

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130917/FH/2021

Date registered valid: 13 July 2021

Proposal: Retrospective conversion of garage to form additional accommodation and elevation alterations including the application of external render, installation of replacement windows and widening of vehicular access gates

Address: 47 Milton Grove, Manchester, M16 0BP

Ward(s): Whalley Range Ward

Applicant: Mr Jamie Bell 47 Milton Grove, Manchester, M16 0BP

Agent (if any): Mr Jordan Clarke GoodWinter Design & Planning Ltd 14 Cromwell Avenue, Manchester, M16 0BQ

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 September 2021

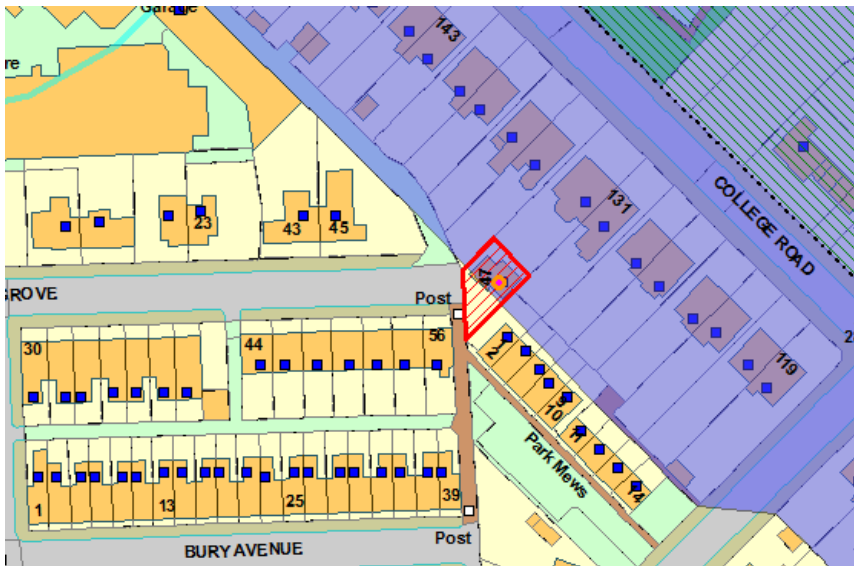


Application details

Type of application: Full Householder Application
Development type: Householder
Date of site visit: 26 July 2021
Standard consultations: Printed: 19 July 2021 Expired: 9 August 2021
Neighbour notifications Printed: 19 July 2021 Expired: 9 August 2021
Site notice Posted: 23 July 2021 Expired: 13 August 2021
Press advert Published: 27 July 2021 Expired: 17 August 2021
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Not applicable
Conservation area: Whalley Range Conservation Area 1992
Tree Preservation Order: Not applicable

Description of site/building

The application site is a modern 2-storey orange-red brick detached dwelling situated at an angle to the head of the Milton Grove cul-de-sac. The house and land to the side and rear are within the Whalley Range Conservation Area whilst the block paved front garden and Milton Grove itself are outside of the designated land.



The property has a rectangular plan form with grey concrete tile gabled roof and brown uPVC windows. It was erected on garden land originally belonging to No.133 College Road which is east of the site. Permission was granted for the development in 1984 (Ref: 022240).

The property sits on an irregularly shaped plot with the majority of amenity space, for parking and garden area being at the front. The side and rear boundaries are very tight to the elevations and

secured by 1.8 to 2.7-metre high timber hit and miss or post and panel fencing.

The site is bounded to the front elevation by a 1.5-metre high brick wall with 3-metre high brick piers and 1.5-metre high timber panels between providing privacy.

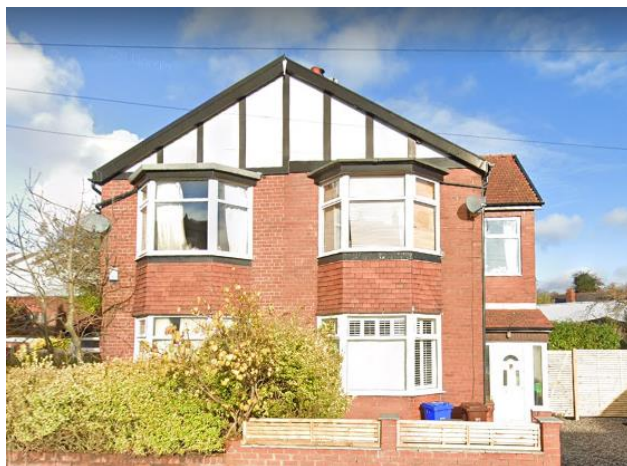
Description of area

The site lies within a mostly residential area just east of the Trafford MBC border. Properties in view of the site comprise a mixed typology comprising modern red brick mews houses on Park Mews to the east and sited forward of the application dwelling. Milton Grove to the south comprises of a mixed



typology of 2 or 3 storey Victorian red brick terraces, a pair of 1960's bungalows, and inter-war infill semi's.

The rears of houses on College Road are sited approximately 22 metres back off the head of the cul-de-sac with their rear gardens extending off the northern side of the site frontage.



Description of development

The application seeks the determination of the local planning authority for the retrospective

conversion of a garage to form additional living accommodation and elevational alterations including the application of external render, installation of replacement windows and widening of the vehicular access gates. The garage conversion had already been undertaken but it is understood to have been completed prior to the recent purchase of the dwelling by the applicant.

Consultations & Notification Responses

Neighbour notifications – No comments received

Whalley Range Forum – No comments received.

Highway Services – Comments:

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street.

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 Milton Grove 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.

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 new inward opening pedestrian access gate is acceptable to Highways. The new timber gate for the vehicular access folds inwards and therefore does not impinge on the adopted highway, which is acceptable to Highways.

It is expected that refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

In light of the above, Highways have no objections to the proposed development.

Policy

National Planning Policy Framework (Revised July 2021)

The 1990 Act is supported at national policy level in the government's National Planning Policy Framework (NPPF) and accompanying National Planning Policy Guidance (NPPG). Section 16 of the revised NPPF, entitled Conserving and Enhancing the Historic Environment provides guidance for the conservation and investigation of heritage assets and notes that:

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

In decision-making, the Framework requires that local planning authorities take account of the following:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Core Strategy policies EN3, DM1 and SP1

Saved UDP policies DC1 and DC18.1

Issues

The key issues relate to the implications of the garage conversion, access due to widening the vehicular entrance and impact on the street scene and conservation area due to the elevational alterations.

Garage conversion

The garage conversion had been completed some time ago and before the applicants' recent purchase of the dwelling to create extended living accommodation. Ordinarily, this would constitute Permitted Development outside of a Conservation Area and where PD rights have not been removed.

There are no obvious impacts on the character of the conservation area and no implications for car parking as space is provided in the front garden area albeit it shared with other amenity uses. Highway Services have not raised any concerns with this element of the proposal. As such, the proposal complies with saved UDP policy DC1 and with Core Strategy policies SP1 and DM1.

Access on front boundary

As the site is at the head of a cul-de-sac, there is little vehicular traffic except for vehicles turning, but a pedestrian short-cut route runs across the site frontage from Park Mews to Upper Chorlton Road.

Highway Services have recommended that visually permeable fencing upwards of 600mm to make child pedestrians more visible. The boundary treatment in situ however is as approved in the original application and comprises solid brick up to 1.5 metres with solid timber panels between to a total height of 3 metres. This is proposed to be retained for privacy and security given that the area at the front of the house is the only useable amenity space for the dwelling.

Widening the access from 3 metres to 5.2 metres and separating the pedestrian and vehicular access and egress points will contribute towards highway and pedestrian safety. The wider access will be achieved by the installation of timber bi-fold inward-opening gates which will achieve a greater visibility splay than the existing which will be to the benefit of highway and pedestrian safety.

Any proposal to install a dropped kerb will be subject to application to Highway Services under a s278 Agreement. The applicant / agent was advised of this prior to determining the application.

On balance, it is considered that this element of the proposal accords with Core Strategy policies DM1 and EN3.

Impact of elevational alterations on the Conservation Area

Guidance on the assessment of development on the character of heritage assets is found in Chapter 16 of the NPPF. Paragraph 194 requires an application to identify the significance of any heritage assets whilst paragraph 195 requires the same of local planning authorities, against which the impact of the proposal should be assessed. The assessment requires a judgement as to the level of harm that would ensue from the proposal (para.199) with emphasis placed on preserving and enhancing those assets. This objective also underpins policy EN3 of the Core Strategy and saved UDP policy DC18.1.

Significance of the Conservation Area

The application is accompanied by a Heritage Statement which does not describe the Conservation Area in any detail other than to note that Milton Grove does not fall within its boundary and that the application dwelling is largely obscured from College Road to the rear of the site which is within the designated land.

The Council's assessment of the character of the Conservation Area notes that the key areas of significance which justified the designation derive from associative, historic and architectural values:

The association with Joshua Brooks

Significant Listed buildings including the Muslim Heritage Centre and St. Bede's College.

Spaces between buildings

Tree-lined roads

Architectural detailing of buildings – corbels, bracketing, decorative brickwork.

Materials - Walls are generally red or orange-red brick with stone dressings, but some houses are buff brick with yellow stone.

Boundary walls with recessed panels and stone copings.

The application site bears none of these values, being included within the designated lands on the basis that the front elevation was formerly the line of the rear boundary of No.133 College Road before it was annexed as a separate development plot. It has no relationship to any other properties in the immediate area and so presents an opportunity add visual interest through the proposed alterations.

The alterations mark a significant change from the prevailing palette of materials in the immediate context. As the building occupies a prominent albeit off-set position, the alteration will be visible on approach along Milton Grove. It is justified on the basis that its present design and appearance make no valuable contribution to the Conservation Area, the design having a typical 1980's suburban aesthetic in a palette which blurs the distinction between the site as a dwelling in the Conservation Area, and the modern mews houses to the right and those along Milton Grove all of which lie outside of the designated lands.



Front view of the site from Milton Grove. Rear garden boundaries of houses on College Road are on the left

The key alteration relates to the change in materials, from orange-red brick to off-white render on the 2-storey section and light grey at ground floor, and replacement of the brown uPVC window frames with grey/black aluminium. The elevations also seek to alter the window apertures on the right-hand side of the building at ground and first floor to create a more vertically proportioned building. This will be given emphasis by inclusion of a timber panel to the left of the top right-hand window. A timber front door and solid timber gates in the same material will unify these elements and add visual interest.

The application of render will also remove the disjointed appearance between the red-orange smooth brick of the elevations and the brown/black/white rustic mix of the boundary wall. This will give an overall tidier and smarter appearance to the dwelling which will be of benefit to the street scene.

Conservation Area policy promotes the opportunity to enhance heritage assets in decision-making. In this application, it will be achieved by delivering a dwelling that makes a bold statement with a fresh, crisp and modern appearance with its own life and vitality. This will clearly distinguish it from houses outside of the designated land, which will have a positive impact on the character and appearance of the Conservation Area. On this basis, the proposal is assessed as being of less than substantial harm.

Views of the rears of houses on College Road will not be impeded by the proposal and any approval will not detract from the architectural details of merit within the designation description, examples of which are found on the front elevations.

The assessment of the impact on the significance of the heritage asset by the applicant/agent notes that views from within the Conservation Area from the public realm are limited to the relatively narrow gap between the pairs of semi's at Nos.133 and 135 College Road.

Views from this street are also limited by the 2.7-metre high timber hit and miss fencing with dense shrubs on the rear boundary, and by the 29-metre distance between the rear elevation and the College Road frontage.



View of the rear of the site between Nos.133 and 135 College Road

Notwithstanding this, the narrow view of the rendered rear elevation would be a point of interest glimpsed between and contrasted well with the older historic dwellings, which is good and sustainable design practice.

On the basis of the above, the proposal is considered to have a positive impact on and to enhance the character and appearance of the Conservation Area, in accordance with saved UDP policy DC18.1, Core Strategy policies EN3 and to the guidance within chapter 16 of the NPPF.

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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the delegated report. The application received no objections on notification and has been approved with appropriate conditions as set out below, in the interests of residential and visual amenity.

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 received on the 13th of July 2021 or as stated:

Application form received on the 1st of July 2021

Location and Block Plan GW0005/LB1

Existing Site Plan and Boundary Elevation GW0005/E2

Existing Plans & Elevations GW0005/E1

Proposed Plans and Elevations GW0005/P2

Proposed Site Plan and Boundary Elevation GW0005/P2

Heritage Statement prepared by Goodwinter Design and Planning (Ref: GW0005/SS1) dated July 2021

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Core Strategy.

3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the details as set out on the householder application form and the drawings listed in condition 2 of this permission.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 and DC18.1 of the Unitary Development Plan for the City of Manchester, EN3, SP1 and DM1 of the Manchester Core Strategy and the requirements of the Chapter 16 of the National Planning Policy Framework (2021).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Whalley Range Forum

135 College Road, Manchester, M16 0AA
131 College Road, Manchester, M16 0AA
Park Mews, Park Drive, Manchester, M16 0FD
2 Park Mews, Park Drive, Manchester, M16 0FD
1 Park Mews, Park Drive, Manchester, M16 0FD
133 College Road, Manchester, M16 0AA
56 Milton Grove, Manchester, M16 0BP
54 Milton Grove, Manchester, M16 0BP
45 Milton Grove, Manchester, M16 0BP

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 - Whalley Range Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH