

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130773/FO/2021

Date registered valid: 16 June 2021

Proposal: Erection of a single storey side and rear extension; together with conversion of basement and associated lightwells; elevational alterations together with the installation of single storey outbuilding within rear garden in association with the change of use of the property from House in Multiple Occupation to Dwellinghouse (use class C3)

Address: 1 Clyde Road, Manchester, M20 2NJ

Ward(s): Didsbury West Ward

Applicant: Mr Wall SBW 1 Clyde Road, Manchester, M20 2NJ

Agent (if any): Carol Clarke

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 October 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 2 August 2021

Standard consultations:

Printed: 28 June 2021 Expired: 19 July 2021

Neighbour notifications

Printed: 28 June 2021 Expired: 19 July 2021

Site notice

Posted: 5 July 2021 Expired: 26 July 2021

Press advert

Published: 6 July 2021 Expired: 27 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a large two storey semi-detached dwellinghouse set within a plot size of 494 metres². The application site has hard standing to the front that provides off road car parking and a large rear garden.



Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: **None**

Description of area

The area is located within Albert Park Conservation area. It is principally an area of housing but also includes a district shopping centre on Burton Road, a smaller group of shops on Barlow Moor Road, schools, public houses and a number of churches.

Description of development

The applicant is seeking planning permission to erect a single storey side and rear extension; together with conversion of basement and associated lightwells; elevational alterations together with the installation of single storey outbuilding within rear garden in association with the change of use of the property from House in Multiple Occupation to Dwellinghouse (use class C3).

Consultations & Notification Responses

Residents/public opinion – One representation was received in support of the application and one was received objecting to the application.

Support

- Welcomes the conversion back into a family home which is badly needed in the area and will improve the condition of the property;
- The resident also supports the removal of trees as the garden is overgrown and being neglected over the last 40 years whilst it has been a rental property;
- However, there are two trees in the garden of No.2 Old Lansdowne Road which borders the site, the resident would like planners to ensure that these trees are not adversely impacted by the proposed garden building;
- The resident also raised concerns regarding the party wall and the transfer of noise between the next door property and the application site.

Objection

- Object to the studio building at the end of the garden due to the potential impact on the trees within the adjacent garden.
- The resident says that the position of the trees has been misrepresented and the trees together with others in the area form a valuable wildlife corridor.
- No objection to the rest of the proposal.

West Didsbury Residents Association (WDRA) – In principle they have no issue with the change to a C3 dwellinghouse but WDRA do object as they have concerns with the impact of the proposal on the neighbouring trees, wildlife, the proposed extensions, outbuilding and hardstanding.

Greater Manchester Ecology Unit (GMEU) – Defer comments regarding tree loss to the City Arborist but recommend that any mature broadleaved tree is not removed and must be first inspected for the possible presence of bat roosts.

In terms of foxes, foxes are not specially protected because they are common and widespread. However, they are protected in terms of animal welfare. Foxes should not be excluded from earths, or earths collapsed, during the time of year when they are likely to have dependent young in the earth (March to June inclusive). Outside of these time efforts should be made to ensure that earths are unoccupied before collapsing or filling in earths.

City Arborist – City Arborist have provided two comments in respect of this application, this first was an objection due proximity of the proposed outbuilding to the adjacent trees and loss of mature tree cover.

Following the submission of amended drawings, the arborist confirmed that they are acceptable subject to the appointed Arboricultural consultant being involved in the supervision and instruction of on-site groundworkers during the critical surface stripping.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

EN3 – Heritage

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

DC18.1 – Conservation Areas

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

130. 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.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², 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.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning History – There have been a total of 4 previous planning applications at this address, a summary of the application is provided below:

Planning Reference: 097058/FH/2011/S2

Description: Erection of single storey side and rear extension to form additional living accommodation including installation of decked area to the rear enclosed by a 1.2 metre - 2.1 metre high wall following demolition of existing side and rear kitchen extension

Decision: Application Approved - 08.12.2011

Planning Reference: 035791

Description: Conversion of existing dwellinghouse into 4 self contained flats

Decision: Application Approved - 29.03.1990

Planning Reference: 034583

Description: Conversion and extension of dwellinghouse into six self contained flats

Decision: Application Refused - 09.11.1989

Planning Reference: 027801

Description: Dormer extension at front of dwellinghouse to form 2 new bedrooms

Decision: Application Refused - 20.02.1987

The most relevant to this application is a 2011 approval for a single storey side and rear extension to form additional living accommodation including installation of decked area to the rear enclosed by a 1.2 metre - 2.1 metre high wall following demolition of existing side and rear kitchen extension

The Principle – The property has been used as a house in multiple occupation and according to the Manchester City Council's Licenses for privately rented accommodation (<https://www.b3.manchester.gov.uk/housing/hmo/details.aspx?r=157432> accessed 11.08.2021) the property has a licence as a 7 bedroom House in Multiple Occupation (HMO) which started on the 09 September 2019 and expires on the 08 September 2024.

The existing floor plans on the 2011 application show that the property was in use as two flats, it is unclear when the property was first used as a HMO, however it is clear that the property has a licence to be a HMO, when officers visited the site the property appeared to be vacant.

The application seeks to return the property back to family accommodation which is welcomed as there is still a requirement for family housing in the area.

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The single storey rear and side extension in principle is considered to acceptable subject to satisfactory impacts on residential and visual amenity, parking and bin storage in accordance with the above development plan policies.

The site is also located within a designated conservation area, in this case Albert Park and therefore consideration should be given to the proposal impact upon heritage and the conservation area.

There are also a number of trees that are to be removed as result of the works further consideration shall be given to their loss.

Design and Appearance/ Impact on the Conservation Area and Amenity –The property is located within Albert Park Conservation Area as such consideration must be given to the NPPF, policy EN3 and extant policy DC18.1 seeks to preserve the historic environment and conservation areas.

Paragraph 189 of the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting, proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.

The application was accompanied by a heritage statement, in terms of the impact on a heritage asset this is likely to be the conservation area as the property is not within the curtilage of a listed building.

The heritage statement considered the impact on the Conservation Area to be as follows:

"Justification for the proposed development is considered to be acceptable on the basis that there is no negative impact on a local heritage asset of the conservation area status and it is acknowledged that the extent of the surrounds of a heritage asset are not fixed and may change. The evolution of the building provides positive minor amendments that will enable a positive contribution to the continued evolution of the Conservation Area."

The siting of the proposal at the side and rear would result in limited views from within the conservation area. The extension would replace the existing single storey side extension and have a rearward projection would be 5.6 metres with a width of 5.67metres. The proposed extension would have a dual pitched roof built to a maximum height of 4.48 metres and an eaves height of 3.16 metres.

Taking into consideration the position, design and scale of the proposed extension and its relationship with neighbouring properties it is not considered that there would be any significant impact in terms of over-dominance, overshadowing or overlooking.

Concerns were raised with the applicant regarding a proposed single storey outbuilding following concerns raised by residents and the City Arborist regarding the impact of detached single storey outbuilding which has now been removed from the proposal

Both policy EN3 and extant policy DC18 state that new proposals should preserve or enhance the conservation area. Furthermore, the NPPF requires that new development should protect and enhance the historic environment. Pursuing sustainable development involves seeking improvements in the quality of the historic environment, replacing poor design with better design that makes a positive contribution to local character and distinctiveness.

It is considered that in this case the simple design of the rear extension together with the appropriate choice of materials the proposal would have a neutral impact on the conservation area.

Therefore, the proposal is in accordance with the NPPF, saved policy DC18.1 and policy EN3 of the Core Strategy.

Trees – The proposal has been accompanied with a proposed landscaping scheme, the City Arborist objected to the proposal due to the number of trees that would have to be felled for the proposal, the impact of the proposed outbuilding on the nearby trees and the amount of replacement planting. Following the submission of amended drawings, the arborist confirmed that they are acceptable subject to the appointed Arboricultural consultant being involved in the supervision and instruction of on-site groundworkers during the critical surface stripping.

Car Parking and Refuse Storage – Bins would be stored behind a screen at the side of the property, which is an improvement from being stored at the front of the property. Vehicles would continue to park on the driveway.

Conclusion - The extension is considered to be in accordance with SP1, EN3 and DM1 of the Core Strategy and saved policy DC1 and DC18 of the UDP.

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 problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application and these concerns have been addressed in amended drawings. Appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policies DC1 and DC18 of the Manchester Unitary Development Plan and to policies SP1, EN3 and DM1 of the Core Strategy.

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 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) The development hereby approved shall be carried out in accordance with the following drawings and documents:

133-PL-GA1, 133-PL-GA2, 133-PL-GA3, 133-PL-GA4, 133-PL-EL1, stamped as received by the City Council as Local Planning Authority, on the 16.06.2021

133-PL-GL1 rev B stamped as received by the City Council as Local Planning Authority, on the 07.09.2021

133-PL-EL2 Rev A and 133-PL-ELS3 stamped as received by the City Council as Local Planning Authority, on the 04.10.2021

Arboricultural Impact Assessment REPORT NO: LTM0255.AIA.01, Method Statement REPORT NO: LTM0255.MS.01 stamped as received by the City Council as Local Planning Authority, on the 07.09.2021

Heritage Statement Prepared by Bramhall Town Planning stamped as received by the City Council as Local Planning Authority, on the 16.06.2021

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 development hereby approved shall be carried out in accordance with the materials as set out in drawings:

133-PL-EL1 stamped as received by the City Council as Local Planning Authority on the 16.06.2021

133-PL-EL2 Rev A and 133-PL-ELS3 stamped as received by the City Council as Local Planning Authority, on the 04.10.2021

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 policies SP1 and DM1 of the Core Strategy.

4) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

5) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

6) The hard and soft landscaping scheme approved by the City Council as local planning authority shown on drawing ref 133-PL-GL1 rev B stamped as received by the City Council as Local Planning Authority, on the 07.09.2021; shall be implemented not later than 12 months from the date of commencement of works. 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.

7) 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).

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)
West Didsbury Residents Association

Apartment 6, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 1, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 8, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 11, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 2, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Flat 4, 8 Clyde Road, Manchester, M20 2WH
Flat 5, 6A Old Lansdowne Road, Manchester, M20 2NU
Flat 1, 6A Old Lansdowne Road, Manchester, M20 2NU
Apartment 9, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 7, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
6A Old Lansdowne Road, Manchester, M20 2NU
Apartment 5, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 4, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 3, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 12, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Apartment 10, Glenhaven House, 10 - 12 Clyde Road, Manchester, M20 2WH
Flat 1, 8 Clyde Road, Manchester, M20 2WH
Flat 6, 8 Clyde Road, Manchester, M20 2WH
Flat 5, 8 Clyde Road, Manchester, M20 2WH
Flat 3, 8 Clyde Road, Manchester, M20 2WH
Flat 2, 8 Clyde Road, Manchester, M20 2WH
Flat 7, 6A Old Lansdowne Road, Manchester, M20 2NU
2 Old Lansdowne Road, Manchester, M20 2NU
3 Clyde Road, Manchester, M20 2NJ
Former Clyde Court Nursing Home, 22 - 24 Lapwing Lane, Manchester, M20 2NS
Flat 2, 6A Old Lansdowne Road, Manchester, M20 2NU
Flat 8, 6A Old Lansdowne Road, Manchester, M20 2NU
Flat 6, 6A Old Lansdowne Road, Manchester, M20 2NU
Flat 4, 6A Old Lansdowne Road, Manchester, M20 2NU
Flat 3, 6A Old Lansdowne Road, Manchester, M20 2NU
4A Old Lansdowne Road, Manchester, M20 2NU

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
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH