

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129667/FO/2021

Date registered valid: 8 April 2021

Proposal: Erection of a three storey side extension to existing parade forming ground floor retail unit (Use Class E) and two residential apartments above (Use Class C3a)

Address: 63 Riverdale Road, Manchester, M9 8UJ

Ward(s): Higher Blackley Ward

Applicant: Iftikhar Nazir, 63 Riverdale Road, Manchester, M9 8UJ

Agent (if any): John Flinn, Davenport and Flinn 3A Hamnett Street, Hyde, SK14 2EX

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 2 June 2021

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 13 May 2021

Standard consultations:

Printed: 22 April 2021 Expired: 13 May 2021

Neighbour notifications

Printed: 22 April 2021 Expired: 13 May 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a detached, three storey block, comprising 4 ground floor, retail units with 2 floors of 8 x 1 bedroom residential apartments above.

The ground floor units to each end of the building area are occupied by a retail shop and hot food takeaway respectively. The two central units presently appear to be vacant.

The building incorporates a tiled, gable roof and is constructed from buff coloured masonry, with the frontage of the top floor rendered in white. The ground floor shop units incorporate shop fronts with roller shutters.

The front of the building includes balcony areas to the first and second floors, enclosed by decorative, metal balustrades, which allow for decked access from a staircase to the southern side of the building.

The building frontage also includes an open forecourt area, with ramped access to the ground floor units.

To the northern side of the building is a single storey, flat roof extension which is presently vacant and is bounded by an open area of lawn which separates the building from the adopted footway along Sandyhill Road.

To the southern side of the building is an informal car park area, enclosed by a combination of brick wall, metal railings and timber panels and is accessed via a set of metal gates off Sandyhill Road.

The rear of the building incorporates a single storey extension. The adjoining area is used for bin storage. The rear boundary backs onto two storey, residential dwellinghouses, separated by a timber fence.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of a play area on the opposite side of Sandyhill Road and nearby areas of informal open space, the immediate area is predominantly residential in character, comprising two storey, terraced dwellinghouses and purpose-built apartment blocks.

Description of development

Planning permission is sought for the erection of a three-storey extension to the northern side of the building, at the corner of Riverdale Road and Sandyhill Road. This area is presently, partially occupied by a single storey, flat roof extension.

The proposal involves the creation of a ground floor retail unit (Class E) with two x two bedroom apartments above. One to each floor. Access is served via the existing decked access, but does not involve the continuation of the balcony deck.

The extension extends the existing gable roof to mirror the roof profile and mass of the existing buildings.

To proposal as originally submitted indicated the create of 4 further parking spaces to the rear, to create 28 total.

During the course of the application, aside from design concerns, concerns were also expressed surrounding the lack of detail in relation to the parking layout, waste management and there being no segregation of bin storage for the retail and residential elements.

Further drawings and information has subsequently been submitted. The further site plan drawing indicates an adhoc layout of 14 parking spaces in total, an area indicated for cycle storage and the use of the forecourt for visitor parking.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health - The waste and recycling plans submitted for the above application don't show a proposed separate residential bin storage area that is secured from any commercial bin store, and it's not clear that there's sufficient space for this.

Highway Services - The application form suggests that there will be an increase in on-site parking from 24 to 28 spaces, however without provision of a verifiable layout, it is not possible to confirm whether this is acceptable. Likewise, for cycle, motorcycle and disabled parking a layout would be useful.

Any new allocated parking spaces should have electric vehicle charging provision (minimum 7kW). It is recommended that the amount of secure cycle parking is increased.

The waste storage plans are only shown indicatively so no comment can be provided.

The existing waste collection arrangements are via the rear yard which is acceptable.

Vehicle access is as existing and acceptable. It is not clear where new pedestrian access is provided.

A condition is advised in relation to construction management should the application be approved.

Greater Manchester Police (Design for Security) – Various security measures are recommended, including details relating to access controls, communal area design, alarms, lighting, CCTV, management/maintenance and the specification of external fittings.

Flood Risk Management – A condition is requested in relation to a surface water drainage layout for the proposed development, together with confirmation from United Utilities that that a build over agreement will not be required for the public sewer which runs parallel with the proposed extension.

United Utilities – It is advised that the proposal should incorporate a surface water drainage scheme, with foul and surface water drained on separate systems.

Further, it is advised that the applicant should be aware of water mains in the vicinity of the proposed development site. Several public sewers cross this site and it may not be possible to build over them.

Planning History

106366/FO/2014/N1

Replacement of existing flat roof to pitched roof at side and rear, and elevational alterations to shop fronts including the installation of new roller shutters, and variation of condition 2 attached to previously approved application 41933 to allow for change in opening hours for the existing takeaway (Use Class A5) at No. 69 Riverdale Road. *Approved 16 September 2014.*

044891/FO/NORTH1/94

Conversion of four maisonettes into eight self-contained (1 bed) flats with associated parking and erection of new boundary wall. *Approved 3 March 1994.*

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant in this case:

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

The Guide to Development in Manchester (SPD) (2007) contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Paragraph 2.13 of the Council's 'Guide to Development in Manchester' states that:

'The scale, position and external appearance of new buildings should respect their setting and relationship with adjacent buildings, enhance the street-scene and consider their impact upon the roofline and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings'.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a "presumption in favour of sustainable development". This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application is Section 12– 'Achieving Well-Designed Places'.

Paragraph 127 states:

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and 39*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 130 goes onto state that:

‘Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents’.

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan unless material considerations indicate otherwise.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with the aforementioned development plan policy and associated guidance.

It is maintained that the proposed extension, as a consequence of its siting, scale, mass and elevational design would have an intrusive and harmful impact to visual amenity, the character of the existing building and the appearance of the street-scene. These issues are outlined further below.

Siting, Scale and the Impact to Visual Amenity

Policies SP1 and DM1 of the Core Strategy, as well as the Guide to Development (SPD) underline the importance attached to protecting the character and appearance of an area and the need to adhere to the Council’s design principles. The NPPF advocates further, the need for good design, as set out earlier in the report.

The proposed side extension would project significantly beyond the dominant building line to the rear, which is formed by the frontage of properties along the southern side of Sandyhill Road.

Aside from the host block and a purpose-built apartment block beyond the site to the west, the immediate area is predominantly two storey in scale. The addition of a three storey extension of the scale and mass proposed and its position beyond the dominant building line, closer to the footway to Sandyhill Road, would form a discordant and visually intrusive feature, out of character with the streetscape, to the detriment of visual amenity.

Whilst it is acknowledged that the existing building already incorporates a single storey, flat roof structure which marginally projects beyond the building line to Sandyhill Road, the proposed extension is of a greater width and at three storey in scale incorporating a gable roof, would be highly visible and would disrupt the dominant building line, to create a structure which would be over-dominant and overbearing in the street – particularly when viewed in a westerly direction along Sandyhill Road.

The City Council's Supplementary Planning Document – The Guide to Development in Manchester is directly relevant in this case.

Paragraph 2.13 states

'The scale, position and external appearance of new buildings should respect their setting and relationship with adjacent buildings, enhance the street-scene and consider their impact upon the roofline and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings'.

It is considered therefore that in this case that based on the above guidance and associated national guidance and development plan policy, the proposed extension does not respect the common building line of adjacent buildings and due to its sideward projection, coupled with its overall scale and mass, does not represent an appropriate design and would appear out of context in the immediate area, with harmful effects to visual amenity. On this basis, the proposal is not considered acceptable.

Design and the Impact to Visual Amenity

The host building is characterised by a single window and door, of a uniform design to the front of each flat and with an enclosed balcony, incorporating a metal balustrade to the building frontage.

Whilst the existing building is considered to be of low architectural merit and would benefit from improvements to its exterior and surrounding landscape, the proposed extension is considered to appear out of context, as a consequence of the elevational design to the upper floors of the building frontage.

The proposed extension does not continue the decked access and associated balcony across the upper two floors of the building frontage to Riverdale Road and instead would incorporate a front wall flush with the outer face of the balcony balustrade.

In addition, the proposed fenestration in contrast to the existing frontage, incorporates a pair of windows to each flat, both of which are of a differing dimensions and design to the existing openings. The resultant effect would disrupt the symmetry and architectural rhythm of the existing block. As a result, the proposed extension would appear at odds with the character and appearance of the host building and look out of context in the street-scene. Coupled with the likely use of non-matching or un-weathered materials, the proposed extension would appear overly conspicuous and out of context.

As outlined with the aforementioned policy and guidance, design plays a critical part in the acceptability of proposed development. Great emphasis is placed on development that respects local character, quality of design, the relationship with existing and neighbouring buildings and sense of place.

In this instance, it is not believed that the design of the extension is sympathetic to its surroundings or the character of the existing building and as a result, would have harmful impact to visual amenity.

Paragraph 130 of the NPPF is quite clear that:

'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents'.

It is maintained that this should be the case on this occasion.

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 based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

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

1) The proposed three storey side extension by reason of its position, scale and mass, forward of the dominant building line along Sandyhill Road, would form an over-dominant, visually intrusive feature in the street-scene, to the detriment of visual amenity. The proposed development is therefore contrary to policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

2) The proposed design of the front elevation to Riverdale Road, would be out of keeping with the design of the host building. Namely, due to the design of the proposed window and door

openings of the upper floors and the omission of balcony detail. This in turn would disrupt the architectural rhythm of the existing building, to the detriment of visual amenity, the character and appearance of the existing building and the appearance of the street-scene. As such, the proposed development is contrary to policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
United Utilities Water PLC
Greater Manchester Police

6 Somers Walk, Manchester, M9 8HG
77G Riverdale Road, Manchester, M9 8UJ
77D Riverdale Road, Manchester, M9 8UJ
77A Riverdale Road, Manchester, M9 8UJ
8 Sandyhill Road, Manchester, M9 8JQ
62 Riverdale Road, Manchester, M9 8JX
7 Burnthorp Avenue, Manchester, M9 8JU
67 Riverdale Road, Manchester, M9 8UJ
77H Riverdale Road, Manchester, M9 8UJ
77F Riverdale Road, Manchester, M9 8UJ
77E Riverdale Road, Manchester, M9 8UJ
77C Riverdale Road, Manchester, M9 8UJ
77B Riverdale Road, Manchester, M9 8UJ
69 Riverdale Road, Manchester, M9 8UJ
65 Riverdale Road, Manchester, M9 8UJ
8 Somers Walk, Manchester, M9 8HG
4 Somers Walk, Manchester, M9 8HG
2 Somers Walk, Manchester, M9 8HG
1 Burnthorp Avenue, Manchester, M9 8JU
6 Sandyhill Road, Manchester, M9 8JQ
4 Sandyhill Road, Manchester, M9 8JQ
33 Sandyhill Road, Manchester, M9 8JQ
31 Sandyhill Road, Manchester, M9 8JQ
29 Sandyhill Road, Manchester, M9 8JQ
2 Sandyhill Road, Manchester, M9 8JQ
60 Riverdale Road, Manchester, M9 8JX
9 Burnthorp Avenue, Manchester, M9 8JU
5 Burnthorp Avenue, Manchester, M9 8JU
3 Burnthorp Avenue, Manchester, M9 8JU

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH1