

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130289/FO/2021

Date registered valid: 15 June 2021

Proposal: Erection of three storey rear extension together with a change of use of to form 6 no. self contained apartments with associated car parking and landscaping

Address: 18 Range Road, Manchester, M16 8ES

Ward(s): Whalley Range Ward

Applicant: Mr Zeeshan Zafar Centrepoint Properties 18 Range Road, Manchester, M16 8ES

Agent (if any): Mr Mohammed Afaq 1618 Architects 80A Stamford New Road, Altrincham, WA14 1BS

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Recommendation: Refuse

Date of recommendation: 5 August 2021



Application details

Type of application: Full Application Consent
Development type: Minor Other
Date of site visit: 2 August 2021
Standard consultations: Printed: 27 July 2021 Expired: 17 August 2021
Neighbour notifications: Printed: 27 July 2021 Expired: 17 August 2021
Site notice: Posted: 2 August 2021 Expired: 23 August 2021
Press advert: Published: 3 August 2021 Expired: 24 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 3-storey plus basement detached Victorian villa situated on a rectangular plot of 736sqm on the northern side of Range Road in the Whalley Range conservation area.

The front elevation is faced in buff brick with horizontal bands of orange and blue decorative brickwork to all storeys, and a semi-circular decorative brick infill detail over the two ground floor windows left of the front door. The remainder of the building is of brown brick construction.

The front elevation has a steep pitched gable on the right-hand side with a small shed-type dormer alongside, and canted bay window to the ground floor.

The site was last in use as a nursery and has a stepped and ramped access through the front garden with small areas of planting. The rear garden is laid to lawn and with access along both sides to the rear.

The front curtilage is bounded by a low brick wall with brick piers and railings between and separate pedestrian and vehicular gates.

The site has had various uses;

In 1989, it received approval for a change of use from an HMO to a mental care home (Ref: 035612), then a change from an HMO to a nursery in 1997 (Ref: 051320/FO/CENTL1/97). In 2004 it changed from a single-family dwelling house to a 60-place nursery in (Ref: 071432/FO/2004/S1), and more recently, an application to extend the property to form 8no. self-contained flats (Ref: 126096/FO/2020) was withdrawn.

Description of area

The site lies within the Whalley Range conservation area that is characterised by large, 3-storey Victorian gothic villas set within large garden plots and a mature landscaped tree-lined setting.

There are modern residential infills which include the part-2, part-3 storey Nelson Mandela Court to the east, single storey Church of St. Pius and modern quasi-terraced houses in Arcon Drive to the north.

Description of development

Erection of three storey rear extension together with a change of use to form 6 no. self-contained apartments with associated car parking and landscaping.

The development would provide 6 x 2no. bedroom flats with a combined living / kitchen and dining room, 2 bathrooms and 2 bedrooms, 8no. parking spaces at the rear in a Tarmac-surface garden, 1no. disabled parking space on the front garden area, 3 x 1100L Eurobins on the front garden area and a platform lift up to the front door.

The proposal represents a minor adjustment to the above withdrawn application which the Council advised could not be supported on the basis that it was an over-development of the site; was not subservient to the main dwelling; over-development of the site with the extension not appearing subservient to the original dwelling; the height, scale and massing of the extension was inappropriate in the context of the original dwelling, the plot, and the conservation area; poor design; total loss of the rear garden to car parking; lack of amenity space and loss of front garden; inappropriate waste management arrangements; conflicting waste management information provided and no materials palette.

Consultations & Notification Responses

Neighbour notifications, press advertising and posting of site notice: 4 objections received:

1. This proposal seems out of line in what is a conservation area. It will remove the gardens, change the roofline and will look out of place on what is a lovely road consisting mainly of period houses with mature gardens. Why can't the existing property be adapted sensitively and made to blend in instead of towering over the road surrounded by a car park?

2. This proposal is a massive over development of the site;
Health & Safety concerns. Mainly in relation to parking proposal, lack of amenities and waste provisions;
Conservation area concerns. This, mildly tweaked, proposal is widely out of keeping with the already densely populated area.

3. The above proposal on the grounds that it represents a gross overdevelopment of the existing building and its site and is incompatible with the Conservation Area status of Range Road in particular and Whalley Range in general.

I fully agree with and endorse the detailed objections made by Mr Sedman, the coordinator of our resident's group, in his letter to you of 7 August. [Range Road Resident's Group].

4. We have already opposed this extension due to the nature of the occupants and the unsightly condition which the inhabitant live in. Mr Zafar has only cleaned up the property because he wants the planning to go through.

He does not live in the area but because he is a slum landlord he wants the money from the tenant clientele that are of an undesirable nature, having an extension building to what is already a problem will only heighten the problem that we already have.

Range Road Residents Group – Objection:

This proposal is a rehash of last year's application 126096/FO/2020 which was probably the worst I've seen in 25 years; it was ill judged, not thought through at all and if implemented would be a liability for everyone living with it.

Superficially it looks from the headline as though significant changes have been made. Unfortunately, the changes are internal (8 apartments down to 6) but none of the issues which will impact neighbours and the Conservation Area have been addressed.

We would like to object to this proposal, still on the grounds of overdevelopment and all the subsequent problems which would follow. It would adversely impact Residents over a wide area, despite the internal changes it ignores the basic needs of its proposed occupants and is not acceptable in the Conservation Area. The front elevation drawing is still incomplete.

The building would still double in size and volume consuming a considerable chunk of the back garden. Almost all of the remaining back garden and all of the front is then covered in tarmac with no significant usable amenity space at all. The view of the rear of the property for the large number of people who live around it would change from a discrete 2½ storey original building to a 4 storey modern block of flats with a flat roof well beyond the original building line overlooking and shading neighbours on Range Road and clearly visible and towering above Residents on Arcon Drive, Yarburgh Street and Deerpark Road. The trees are deciduous so any screening would be for 6 months of the year only.

There are also other Conservation Area issues tucked away in the copious documents which it is easy to miss which also need attention.

Background

The house itself is an attractive cream brick large detached with original ornamental coloured brickwork and a large garden in proportion to its size. All the many large buildings in the Conservation Area were built with these proportions. It is beyond dispute that its value to the Conservation Area is considerable and the frontage must be preserved and any attempts to 'jazz it up' should be resisted.

It was run as Kiddidays Nursery until it suddenly went insolvent in May 2018 leaving parents without childcare and out of pocket with little chance of refunds and staff out of jobs (MEN 13/06/18). It is perhaps understandable therefore that the owner has a powerful incentive to maximise profit on this scheme but it should not be at the expense of the large number of Residents nearby, future occupants or the Conservation Area.

We share the view that a sustainable future needs to be found for the building and the important frontage be maintained.

Precedent

The successful conversion of 8 & 10 Alness Road springs to mind. That developer created a large number of apartments but the plans were thought through and work was carried out well and within the original footprint of the buildings. Unfortunately they were caught dumping hardcore all over the rear garden and when challenged admitted their intention was to convert the whole thing to a car park. The Planners and Councillors at the time agreed that this was unacceptable, a proper landscape plan had to be produced and a substantial amenity space had to be created for the new occupants. This is well used and is a safe and secure area for children to play or for occupants to sit out. The gardens and apartments are a good example of what can be achieved when Developers are controlled. Whalley Range already has one of the highest population densities in Manchester; the large houses have large numbers of people in them, so retaining the green space around them is essential.

If the precedent is set that it is acceptable to build outside existing building footprints and into gardens, the whole Conservation Area will be at risk in the future.

Specific Objections

These fall approximately under the 3 headings of Overdevelopment, Conservation Area Issues and Health and Safety, but are often interrelated and it is important that these things are seen in context.

Overdevelopment

Car Parking

Range Road is residential. Despite this it carries a surprising amount of (often speeding) traffic. It is an unbroken short cut between the main roads and has an entrance to the justifiably popular Alexandra Park at one end and the Whalley Range shops and Health Centre at the other. 18 Range Road is in the middle at the junction of Range Road and Alness Road. This can be a busy junction, especially when parents are dropping off at St Bedes College. It is frequently solidly parked up on both sides. When Kiddidays was operating, near misses were commonplace as parents used to park on the street around this junction. People living around it would often discover their drives blocked or access to their premises was restricted, visibility of the road was impaired or they couldn't park near where they live. Adequate Street cleaning with all the parked cars and mature trees is a constant challenge.

100% off street parking is therefore important for any development and this proposal would create 9 off road car parking spaces for 6 apartments.

To achieve this they propose to tarmac almost all of the back garden, all of the front and side of the property but would this parking be used? It is highly unlikely for purely practical reasons:

Because the building would be enlarged the car parking would be further away from the entrance at the front of the building. Anyone allocated the spaces 5, 6, 7 & 8, especially if they have things to carry, would have to walk from the far end of the long garden, all down the side of the extended house to eventually get to the front door. No rational person would do this – they'd stick the vehicle on road and walk the few metres to the entrance.

Also the side access to the car park at 3-metres wide is a bit tight considering it has to carry cars and pedestrians at the same time. It would be safer to separate pedestrian access to the west of the building but this appears to be blocked off by the extension. Manoeuvring in the car park is a bit involved so that this may deter some of the others from using it, so it is likely that the car park would be little used and the garden would be destroyed for no reason.

All this points to Range Road being the preferred car parking choice for anyone with common sense and this adds to the problems of other residents over a wide area. This hasn't been thought through at all.

Disabled Parking

The whole point about disabled parking is that it should be easy to use. They propose moving the space from just inside the main gate to the extreme left of the small front garden.

Please imagine trying to make this manoeuvre....just inside the entrance, the driver would have to get round the gates and then avoid any other cars coming and going and pedestrians trying to use the main entrance and then have to somehow try and get out again. Assuming the large commercial bins have been put away properly, this would challenge even the most accomplished driver and is completely unacceptable for someone who is disabled. Once again, the obvious solution would be to park on the road.

This hasn't been thought through at all.

Health & Safety

Waste Disposal

They propose siting 3 large commercial bins right in front of the building behind the disabled parking space and hard up to the apartment light well to the immediate left of the front door.

Facing south in a hot & sunny position the stench and flies from these bins for most of the year will be intolerable, yet they are right outside the kitchen/diner/lounge window of the basement apartment and close to the main entrance to the building. The whole building will smell.

This must contravene some health & safety regulations surely? Certainly living in either of the nearest apartments would be intolerable, especially with other occupants throwing in rubbish right outside the windows at all hours of the day and night.

This hasn't been thought through at all.

Car parking

For the reasons outlined in the previous section there may well be highways safety issues of so many cars trying to park around the Alness/Range Road junction.

Security and Crime

This part of Whalley Range has quite a low incidence of burglary compared to areas nearby. One of the main reasons for this is that Developers, Landlords and Owners have adopted the 'Secure by Design' approach to their buildings; in particular putting a secure barrier that prevents criminals having easy access to the rear of properties where they can operate unseen. These principles do not appear to have been considered or applied in this proposal. The street gates are usually left open.

Conservation Area Concerns

Despite acknowledging the importance of preserving the frontage, they want to 'jazz it up' by sticking a metal roof on it, replace the windows with grey PVC and site 3 large commercial bins, unscreened, in front of it. They propose hacking back a mature cherry to the boundary because it overhangs where the large extension will be and the new flats will bulge out at the left hand side of the building. If this is their idea of preserving the valuable frontage they need to think again!

The Frontage and Roof

It is an attractive Conservation Area building. Part of the roof at the front has been replaced decades ago but many of the original slate tiles remain on the rest of it and are in good condition. It would make far more Conservation Area sense to reuse the original slate at the front and if metal must be used, then keep it out of sight from the road at the back.

Windows

We agree that the brilliant white PVC windows do not enhance the building since they tend to make the cream brick look a bit dirty. Although currently fashionable, grey PVC is debatable as a replacement because when fashions change, which they will, changing the colour of PVC is difficult.

Other cream brick buildings in the area have used cream frames, which go well in an understated manner with the cream brick and would not be subject to the whims of fashion.

Refuse Bins

The elevation drawings neglect to show just how hideous the 3 large commercial bins, sited unscreened and in front of the building line would look. The elevation drawings need to be changed to show them so a proper assessment can be made.

Unfortunately, the overdevelopment does not allow a more appropriate location.

Trees

The tree survey raises the spectre of Ash dieback on the trees at the back but this is a fairly noticeable and prominent disease and there is no real evidence of this from a quick inspection from the street.

It only mentions the mature cherry which is planted next to the boundary in Nelson Mandela Court. Unfortunately for the Developer, this overhangs where the large extension would be to the rear.

Their solution in a part sentence in small print at the end of the report is 'cut it back to the boundary'. This is no way to treat a mature tree in a Conservation Area; about ¼ of it would be lost but it would look butchered and misshapen and never grow back to a decent shape. To prune it properly approximately half the tree would need to be removed for it to stand a chance of looking good and surviving well in the future.

Landscape Plan

No real landscape plan has been submitted. In a Conservation Area it is necessary to show rather more than just tarmac and car parking spaces. At least half the garden should and could be retained as amenity space for the new occupants and this should include decent planting and screening for the front and back gardens.

Conclusion

Even this revised proposal is clearly a massive overdevelopment of the site and most of the problems stem from both this and the lack of clear thinking through of the practicalities of their plans. The adverse impact on the area would be enormous and the end result a liability for everyone having to live with it.

The question really is 'how could such a totally inappropriate scheme ever be allowed to proceed in a Conservation Area'?

Minor alterations, especially just internal ones, will not solve anything; please reject this proposal and send them back to the drawing board.

Environmental Health - Conditions:

We recommend the following conditions/advisory for the above application:

DEMOLITION/CONSTRUCTION PHASE

Construction/demolition works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Reason - To safeguard the amenities of the occupiers of nearby residential and commercial properties during the construction/demolition phase.

REF*

Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health.

*Clarification of the proposed scheme is required as the submitted proforma lists wheelie bins/kitchen caddies but the plans show Eurobins. The applicant should refer to MCC's guidance at

http://www.manchester.gov.uk/downloads/download/6048/waste_management_strategy and also note that the proposed development constitutes low-rise and therefore each resident is entitled to a bin of each type.

CLAND Watching Brief advisory:

In the event that ground and/or groundwater contamination and/or ground gas are encountered on the site before the development is occupied, the developer is advised to cease works and contact Environment On Call on 0161 234 5004 or email contact@manchester.gov.uk for advice on how to proceed.

Highway Services

The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.

Given its previous use it is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.

Eight parking spaces are being provided to a rear tarmacked forecourt and one accessible space is proposed to the front. Whilst this quantum of parking and arrangement is acceptable in principle, we seek confirmation that the bays sizes accord with MCC minimum requirements which is 2.4 x 4.8m for a standard bay and 3.6 x 6m for an accessible bay.

In addition, electric vehicle (EV) provision is required for 20% of the bays (2 no) with a minimum 7kW charging capability with the remaining bays provisioned with infrastructure (ducting/cabling) to allow for future conversion. Confirmation is required that this will be provided.

The existing vehicle access to the eastern side of the property has a 3-metre running lane and provides access to the rear for parking.

With regard to pedestrian access, it would appear from the submitted drawings that an external platform lift is proposed to the main front pedestrian entrance.

Both the vehicle and pedestrian access arrangements are acceptable to Highways.

Cycle parking provision is shown on the plans to the western side of the development for 12 spaces and this is acceptable to us.

With regard to waste management, clarification is sought as to the bin provision and storage arrangement. The plans indicate that 1,100L bins are being provided within a bin store to the front forecourt (which is acceptable to us) whilst the waste proforma suggests individual bins for each household. In the absence of any waste collection information, it is assumed that this will take place from Range Road which is acceptable to Highways. Should the planning application be approved it is recommended that a Construction Management Plan be conditioned which shall include, where appropriate the following details:

- o The routing of construction traffic;
- o Detail the vehicular activity associated with the construction including appropriate swept-path assessment;
- o Details of the location and arrangements for contractor parking;
- o The identification of the vehicular access points into the site;
- o Identify measures to control dust and mud including on the surrounding public highway including: details of how the wheels of contractor's vehicles are to be cleaned during the construction period;
- o The details of an emergency telephone contact number for the site contractor to be displayed in a publicly accessible location;
- o For large schemes a highway dilapidation survey including photographs and commentary on the condition of carriageway/footways on construction vehicle routes surrounding the site.

The applicant is advised that any requirements for licensing, hoarding / scaffolding, building maintenance 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).

Suggested Planning Condition(s):

1. Construction Management Plan.

City Arborist – No comments received

MCC Flood Risk Management – No comments received.

Whalley Range Forum – No comments received.

Whalley Range Conservation Area Group – No comments received.

Policy

The following policies of the development plan are material to the proposal:

Core Strategy

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

Policy SP1 sets down the spatial principles that will guide development including the creation of neighbourhoods of choice.

Policy EN3 seeks to protect the city's heritage assets from the adverse impact of development.

Unitary Development Plan

Policy DC1 sets down the criteria to be considered in determining applications for residential extensions, it also applies to flats. The policy as well as accepting the need to extend a property to meet changing needs also seeks to protect the amenity of neighbours and the wider area.

Policy DC18 requires new developments to preserve or enhance the conservation area.

National Planning Policy Framework (2019)

Chapter 16 sets out the government's intentions for local planning authorities towards Conserving and Enhancing the Historic Environment.

Paragraph 184 says 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.

Paragraph 185 refers to the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 192 says that 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.

Paragraph 193 says that 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.

Paragraph 196 states that 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 viability.

Issues

Principle

The site has long been in use as a nursery but is in a residential area where many of the larger villas are either retained as family homes or have been sub-divided into flats.

The building is of a substantial size as it includes a basement and accommodation on the third floor.

The proposed extension would increase the footprint and the bulk of the property at the rear, as well as introducing parking, bin storage and a platform lift on the front curtilage.

Whilst the proposal is for a residential use, there are concerns on several grounds which makes the principle of the development unacceptable.

Siting

Development to extend the property is sited to come off part of the western side and the full width of the rear of the building.

Part of the development infills on the western side of the building which would entail the loss of some of the gap on this side. As houses in the conservation area are in part characterised by the sense of space between properties, the development has not demonstrated how the siting of the proposal preserves or enhances this characteristic. The effect of the side and rearward development would have greater prominence in the conservation area given the open view of the site at its location facing the junction with Alness Road to the south, and the space between the site and No.20 to the west as seen in the picture below.

It also entails the almost total loss of the front garden area by siting 3no. Eurobins, a disabled parking space and a platform lift on the front curtilage. It is considered that both of these elements of the proposal would result in development that would harm the appearance of the building in the conservation area, contrary to saved UDP policy DC18.1, Core Strategy policies EN3 and DM1 and to the general guidance within Chapter 16 of the NPPF.



Height, Scale and Mass

The proposed extension comes off the rear elevation by 6 metres over 3-storeys and has a width of 10.283 metres across the rear elevation. Saved UDP policy DC1 permits rear extensions of 3.65 metres as a guide, whilst a sustainable design would result in development that was proportionate to the scale of the original building.

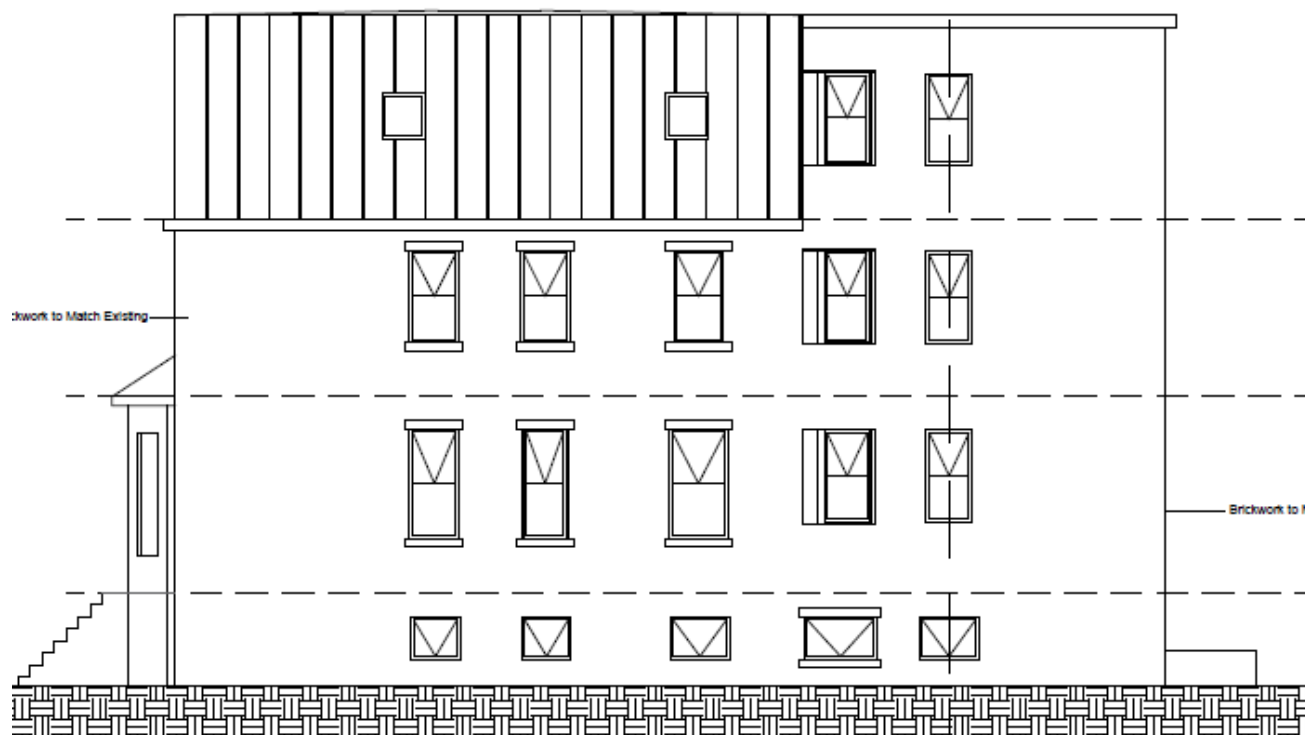
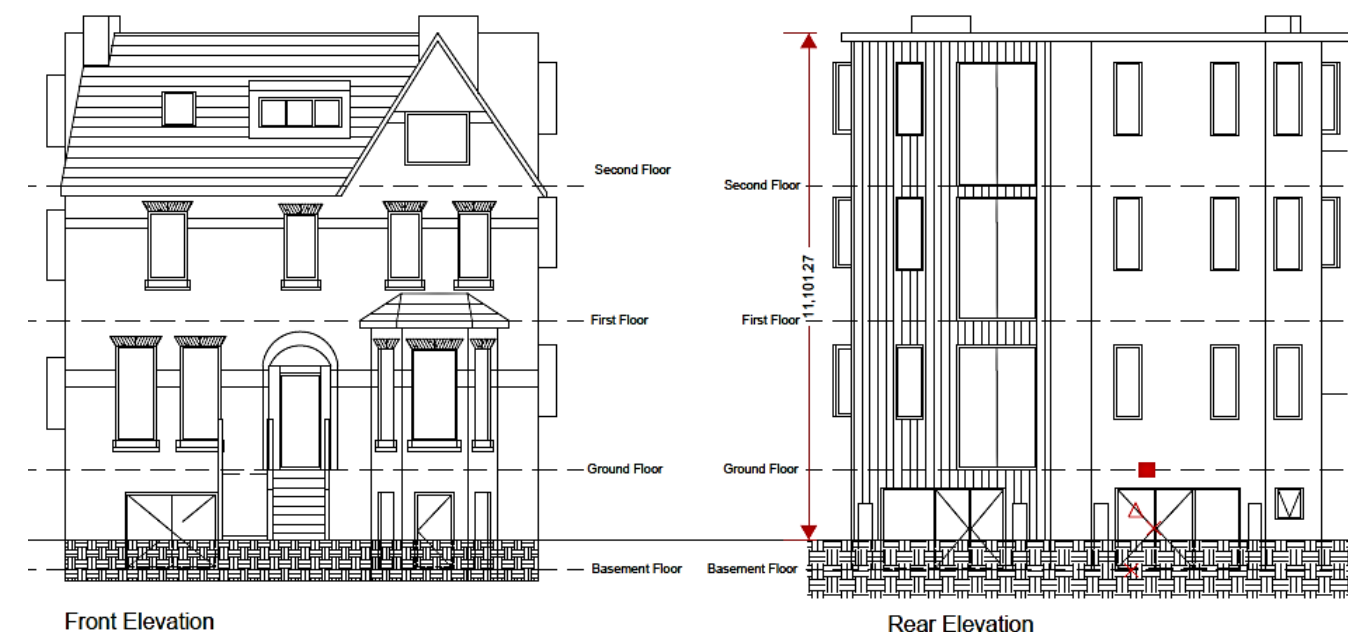
As the depth of extension is considerably in excess of policy DC1 and the height takes the new build up to the level of the original ridge at 9.575 metres (11.101 metres from lower ground), the combined effect results in a mass of development that significantly enlarges the scale of the property to a disproportionate and uncomfortable extent. On this basis, the proposal represents an over-development of the site, contrary to saved UDP policy DC1 and to Core Strategy policies SP1 and DM1.

Design

The design is neither a pastiche of the original dwelling nor a high-quality modern interpretation and therefore establishes a poor relationship between the original and extended buildings.

The proposal is a rectangular block which extends vertically over 4-storeys (including the basement). The second floor would be built up off the ridge of the cross-gable and extends across to infill the slope of the rear roof plane with a flat-roof box structure on top of brick elevations; the whole of this development masking the original plan form, without relief.

Windows would protrude beyond the side elevation over 3-storeys on each side which would appear incongruous and which don't have any horizontal agreement with original window apertures on the front elevation.



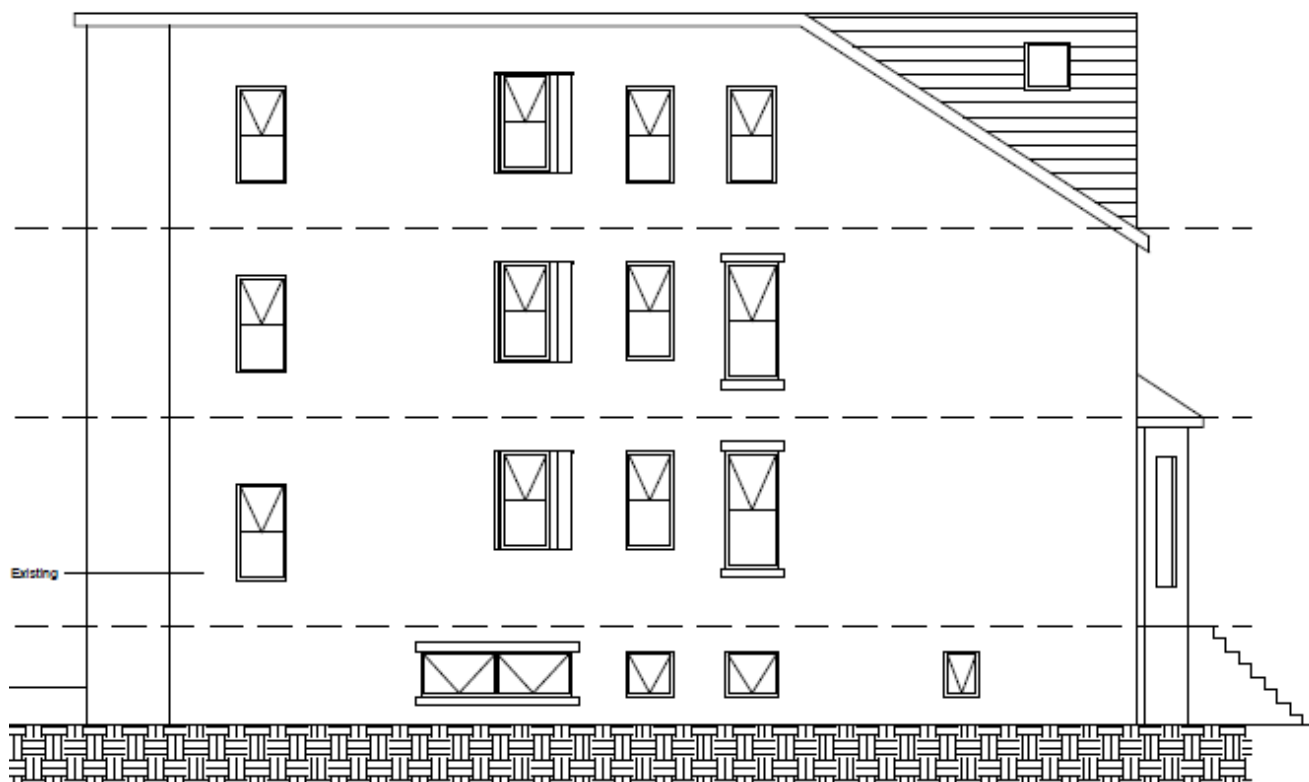
The simple arrangement of the gable ends, and their roof profiles would be lost by the proposed development that infills the roof, losing all sense of the property's original design as a Victorian villa. Additionally, the plethora of windows introduced on each side elevation would further undermine the intentional design of the front elevation having prominence in the street scene.

As such, the design is of a poor and unacceptable quality that would harm the appearance of the dwelling in the conservation area and does not meet the test for sustainability, contrary to saved UDP policy DC18.1, Core Strategy policies EN3 and DM1 and to the general guidance within Chapter 16 of the NPPF.

Layout

The layout in this proposal seeks to accommodate the amenity needs of occupiers by introducing 8no. parking spaces along the western boundary of the rear garden which would be mostly laid to tarmac. The exception to this is a 49m² token area green space in the top north-western corner which surrounds a large tree.

A disabled parking space and 3no.1100L Eurobins are proposed to be sited on the front curtilage forward of a lightwell. A platform lift is also proposed, and a further lightwell which would be introduced under the bay window to the right of the front door.



Whilst the level of parking provides more than 100% provision, the arrangement, including the almost total loss of garden space at the front and rear, together with the siting of bins on the front elevation, would result in an uncharacteristic and unacceptable form of development that would blight the appearance of the dwelling in the conservation area and fail to adequately provide adequate private external amenity space for future occupiers.

Treatment of the front curtilage would also result in an imbalance of hard to soft landscaping with no softening of the hard and uncharacteristic boundary. This would also harm the appearance of the building in the conservation area.

Residential amenity

The windows in the proposed extension principally look towards the side elevations, gardens or parking areas of the properties on either side and towards the front of properties on Arcon Drive at the rear. There are small secondary windows on the properties either side which would not be harmed by side windows on the extension, and the gap to properties at the rear is adequate to protect from overlooking. As such, there would be no significant loss of privacy.

The creation of 6no. 2-bed flats on the site will introduce a level of activity due to the comings and goings of future occupiers and their visitors. However, as the site has previously had consent to operate as a 60-child nursery, the level of activity to and from the site is not likely to be substantially different.

Introducing parking spaces on the rear boundary adjacent to No.20, broadly follows the pattern of rear parking in the large converted houses and mirrors the parking arrangement of Mandela Court immediate east. Notwithstanding this, fewer parking spaces associated with a smaller scheme would have less impact.

Consideration must also be given to the need to store bins off the front elevation which will likely result in bins being stored at the side and rear. The amenity impacts of this are not likely to be significant but in its present form, storing bins at the front would harm the amenity of future occupiers who would have bins in close proximity to their windows giving rise to noise and odours that would lead to a loss of amenity.

Impact on the conservation area

As noted above, gardens, boundary treatments and the spaces between buildings are an identified characteristic contributing to the significance of the Whalley Range conservation area. Whilst these are large properties, they do not occupy particularly large sites and the proposed extension would substantially reduce the space between the application property and No.20, the adjacent property to the west.

It is considered that this infilling of the space on the west towards the boundary with No.20, and the 6-metre deep and 3-storey high rear extension would cause less than substantial harm. However, it represents a form of development that would still harm the character of the conservation area and is not outweighed by the provision of 6no. flats and an insensitive layout of external amenity space.

Space standards

The proposal provides 2-bedroom accommodation over 3 floors. Each flat is between 62 and 65m². This is in line with the Nationally Described Space Standards and is therefore acceptable in this regard. However, it is noted that the space can only be achieved to provide 6no. flats by the over-development of the site extending to 6-metres at the rear over all storeys.

Parking

The provision of one space per dwelling is in line with the Council's current practice. As a corner plot with no on street parking restrictions there is also ample space to park on street.

Refuse

The refuse storage arrangements have been queried by the EHO as there is a discrepancy between the waste provision shown on the site plan and on the submitted waste proforma.

As the development is 'low rise' against Environmental Health standards, individual bins for each flat would be needed, or a management scheme in place for the manoeuvre of any 1100L Eurobins as residents cannot be expected to move these for collection.

Notwithstanding this, the overriding concern is with the provision of bins at the front of the property which would not be acceptable given the prominent location and the detrimental impact on the character of the property and the wider conservation area, together with the loss of amenity for future occupiers as noted above.

Trees

None of the trees on the site are affected by the proposal.

Conclusion

The proposal represents a substantial and inappropriate form of development to a non-designated heritage asset within the Whalley Range Conservation Area.

The siting, height, scale, design and massing would result in development that is not subservient to the original property, and is of a poor quality, resulting in an over-development of the site and harming the character of the building and the wider conservation area.

The waste provision is unclear whilst the almost total loss of garden areas and the poorly judged siting of waste bins, would harm the appearance of the conservation area.

As such, the proposal does not represent a sustainable form of development and would not achieve the policy objective of preserving and enhancing heritage assets. The proposal is therefore contrary to saved UDP policies DC1 and DC18.1, Core Strategy policies SP1, DM1 and EN3 and to the general provisions of Chapter 16 of the NPPF and is recommended for refusal.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The 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 refused the application for the reasons outlined in the delegated report. The proposal represents a poorly conceived design in relation to the host building, the external curtilage and wider conservation area. As such, it is not a sustainable form of development as required by current and saved policies of the development plan. The agent was advised of the Council's recommendation prior to issuing the decision and the unavailability of any conditions which could overcome the Council's concerns in this instance.

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

1) The proposal, by reason of its siting, design, height, scale and massing, would result in an overly dominant and visually obtrusive form of development that is not sub-servient to and forms a poor visual relationship with the original and neighbouring dwellings, to the detriment of the

general character of the property and the character and appearance of the Whalley Range Conservation Area, contrary to policies SP1 and DM1 and E3 of the Core Strategy and saved policies DC1.1, DC1.2 and DC18.1 of the Unitary Development Plan.

2) The proposal, by reason of its depth of rearward projection, height, scale and massing, together with the siting of waste and other amenities on the front and rear curtilage resulting in the loss of front and rear gardens for recreational use by future occupiers, represents an over-development of the site that would harm the appearance of the dwelling and the character and appearance of the Whalley Range Conservation Area, contrary to policies SP1 and DM1 and E3 of the Core Strategy and saved policies DC1.1, DC1.2 and DC18.1 of the Unitary Development Plan.

3) The proposal

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
MCC Flood Risk Management
Range Road Residents Group
Whalley Range Forum
Whalley Range Conservation Area Group

13 Range Road, Whalley Range, Manchester, M16 8FS
15 Deerpark Road, Manchester, M16 8FR
13 Range Road, Manchester, M16 8FS
21 Range Rd, Whalley Range, Manchester, M16 8FS
27 Mayfield Road, Whalley Range, Manchester, M16 8FU
24 Range Road, Manchester, M16 8ES
33 Msyfield Rd, Whalley Range, Manchester, M16 8FU
13 Range Road, Manchester, M16 8FS
33 Mayfield Road, Whalley Range, Manchester, M16 8FU
Flat 4, 20 Range Road, Manchester, M16 8ES
Flat 2, Somerset House, 15 Range Road, Manchester, M16 8FS
Flat 4, 20 Range Road, Manchester, M16 8ES
11 Range Road, Manchester, M16 8FS
CHURCH OF ST. PIUS X, Deerpark Road, Manchester, M16 8FR
Flat 5, 20 Range Road, Manchester, M16 8ES
Flat 3, 20 Range Road, Manchester, M16 8ES
Flat 2, 20 Range Road, Manchester, M16 8ES
Flat 1, 20 Range Road, Manchester, M16 8ES
Flat 4, 4 Alness Road, Manchester, M16 8ET
Flat 5, 4 Alness Road, Manchester, M16 8ET
Flat 1, 2 Alness Road, Manchester, M16 8ET
Flat 4, 2 Alness Road, Manchester, M16 8ET
Flat 3, 2 Alness Road, Manchester, M16 8ET
Flat 2, 2 Alness Road, Manchester, M16 8ET
Flat 8, Somerset House, 1 Alness Road, Manchester, M16 8ET
Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
14 Arcon Drive, Manchester, M16 8FZ
11 Arcon Drive, Manchester, M16 8FZ
8 Arcon Drive, Manchester, M16 8FZ
4 Arcon Drive, Manchester, M16 8FZ
1 Arcon Drive, Manchester, M16 8FZ
Flat 8, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 6, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 4, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 12, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 10, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 9, Somerset House, 1 Alness Road, Manchester, M16 8ET
Flat 6, Somerset House, 1 Alness Road, Manchester, M16 8ET
Flat 5, Somerset House, 1 Alness Road, Manchester, M16 8ET
Flat 3, Somerset House, 1 Alness Road, Manchester, M16 8ET
Flat 3, 4 Alness Road, Manchester, M16 8ET
15 Arcon Drive, Manchester, M16 8FZ
Flat 2, 4 Alness Road, Manchester, M16 8ET
Flat 1, 4 Alness Road, Manchester, M16 8ET

16 Arcon Drive, Manchester, M16 8FZ
13 Arcon Drive, Manchester, M16 8FZ
12 Arcon Drive, Manchester, M16 8FZ
10 Arcon Drive, Manchester, M16 8FZ
9 Arcon Drive, Manchester, M16 8FZ
7 Arcon Drive, Manchester, M16 8FZ
6 Arcon Drive, Manchester, M16 8FZ
5 Arcon Drive, Manchester, M16 8FZ
3 Arcon Drive, Manchester, M16 8FZ
2 Arcon Drive, Manchester, M16 8FZ
Flat 9, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 7, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 5, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 3, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 2, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 11, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 1, Nelson Mandela Court, 16 Range Road, Manchester, M16 8FY
Flat 7, Somerset House, 15 Range Road, Manchester, M16 8FS
Flat 4, Somerset House, 15 Range Road, Manchester, M16 8FS
Flat 1, Somerset House, 15 Range Road, Manchester, M16 8FS

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
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH