

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131267/OO/2021

Date registered valid: 23 August 2021

Proposal: Outline application for the principle of the erection of a detached dwelling

Address: Site Adjacent To 32 Moorfield Road, Manchester, M20 2UY

Ward(s): Didsbury West Ward

Applicant: Mr Ali Akram, Surcon House, 11A Copson Street, Manchester, M20 3HE

Agent (if any):

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 18.10.2021

Application details

Type of application: Outline Consent

Development type: Minor Dwellings

Date of site visit: 15.09.2021

Standard consultations:

Printed: 9 September 2021

Expired: 30 September 2021

Neighbour notifications

Printed: 1 September 2021

Expired: 22 September 2021

Site notice

No site notice has been produced

Press advert

Published: 7 September 2021

Expired: 28 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site relates to a former highway that has been legally closed and enclosed with low level railings. The application form describes it as a car parking area and signs at the site indicate the land was car parking for adjacent residential flats. The land has been flagged in between the former kerbstones of the highway with access gates onto Moorfield Road. A narrow public footpath is located beyond the railings allowing pedestrian and cycling access from the busy Burton Road local centre and Withington Community Hospital. Moorfield Road is comprised of regular designed and detailed properties of red brick Cheshire interlocked semi-detached properties with double front bays and gable front with timber and white render detailing. A number of properties have historically been converted into flats including those at numbers 30 and 32 Moorfield Road.

The application site historically formed part of Fielden Road connecting Moorfield Road directly with Burton Road. The application site was part of a formal legal closure of the road in 1999 and transfer of landownership of half the width of the highway then subsequently in 2018 the remainder of the former highway.

Description of development

The application proposals have been submitted in outline with all matters reserved for future consideration for the erection of a detached dwellinghouse. An indicative siting layout plan has

been provided and the applicants agent has indicated in correspondence that the design, height and materials would reflect those within the local area.

Consultations & Notification Responses

Neighbouring properties were notified of the proposals in response 10 objections and 2 comments in support were received and further correspondence was received raising questions with the proposal, a summary of the comments made is set out below.

Councillor Deborah Hilal - The proposed building will be on the site of the current car park which will place further pressure on parking within the street. There is a "Residents' Parking Sign" on the car park. It is unclear whether on the previous planning application, when converting 30/32 into 14 flats, that owner inferred car parking would be available for the new flats. Currently there is no access to the car park. There needs to be a turning area for vehicles at the end of the road (as it is a cul- de -sac) Confirmation of who owns the land not clear applicant versus Council/public right of way. Confirmation of whether this will be a single dwelling or further flats

Councillor John Leech - Further to my previous email, if the right of way is maintained and is unaffected by the plans, there is an additional concern that an additional house would cause the right of way to be too dark (I do not think that there is any lighting in the passage). I would have thought that any development on this piece of open land should require the developer to may for lighting in the passageway, because it will create a dark spot from the nearby lighting. I keen to hear what discussions have taken place about maintaining the right of way from Moorfield Road through to Fielden Road, and vice-versa?

There has been an established access for residents for 30 years, and there is no indication how that would be maintained. I would have thought that this was important enough to need to be dealt with at the outline stage?

Residents comments - For years numbers 30 and 32 have been flats under common ownership. Also for years the land which is the subject of this application has been used for parking for the occupants of those flats. Occupying that land with a building when no parking is mentioned means even more on street parking congestion in an old Victorian road.

When the houses were converted into flats, this was on the basis of "14 flats with associated parking" (reference 099030/FO/2012/51) - if the current application succeeds then there will be no associated parking for the 14 flats thereby adding significantly to parking problems on the road.

In addition, the turning space at the end of the road has been closed off by a gate being erected into the parking area. Can this be reversed?

There is insufficient detail of the building for which planning permission is requested. Is the intention for a single dwelling or additional flats? What is the proposed height of the building, and has any decision been taken on proposed elevation? The house immediately opposite, built later than the rest of the houses in the road, is wholly out of keeping and I would not wish to see this repeated. Please also clarify what are the proposed parking arrangements for the new building.

The sewerage provision for the road is already stressed and a further property would add to the pressure on the system. Water supply would also be a problem, as the water pressure in the road has declined in recent years, and this new building would put a further strain on the supply. When the current boundary fence was erected, it left quite a narrow right of way through to Fielden Road, a right of way which had previously been the full width of the road. It is imperative that this should not be further narrowed.

If permission for the development is granted, it would be imperative that building work should be done, as far as possible, from the Fielden Road end of the site, so as not to compromise access to the full length of the Road by Moorfield Road residents.

The two gates thereto (one of which I suspect is unofficial due to it not having a proper dropped kerb/threshold) remain locked most of the time.

It does not appear to be being used for this purpose, therefore, but it should be: Parking on Moorfield Road is already problematic and on certain days of the week this intensifies.

Whilst this current use of the land is unsightly and an appropriate dwelling might at first view appear preferable, the simple fact of this land no longer being available for car parking is reason enough that this application should be refused.

West Didsbury Residents Association - Prior to any determination of 131267 WDRA wish to know:

On what date did MCC maintenance of Fielden Road commence?

Does maintenance include both road and footpath?

Does maintenance include pedestrian footway beside the application site linking Fielden Rd with Moorfield Rd?

Can it also please be confirmed prior to consideration of 132167 that the entire extent of the application site is registered to the applicant at HM Land Registry.

A large building here could reduce available light along the passageway at night-time with a potential risk of anti social behaviour or even personal assault. Moorfield Rd presently experiences high demand for on street parking with a measure of obstruction. Were the house to be one with multiple households there might be additional demand.

MCC Environmental Health - Recommend conditions covering, construction management, acoustic insulation of the property, air quality, waste management and storage.

Flood Risk Management Strategy - Recommend a condition relating to the submission and approval of a surface water management system for the development.

Greater Manchester Police - the below recommendations would be based on what limited detail is available, but is the main recommendations we would generally give for small developments such as this:

- The proposed development should be designed and constructed to Secured by Design standards including laminated glazing; security-certified windows and doors (please see www.designforsecurity.org/secured-by-design/ or www.securedbydesign.com for more information). Developments that are built to this standard are less likely to be susceptible to crime.
- All garden boundary treatments adjacent to publicly accessible land in particular the rear boundary should be 2100mm.
- Entrance gates should be installed that lead to the rear of the property and should be set forward as close to the building line as possible

We would recommend that the pedestrian/vehicular route/parking area is well illuminated to provide a deterrent to would be criminals; this would also improve surveillance of the area.

- Dusk till Dawn lighting should be installed on all external doors
- Any external bin store should be a secure, lockable and fire resistant enclosure.

In summary, the application is supported subject to further consideration of the above matters.

MCC Highways - 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 Moorfield Road and will require a crossing licence/agreement. This will require the agreement with MCC's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004). This will be funded at the applicant's expense.

No details have been provided about potential off-street parking. Off-street parking would be welcome at the site and 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. Submitted plans should provide detail on any parking arrangements and it is recommended that parking space measurements are included. It is unclear whether access will only be via Moorfield Road or a rear access will be in place from Fielden Road. These details should be clarified in any submitted plans.

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. Submitted plans should provide details of where the cycle store will be located and how many cycles can be stored.

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway. Submitted plans should provide details of any proposed boundary treatment.

Bins should be stored within the site's curtilage with residents responsible for placement / retrieval from Moorfield Road. Submitted plans should show where the bin store will be located.

A Construction Management Plan should be provided by the applicant prior to any construction works beginning. The Construction Management Plan should detail the phasing and quantification / classification of vehicular activity associated with planned construction. This should include commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway. The document should also consider ongoing construction works and contractor parking in the locality. It is recommended that the above is conditioned and attached to any planning permission that may be granted.

The applicant is advised also that any construction requirements impacting the adopted highway will need to be discussed and agreed in advance with the Council's Highways Applications and Network Resilience team.

United Utilities - Our system indicates the dwelling is proposed directly over a United Utilities Sewer. We require further information on the applicant's intention with the sewer asset, as we may not allow building over it. Discussions should include whether the sewer is to be diverted. It is important that the applicant understands their options in relation to the sewer prior to determination, to avoid complications post determination. There may be a lengthy lead in period may be required if a sewer diversion proves to be a solution.

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

Our recommendation to the LPA is that the application is not progressed further until the exact location of the sewer is confirmed with us and so that the implications for the proposed site layout can be fully understood and redesigned if necessary prior to determination. We must therefore OBJECT until the impact on our sewer asset is fully understood and agreed by United Utilities.

Policy

Manchester Core Strategy

The adopted Core Strategy contains a number of planning policies relevant to the consideration of the application proposals. These are set out below:

Policy H1 - Housing Provision

This policy identifies that approximately 60,000 new dwellings will be provided in Manchester between March 2009 and March 2027 equating to an average of 3,333 units per year although this rate will vary across the identified period. The policy identifies that the emphasis outside of the City Centre and the City's Inner areas is to increase the availability of family housing. It is expected that 90% of residential development will take place on previously developed land and sites in close proximity to centres and high frequency public transport routes.

The application proposals would contribute to the overall provision of new residential units in the City on previously developed land in a sustainable location close to services and public transport routes including Metrolink and Bus network. The proposals incorporate dwellinghouse. On this basis the proposals are considered to accord with the policy H1 of the Core Strategy subject to consideration of matters set out within the issues section of this report.

Policy H6 - Housing in South Manchester

This policy indicates that 5% of new residential development will take place in South Manchester over the lifetime of the Core Strategy. High density development will generally only be appropriate within district centres. Outside the district centres priorities will be for housing meeting identified shortfalls, including family housing and provision that meets the needs of elderly people with schemes adding to the stock of affordable housing.

The application proposals would provide residential accommodation which is identified as required in South Manchester. On this basis the proposals are considered to be in general accordance with policy H6.

Policy T1 - Sustainable transport

This policy embeds the delivery of a high quality integrated transport system to encourage modal shift away from car travel to public transport, cycling and walking. It indicates support for proposals that: improve choice by delivering alternatives to the car; promote regeneration and economic vitality by relieving traffic congestion and improving access to jobs and services; improve access to transport services and facilities for all; improve pedestrian routes and the pedestrian environment; facilitate modes of transport that reduce carbon emissions; reduce the negative impacts of road traffic.

Policy T2 - Accessible areas of opportunity and need

This policy indicates that the Council will actively manage the pattern of development to ensure that new development is located to ensure access to the City's main economic drivers; is easily

accessible by walking, cycling and public transport; have regard to the need for disabled and cycle parking and the maximum car parking standards set out in the Core Strategy; and, includes proportionate traffic impact assessments and travel plans for all major applications.

The application site is located within a sustainable location close to Burton Road local centre, and the Metrolink and bus networks. It is also accessible by bicycle and on foot enabling future residents to access areas of economic activity in the city by a full range of sustainable transport modes.

Policy EN1 - Design Principles and Strategic Character Areas

Developments in Manchester are expected to follow the seven principles of urban design and have regard to the strategic character area in which the development is located. The application site is located in the southern character area where development is expected to retain the identity and focus of activity associated with the historic district centres and along the radial routes should be commensurate in scale with the prominence of its location.

The application proposals are in outline with all matters reserved. As such these detailed matters would be considered as part of future reserved matters applications.

Policy EN 4 - Reducing CO2 Emissions by Enabling Low and Zero Carbon Development

The Council will seek to reduce fuel poverty and decouple growth in the economy, growth in CO2 emissions, and rising fossil fuel prices, through the following actions:

All development must follow the principle of the Energy Hierarchy, being designed to reduce the need for energy through design features that provide passive heating, natural lighting and cooling to reduce the need for energy through energy efficient features such as improved insulation and glazing to meet residual energy requirements through the use of low or zero carbon energy generating technologies. Wherever possible new development and retrofit projects, including energy generation plant, must be located and designed in a manner that allows advantage to be taken of opportunities for low and zero carbon energy supplies.

Where possible new development and retrofit projects will be used as a mechanism to help improve energy efficiency and provide low and zero carbon energy supplies to existing buildings.

Where appropriate new development and retrofit projects will be required to connect to and/or make contributions to low or zero carbon energy schemes and/or to incorporate provision to enable future connection to any existing / potential decentralised energy schemes.

Policy EN14 - Flood Risk

The policy reflects national planning policy to direct development away from sites at greatest risk of flooding, and towards sites with little or no risk of flooding. Site specific flood risk assessments are required for all development proposals on sites greater than 0.5 hectares.

The site falls within Flood Zone 1 and is at low risk of flooding.

Policy EN16 - Air Quality

This policy indicates that the Council will seek to improve the air quality within Manchester and particularly Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport. Developers are expected to take measures to minimise and mitigate the local impact of emissions from traffic generated by the development, as well as emissions created by the use of the development itself. When assessing the appropriateness of locations for new development the Council will consider the impacts on air quality this includes cumulative impacts, particularly in AQMAs.

Policy DM1 - Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

Appropriate siting, layout, scale, form, massing, materials and detail.

Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

Community safety and crime prevention.

Design for health.

Adequacy of internal accommodation and external amenity space.

Refuse storage and collection.

Vehicular access and car parking.

Effects relating to biodiversity, landscape, archaeological or built heritage.

Green Infrastructure including open space, both public and private.

The use of alternatives to peat-based products in landscaping/gardens within development schemes.

Flood risk and drainage.

Existing or proposed hazardous installations.

Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

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

Year 2010 - Code Level 3;

Year 2013 - Code Level 4;

Year 2016 - Code Level 6; and

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

The Unitary Development Plan for the City of Manchester (1995)

The Unitary Development Plan for the City of Manchester was adopted in 1995. However, it has now been largely replaced by the Manchester Core Strategy. There are some saved policies which are considered relevant and material and therefore have been given due weight in the consideration of this planning application. The relevant policies are as follows:

Saved policy DC22.1 relates to the consideration of development proposals, the Council will have regard to the effect on existing pedestrian routes and will not normally allow development which would result in unacceptable inconvenience to local pedestrian movement.

Saved policy DC26, Development and Noise, states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise. Conditions will be used to control the impacts of developments.

National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF was revised in July 2021 and is a material consideration in the determination of all planning applications.

There are three overarching objectives to sustainable development: economic, social and environmental:

- an economic objective, to help build a strong, responsive and competitive economy;
- a social objective, to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective to protect and enhance our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Other Material Considerations

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007)

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. The Guide states the importance of creating a sense of place, high quality designs, and respecting the character and context of an area. The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance provides a framework for all development in the City and requires that the design of new development incorporates a cohesive relationship with the street scene, aids natural surveillance through the demarcation of public and private spaces and the retention of strong building lines and appropriate elevational detailing and strong design particularly to corner plots.

Residential Quality Guide

Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is

suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

South Manchester Regeneration Framework

South Manchester is identified as an area with a rich and diverse group of neighbourhoods, with a wide range of issues and needs. Some areas are already successful, so the SRF is needed to help continue and build on this success. Other areas, in contrast, have particular issues that the SRF will help to tackle, such as poor housing and high levels of deprivation and worklessness.

The opportunity for the SRF is to build on and improve its assets - the distinctive, successful neighbourhoods and centres, the high quality parks and the strong heritage and character of South Manchester - and use these as a model to drive forward the future of the area. These qualities should be applied across South Manchester to raise the quality of the built environment and expand the number of successful neighbourhoods.

The SRF identifies a key issue for the area as providing a wider choice of housing to attract and retain residents. The SRF states future housing developments need to focus on providing high-quality family accommodation. It identifies that high-quality sustainable new housing developments should meet the housing needs of the existing and future population of South Manchester.

Issues

Principle - The general principle of residential development within a residential street is considered acceptable. In this instance given the existing use of the land in question together with its relationships to existing infrastructure and public rights of way further consideration is required on the visual impacts of the principle of development.

Visual Amenity - Moorfield Road is a street of a strong built form and character with a regular pattern of cheshire style interlocking semi detached properties. The only deviation to this is the presence of a detached infill residential property at the northern end of the road opposite the application site. Whilst the location of this plot and its lower height enable it to have limited impacts on the streetscene it is a development of its time and with a very different style and character to the rest of the street.

The application proposals do not contain details of the style or design of the intended residential dwelling but the applicants agent has indicated that any dwelling would be no higher than others on the street and would be designed to be in harmony with the street.

The plot has a narrower frontage than the infill plot opposite although it has a similar frontage width to the narrower fronted part of the interlocking semi detached properties which are the predominant character on the street. Given this relationship together with the anticipated type of development required to reflect that of the street it is envisaged that an appropriately proportioned property would be required to extend across the majority of the frontage of the site leaving very limited space to the public right of way connecting Fielden and Moorfield Roads. As such it is considered that the visual impact of the narrowing of this gap would create a stark and uninviting environment for users of the footpath route to the local centre and the open character of this part of Moorfield Road. A built form in this location would reduce the opportunities of natural surveillance and overlooking of the footpath and would, whilst the inclusion of lighting to the building could assist in the darker evening period, the overbearing impact of built form close to and adjacent the footpath would create an uninviting environment and would make users vulnerable to criminal or anti social behaviour and would not create an inviting environment for users of the footpath. This would result in the development failing to make a positive

contribution to neighbourhoods of choice or the creating well designed places that enhance or create character, or making a positive contribution to the health, safety and wellbeing of residents contrary to policy SP1.

It is considered that the siting of a dwellinghouse in this location would give rise to unacceptable impacts on the visual amenity of the area contrary to policies SP1 and DM1 of the Core Strategy.

Residential Amenity - The siting of a dwellinghouse on the site could be designed to have acceptable impacts on residential amenity. Arrangement and siting of the houses to reflect those on Moorfield Road with windows and front door onto Moorfield and rear facing windows would not create unacceptable impacts in terms of overlooking or loss of privacy. It is noted that there are a number of windows to the side of 32 Moorfield Road facing onto the application site. One large window appears to be to a staircase although it is unclear what rooms the other side windows serve. It is noted that the later infill property constructed opposite at number 31 Moorfield has a similar relationship to windows in the side of the adjacent property.

Car Parking - The land is identified as previously being last used for car parking. It is understood that this was car parking for the adjacent properties at numbers 30 and 32 Moorfield Road which were converted to 14 no. flats under planning permission reference 051813/FO/SOUTH2/97. A subsequent application for a two storey rear extension and use of adjacent land for car parking was approved in 2012. It was noted at the time from site photos that the application site subject to this application was fenced off with railings and was being used for the parking of vehicles.

As such the land appears to have been in use for car parking for a substantial period of time in association with the flats at 30 and 32 Moorfield Road. The loss of this area for car parking for the 14 no. flats, it is considered, would give rise to additional pressures for on street car parking in an area where it is noted there is already a high demand. It is noted that the area is in a sustainable location but the displacement of car parking to the street for a relatively large number of residential units is considered unacceptable without suitable arrangements in place for occupiers of those flats having access to off street car parking.

Residential provision – It is noted that the proposals would provide an additional residential dwelling in a residential area and in a sustainable location. However, in this instance the harm identified is not considered to be overcome by the provision of one additional dwellinghouse.

Other matters- United Utilities have objected due to the presence of underground services at the site and that consent would be required to build over these. It is noted that separate agreement is required by the applicant from United Utilities to resolve their objection. It may be possible that their concerns cannot be overcome but this is a matter that would need to be resolved by the applicant whatever the determination of the application under consideration. The Council as local planning authority has also been made aware that there are restrictive covenants on part of the site that would prevent a building being constructed on the land and that its use be restricted to car parking associated with the adjacent properties. Again this is a separate legal matter that the applicant would need to resolve outside of the planning system.

In this instance harm has been identified that cannot be overcome and it is recommended the proposals be refused.

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

Officers have worked with the applicant in a positive and proactive manner. In this case, the assessment of the application alongside a site visit established that the proposal represents an unacceptable form of development for the site. These concerns were provided to the applicants agent in advance of a decision being issued.

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

1) The proposed development would result in the loss of car parking for the adjacent flats and it is considered that the requirement for car parking generated by those flats would result in on-street parking in the locality which would further exacerbate existing car parking difficulties and traffic congestion. This in turn would be detrimental to highway and pedestrian safety and the amenity of nearby residential occupiers. As such, the proposed development would be contrary to policies T2 and DM1 of the adopted Core Strategy for Manchester.

2) The proposed new dwelling, by virtue of its siting in close proximity to the public right of way along Fielden Road, would overdevelop the land around number 32 Moorfield Road and it is considered that the building would have an overly prominent and overbearing impact and would thereby be detrimental to the visual amenities of the area and be contrary to policy SP1 and DM1 of Unitary Development Plan for the City of Manchester.

3) The proposed development would result in built form in close proximity to the public right of way between Fielden Road and Moorfield Road. The result of which would be a sense of visual and physical enclosure of the right of way and creation of an unsafe environment for users of the right of way thereby being contrary to Core Strategy policy SP1, DM1 and saved Unitary Development Plan policy DC22.1.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
West Didsbury Residents Association
United Utilities Water PLC

Flat A3, 25 Moorfield Road, Manchester, M20 2UZ
Basement Flat, 25 Moorfield Road, Manchester, M20 2UZ
21 Moorfield Road, Manchester, M20 2UZ
9 Moorfield Road, Manchester, M20 2UZ
15 Moorfield Road, Manchester, M20 2UZ
23 Moorfield Road, Manchester, M20 2UZ
5 Moorfield Road, Manchester, M20 2UZ
32 Moorfield Road, Manchester, M20 2UY
Flat 7, 30 Moorfield Road, Manchester, M20 2UY
Brian Hore Unit, Elizabeth Slinger Road, Manchester, M20 2ES
30 Moorfield Road, Manchester, M20 2UY
28 Moorfield Road, Manchester, M20 2UY
The Garden Apartment, 20 Moorfield Road, Manchester, M20 2UY
Flat 4, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 2, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 7, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat C1, 25 Moorfield Road, Manchester, M20 2UZ
Flat B1, 25 Moorfield Road, Manchester, M20 2UZ
Flat A1, 25 Moorfield Road, Manchester, M20 2UZ
12 Moorfield Road, Manchester, M20 2UY
Flat 3, 152 Barlow Moor Road, Manchester, M20 2UT
Flat B2, 25 Moorfield Road, Manchester, M20 2UZ
Flat 1, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 6, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 5, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 4, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 2, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 3, 28 Moorfield Road, Manchester, M20 2UY
Flat 4, 1 Moorfield Road, Manchester, M20 2UZ
Flat 1, 1 Moorfield Road, Manchester, M20 2UZ
42 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
27 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
40 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
31 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
25 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
Flat 4, 10 Moorfield Road, Manchester, M20 2UY
Flat 8A, 6 Moorfield Road, Manchester, M20 2UY
154A Barlow Moor Road, Manchester, M20 2UT
Flat 6, 6 Moorfield Road, Manchester, M20 2UY
Flat 7, 6 Moorfield Road, Manchester, M20 2UY
Flat 2, 6 Moorfield Road, Manchester, M20 2UY
Flat 4, 6 Moorfield Road, Manchester, M20 2UY
Flat 1, 6 Moorfield Road, Manchester, M20 2UY
13 Moorfield Road, Manchester, M20 2UZ
Flat 12, 152 Barlow Moor Road, Manchester, M20 2UT

Flat 3, 10 Moorfield Road, Manchester, M20 2UY
Flat 3, 20 Moorfield Road, Manchester, M20 2UY
31 Moorfield Road, Manchester, M20 2UZ
Flat 3, 6 Moorfield Road, Manchester, M20 2UY
Flat 1, 20 Moorfield Road, Manchester, M20 2UY
Flat 5, 6 Moorfield Road, Manchester, M20 2UY
Flat 2, 10 Moorfield Road, Manchester, M20 2UY
Flat 2, 20 Moorfield Road, Manchester, M20 2UY
Flat 1, 10 Moorfield Road, Manchester, M20 2UY
Flat 6, 32 Moorfield Road, Manchester, M20 2UY
Flat 6, 1 Moorfield Road, Manchester, M20 2UZ
Flat 2, 32 Moorfield Road, Manchester, M20 2UY
Flat 5, 32 Moorfield Road, Manchester, M20 2UY
Flat 4, 32 Moorfield Road, Manchester, M20 2UY
Flat 3, 1 Moorfield Road, Manchester, M20 2UZ
Flat 5, 1 Moorfield Road, Manchester, M20 2UZ
Flat 3, 32 Moorfield Road, Manchester, M20 2UY
Flat 2, 1 Moorfield Road, Manchester, M20 2UZ
Flat 1, 32 Moorfield Road, Manchester, M20 2UY
Flat 7, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 1, 8 Moorfield Road, Manchester, M20 2UY
Flat 4, 30 Moorfield Road, Manchester, M20 2UY
Flat 3, 30 Moorfield Road, Manchester, M20 2UY
26 Moorfield Road, Manchester, M20 2UY
37 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
33 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
Flat 10, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 2, 28 Moorfield Road, Manchester, M20 2UY
154B Barlow Moor Road, Manchester, M20 2UT
35 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
16 Moorfield Road, Manchester, M20 2UY
7 Moorfield Road, Manchester, M20 2UZ
11 Moorfield Road, Manchester, M20 2UZ
22 Moorfield Road, Manchester, M20 2UY
Flat 1, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 4, 28 Moorfield Road, Manchester, M20 2UY
Flat 7, 32 Moorfield Road, Manchester, M20 2UY
3 Moorfield Road, Manchester, M20 2UZ
18 Moorfield Road, Manchester, M20 2UY
43 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
39 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
30 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
26 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
29 Moorfield Road, Manchester, M20 2UZ
Flat 9, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 5, 8 Moorfield Road, Manchester, M20 2UY
Flat 3, 8 Moorfield Road, Manchester, M20 2UY
Flat C2, 25 Moorfield Road, Manchester, M20 2UZ
Flat 8, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 6, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
48 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
46 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
41 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
32 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU

24 Moorfield Road, Manchester, M20 2UY
Flat 8, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 4, 8 Moorfield Road, Manchester, M20 2UY
Flat 1, 28 Moorfield Road, Manchester, M20 2UY
Flat 6, 30 Moorfield Road, Manchester, M20 2UY
14 Moorfield Road, Manchester, M20 2UY
Flat 5, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 3, Westfield House, 280 - 282 Burton Road, Manchester, M20 2DH
Flat 6, 8 Moorfield Road, Manchester, M20 2UY
47 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
45 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
Flat 11, 152 Barlow Moor Road, Manchester, M20 2UT
Flat 2, 8 Moorfield Road, Manchester, M20 2UY
Flat A2, 25 Moorfield Road, Manchester, M20 2UZ
Flat 1, 30 Moorfield Road, Manchester, M20 2UY
Flat 5, 30 Moorfield Road, Manchester, M20 2UY
Flat 2, 30 Moorfield Road, Manchester, M20 2UY
27 Moorfield Road, Manchester, M20 2UZ
38 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
44 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UX
19 Moorfield Road, Manchester, M20 2UZ
17 Moorfield Road, Manchester, M20 2UZ
Flat 7, 1 Moorfield Road, Manchester, M20 2UZ
34 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
28 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
154C Barlow Moor Road, Manchester, M20 2UT
36 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU
29 Barlow Moor Court, Barlow Moor Road, Manchester, M20 2UU

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) -
Area Team Boundary - Name: SOUTH