated land, noise insulation and the insulation of any external plant. Four refuse bins per property as shown on the drawings is sufficient.

United Utilities

Have requested conditions in respect of the drainage of surface and foul water.

Policy

The relevant Core Strategy policies are SP1 and DM1

Policy SP1 Spatial Principles – This policy sets out key spatial principles which will guide the strategic development of Manchester to 2027. These are (amongst others):

Beyond these areas (the City Centre and the airport), the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.

The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

Core Development 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.
- making a positive contribution to the health, safety and wellbeing of residents considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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

- 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.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Issues

Principle

This is a residential area and the principle of constructing family housing is considered to be acceptable.

Site Layout

Originally built as Council housing the properties in the area benefit from large plots with equally generous spaces between. In order to get the additional two properties on the site the properties need to encroach closer together and to be closer to the site boundaries although the properties retain the existing building line to Old Hall Lane. This approach it is considered adversely impacts on the character of the area as spaces between building is part of an areas character. Further it results in the dwellings breaching the building line on Birchfields Road which would adversely impact on the visual amenity of the area. Finally the Guide to Development in Manchester seeks to reduce the impact of parking by placing it behind the building line. This is not possible given the number of dwelling proposed.

On balance it is considered that the proposed layout is unacceptable.

Scale

The proposed dwellings relate most closely to the houses on Old Hall Lane which are two storey with shallow pitched roofs and whilst the proposed dwelling adopt a lower ground level they will still be significantly taller. The houses to the rear on Birchfields Road whilst taller are still two storey the addition height being attributable to a steeper roof pitch. On balance it is considered that the scale of the properties is excessive.

Design

The area contains a variety of house styles and sizes, however, it is considered that the design of the proposed dwelling is not informed by the adjoining properties being three storeys, having dormer windows and the semi hipped roofs. As a consequence it is considered that the building would appear incongruous and out of character with the area.

Parking

The provision of one space per dwelling is in line with the Council's Current practice although highways have expressed concern about the proximity of one of the crossings to the light controlled junction.

Cycles/EV points

The scheme makes no provision but these could be conditioned if the scheme was approvable.

Standard of accommodation

In terms of space standards the proposed dwellings would be acceptable.

Refuse

The provision for refuse storage is acceptable.

Residential Amenity

Whilst the proposed development impacts on the character and visual amenity of the area. Its impact on the adjoining properties is not so great. As it is gable to gable with the adjacent property on Old Hall Lane any overbearing impact caused by it being closer and taller may not be significant. Similarly the side windows, which are to bathrooms face the gable and could be obscure glazed and thus not give rise to any privacy or overlooking issues. The front, rear and east elevations are all so far from the nearest properties as to not pose any issues.

The additional comings and goings could result in a limited amount of disturbance although again this would not be significant.

Sustainability

Whilst this is a reasonably sustainable location with good public transport links no information is given as to how the development would reduce its carbon footprint.

Blue Green Infrastructure

The proposed development would result in the loss of some garden space. The scheme would retain the existing boundary hedges which is a positive. However, the application contained no details of how the blue green infrastructure would be improved.

HMO

It has been suggested that the properties are intended as student lets. The change of use to a HMO would require planning permission as a result of the Council's Article 4 Direction. If consent was granted an appropriate condition could be attached.

Conclusion

It is considered that the previous consent for three properties represents the most that this site can accommodate in a satisfactory manner. The proposed development as it stands it is considered is excessive and would have a detrimental impact on the character of the area.

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 would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

- 1) Having regard to the pattern and scale of developments found in the area the proposed development represents an overdevelopment of the site to the detriment of the character of the area. The proposed development is contrary to the provisions of Core Strategy policies SP1 and DM1.
- 2) The proposed development by reason of its design and excessive scale will form an over dominant and visually intrusive feature in the street scene to the detriment of the visual amenity and character of the area. The proposed development is therefore contrary to the provisions of Core Strategy policies Sp1 and DM1
- 3) The proposed development will project forward of the building line formed by properties on Birchfields Road and due the excessive scale and the design of the building it would appear as an incongruous feature in the street scene. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1 and DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

131 Birchfields Road, Manchester, M13 0UE
76 Old Hall Lane, Rusholme, Manchester, M14 6HN
137 Birchfields Road, Manchester, M14 6PJ
62 Birchfields Road, Manchester, M14 6PH
60 Birchfields Road, Manchester, M13 0UB
58 Birchfields Road, Manchester, M13 0UB
80 Old Hall Lane, Rusholme, Manchester, M14 6HN
72 Old Hall Lane, Rusholme, Manchester, M13 0UD
93 Old Hall Lane, Rusholme, Manchester, M14 6HL
70 Old Hall Lane, Rusholme, Manchester, M13 0UD
15 Westray Road, Manchester, M13 0UF
95 Old Hall Lane, Rusholme, Manchester, M14 6HL
78 Old Hall Lane, Rusholme, Manchester, M14 6HN
56 Birchfields Road, Manchester, M13 0UB
13 Westray Road, Manchester, M13 0UF
135 Birchfields Road, Manchester, M13 0UE
133 Birchfields Road, Manchester, M13 0UE

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) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH