MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	129627/FO/2021
Date registered valid:	9 June 2021
Proposal:	Erection of a first floor and part first floor and part two storey side extension in association with the conversion of the property to form 6 self contained flats with associated car parking
Address:	56A Orchard Road West, Manchester, M22 4ED
Ward(s):	Northenden Ward
Applicant:	A Haughney 56A Orchard Road West, Manchester, M22 4ED
Agent (if any):	Mr Joe Lindon ATX Building Design 25A Park Street, CW12 1EG
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Refuse

Date of recommendation: 11/8/21

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 9/8/21

Standard consultations:
Printed: 18 June 2021 Expired: 9 July 2021

Neighbour notifications
Printed: 18 June 2021 Expired: 9 July 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/area

56a Orchard Road West is a single storey dwellinghouse located on the north side of Orchard Road West. Originally a flat roofed building, a timber mono-pitch roof has been installed without the benefit of planning permission. To the front of the dwelling there is a small garden and a metal clad garage which has also been erected without planning permission. To the rear there is a small private amenity area and beyond that the rear garden area of no. 56 Orchard Road West. To the west of the application site stands no. 56 Orchard Road West, a 2 storey semi-detached dwelling, while to the east there is a row of lock up garage used by the residents of Monaco Drive.

The area is residential in nature, consisting predominantly of two storey dwellings dating from the Inter War period and the 60/70s.

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

Description of development

The applicant is proposing to erect a first floor and part first floor and part two storey side extension in association with the conversion of the property to form 6 self contained flats. In addition, six car parking would be provided to the front of the property.

Consultations & Notification Responses

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

- This area of Northenden is made up of quiet semi-detached/town houses. Erecting a block of flats here would be totally out of sync with the area.
- There are already difficulties in parking caused by the unlawful garage unit. Having 6 additional flats, with possibly 6 to 12 additional vehicles, would exacerbate existing parking problems and make it difficult for refuse and delivery vehicles to visit adjoining properties.
- Currently each of the houses is required to have 4 bins for refuse removal. So 6 flats would presumably mean 24 additional bins to be squeezed in somehow in addition to their parking requirements.
- The proposal would lead to the overlooking of the properties on Monaco Drive.
- This plan to squeeze in 6 self-contained flats with a combined total of 7 double bedrooms on a small space where at present there is a three bedroom bungalow will be a total overdevelopment of this site and is blatant profiteering by the developer.
- This application seeks to add an additional storey which will completely overlook the adjoining property.
- The proposed parking provision would be inadequate. In addition, all parking provided will require access over the pavement to the road. In so doing this will remove all on road parking that at present exists in front of the bungalow so adding to, and not alleviating the parking problem on Orchard Road West. Parking along Orchard Road is always at a premium. The majority of the houses on it and its adjoining streets do not have off road parking so most residence park on the street. Even for the properties with driveways the second car is nearly always parked on the street. Currently there is space for four or five cars to be parked on the street directly outside the bungalow. If the application is granted these spaces will no longer be available and their removal will add to the parking congestion along the rest of the street.

- The proposal would reduce light levels for a number of rooms in no. 56 Orchard Road West, as well as to the associated rear garden area..
- The bins will all be stored in the small space between the proposal and no. 56 Orchard Road West, this will mean that as well as no sunlight and the view of a solid wall from the side windows, it would then also have the smell
- The drawings submitted show that these bins cannot be accessed or emptied if one of the parking spaces is occupied. This reduces the parking capacity of the development and if not it will lead to the poor management of the waste from these six households on the border of my property.

Ward Councillors – Cllr Mary Monaghan has objected to the proposal for the following reasons:

- This is an overdevelopment in a residential area already having parking problems. This particular site is situated in a 'no through' road, it's already built up with houses and garages parked cars and visiting cars
- The proposed development will overlook existing homes.

Highway Services – Highway Services have made the following comments:

- Given its location close to the district centre, the site is considered to be suitably accessible by sustainable modes and is in close proximity to a number of local bus services.
- It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
- The proposed parking layout identifies on-site parking for six vehicles. It is required that full parking bay dimensions are provided to verify bay sizes to determine whether the parked vehicles can be fully accommodated on the forecourt area.
- Given the likely scale of the kerbing works, we require that the perimeter footway is also resurfaced which would be at the expense of the developer. Therefore, should the planning application be approved then alterations to the highway will be required and are to be undertaken through S278 agreement between the developer and MCC.
- Pedestrian access arrangements are acceptable from a highway perspective.
- Should the planning application be approved it is recommended that a Construction Management Plan be conditioned

Environmental Health – Suggests the imposition of a number of conditions designed to protect residential amenity and has confirmed that the submitted Waste Management Strategy is acceptable.

MCC Flood Risk Management – Suggests the imposition of a drainage condition.

<u>Policies</u>

The National Planning Policy Framework (2021) – The National Planning Policy Framework (NPPF) 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 NPPF 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 this 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.

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 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals.

Paragraph 134 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

National Design Guide (2021) – The NPPF makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide (NDG) illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The relevant sections in relation to this proposal are as follows.

Paragraph 123 states that well-designed homes and buildings: provide good quality internal and external environments for their users, promoting health and well-being; relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods.

In paragraph 129, the NDG states that well designed buildings are carefully integrated with their surrounding external space. All private and shared external spaces including parking, are high quality, convenient and function well and amenity space should have a reasonable degree of privacy. It states further that external spaces are designed to respond to local character.

Paragraph 130 states that well designed private spaces should be fit for purpose and incorporate planting wherever possible.

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. Relevant policies in the Core Strategy are detailed below.

Policy SP1, *Spatial Principles* – This policy states that beyond the Regional Centre and Manchester 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 policy states further that development in all parts of the City should:

- Make a positive contribution to neighbourhoods of choice including:

  a) Creating well designed places that enhance or create character;
  b) Making a positive contribution to the health, safety and wellbeing of residents;
  c) Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income;
  d) Protecting and enhancing the built and natural environment.

- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible; and
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy H7, *Wythenshawe* – The Council expects that Wythenshawe will accommodate only around 3% of new residential development over the lifetime of the Core Strategy. New high quality high density development will be encouraged within the district centres of Northenden, Baguley and Wythenshawe and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. There is also the potential for additional family housing for sale.

Policy EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.

This site is in the area defined as Wider Wythenshawe, policy EN1 defines the character of this area as:

Wythenshawe was developed along the principles of the 'garden city' movement. The wider area represents a phased series of predominantly social housing dating from the 1920s to the 1960s, with some later infill developments and industrial zones. There is a predominance of low rise, low density semi-detached houses, short terraces and low rise blocks of flats and maisonettes, all set within private gardens, incidental open space, public amenity spaces and pockets of semi-natural and woodland areas. The key focal points for activity are the transport corridors, hospital and District Centres. The principal features to be retained in any new development is the sense of the existing low rise suburban character set within soft landscape.

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.

Issues

Principle of the Proposal – The pattern of the development in the area is one of 2 storey semi-detached or terraced dwellings with gardens to the front and rear. Occasionally front gardens have been partially hardsurfaced for parking purposes, but this tends to be for only one or two vehicles. This development would see the introduction of six dwellings on a site approximately 395m² in size, the existing dwellings on this side of Orchard Road West typically occupy plots 270m² in size. Given the number of units proposed and the amount of the site lost to car parking, as well as the fact only 50% of the proposed units would benefit from private amenity space, it is considered that the proposal constitutes overdevelopment.

Policy H7 states that high density development will be encouraged within a number of district centres and upon small infill sites where it contributes to the stock of affordable housing and where it complements Wythenshawe's garden city character. The site is clearly not within a district centre and no indication has been given that it would contribute to the stock of affordable housing. Furthermore, given the loss of the majority of the front garden area to car parking, it is not considered that the development complements Wythenshawe's garden city character.

As the development constitutes overdevelopment and fails to meet the policy requirements referred to above, the principle of a high density development on this site is not considered acceptable.

Living Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of a combination of the Nationally Described Space Standards and the London Housing Design Guide space standards to form Manchester's space standards for residential developments.

The amount of floor space proposed for each apartment and that required under the guidance is detailed below:

- Apartment 1 - 1 bed 30m² (Space Standard – 50m² for two people)
- Apartment 2 - 1 bed 28.7m² (Space Standard – 50m² for two people)
- Apartment 3 - 1 bed 46.9m² (Space Standard – 50m² for two people)
- Apartment 4 - 1 bed 30m² (Space Standard – 50m² for two people)
- Apartment 5 - 2 bed 40.8m² (Space Standard – 61 to 70m² for three to four people)
- Apartment 6 - 1 bed 31.6m² (Space Standard – 50m² for two people)

As can be seen above none of the proposed accommodation would comply with the space standards.

Given this and the fact that only the three ground floor units would have private outdoor amenity space, it is considered that the proposal would lead to the creation of poor quality living standards.

Residential Amenity – The extension of the property would lead to the creation of three habitable room windows at first floor level in the rear elevation – a living room window for flat four and living room and bedroom windows serving flat five. These windows would be located 4.5 metres away from the rear boundary of the site, beyond which lies the rear garden of no 56 Orchard Road West. Given their close proximity to this private amenity area, it is considered that these windows would lead to a sense of intrusion and overlooking, both of which would have a detrimental impact upon the levels of residential amenity enjoyed by the occupants of 56 Orchard Road West.

Car Parking – The level of parking provision is acceptable in principle. However, at it would occupy the majority of what was the front garden area, it is considered that this would be out of

character with the area and have a detrimental impact on the existing levels of visual amenity enjoyed along Orchard Road West.

Design –The existing dwellings that adjoin the application site and those opposite were built in the Inter War period and the 1960/70s. They are typical of their respective times and give the area its character.

It is not believed that the design of the proposed development has been informed by this character. Given its appearance and the predominance of hardsurfacing to the front, it is considered that the proposal would form an incongruous feature in the streetscene.

Waste Storage – Environmental Health have confirmed that the proposed provision is acceptable.

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 polices 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 (2012) and the guidance contained within the National Planning Policy Framework (2021). The applicant was advised that the proposal would have a detrimental impact upon the character of the area and the levels of residential and visual amenity enjoyed within the vicinity of the site. As the nature of the proposal is 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) Having regard to the character and density of development in the vicinity of the site, the proposed development, due to its footprint and the number of units proposed, is considered to be overdevelopment and would therefore be detrimental to existing levels of visual and residential amenity, contrary to policy SP1, DM1, H7 and EN1 in the Manchester Core Strategy.

2) The proposed development, due to its design, would provide inadequate levels of internal accommodation and private amenity space which would lead to the creation of poor living standards. As a result, the proposal would be contrary to the guidance contained within the Manchester Residential Quality Guidance, the National Planning Policy Framework, the National Design Guide and policy DM1 in the Manchester Core Strategy.

3) The proposal, due to its design, would form an incongruous feature in the streescene and be out of character with the predominant built form seen throughout the neighbourhood. As a result, it is considered that the proposal would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site, contrary to Policy DM1 in the Core Strategy Development Plan Document.

4) The first floor windows in the proposed rear elevation, due to their close proximity to the boundary with no. 56 Orchard Road West, would lead to the direct overlooking of the rear garden, resulting in a sense of intrusion and loss of privacy that would have a detrimental impact upon the levels of residential amenity enjoyed by the residents of that property, this would be contrary to Policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Northenden Neighbourhood Forum
MCC Flood Risk Management
Northenden Civic Society

9 Monaco Drive, Manchester, M22 4FG
5 Monaco Drive, Manchester, M22 4FG
17 Monaco Drive, Manchester, M22 4FG
13 Monaco Drive, Manchester, M22 4FG
11 Monaco Drive, Manchester, M22 4FG
45 Orchard Road West, Manchester, M22 4FD
39 Orchard Road West, Manchester, M22 4FD
33 Orchard Road West, Manchester, M22 4FD
56 Orchard Road West, Manchester, M22 4ED
3 Monaco Drive, Manchester, M22 4FG
15 Monaco Drive, Manchester, M22 4FG
1 Monaco Drive, Manchester, M22 4FG
49 Orchard Road West, Manchester, M22 4FD
47 Orchard Road West, Manchester, M22 4FD
43 Orchard Road West, Manchester, M22 4FD
41 Orchard Road West, Manchester, M22 4FD
37 Orchard Road West, Manchester, M22 4FD
35 Orchard Road West, Manchester, M22 4FD
7 Monaco Drive, Manchester, M22 4FG
19 Monaco Drive, Manchester, M22 4FG

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) -

Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: SOUTH