

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128963/FH/2020
Date registered valid: 26 February 2021
Proposal: Erection of a single storey side extension to provide additional living accommodation and installation of raised terrace to the rear
Address: 63 Clyde Road, Manchester, M20 2WW
Ward(s): Didsbury West Ward

Applicant: Mr Paul Islam, 63 Clyde Road, Manchester, M20 2WW
Agent (if any):
Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 20 April 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: None during Covid-19 restrictions

Standard consultations:

Printed: 1 March 2021 Expired: 22 March 2021

Neighbour notifications

Printed: 1 March 2021 Expired: 22 March 2021

Site notice

Posted: 11 March 2021 Expired: 1 April 2021

Press advert

Published: 9 March 2021 Expired: 30 March 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is a 3-storey, plus basement Victorian red-brick semi-detached dwelling situated on the south side of Clyde Road in the Didsbury West ward.

At the rear of the site is a 2-storey outrigger which extends approximately $\frac{3}{4}$ of the way across the rear elevation.

The property has a tarmac front garden which leads along the eastern side to a rear garden which has a raised decked patio area.

The property is bounded to the east by a combination of timber lap fencing and bamboo in raised planters, and by 2-metre-high hedging on the western boundary.

There are 2no. Category B trees within the rear garden.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: Not applicable

Description of area

The site lies within a residential area comprising a similar housing typology of large Victorian dwellings in use either as single-family houses or sub-divided into flats.

Description of development

Erection of a single storey side extension to provide additional living accommodation and installation of raised terrace to the rear.

The application is accompanied by a Tree Survey and Arboricultural Method Statement.

Consultations & Notification Responses

Neighbour notifications and Site Notice – No comments received.

WDRA – Recommend that the scheme is amended to narrow the width of the steps to ensure T1 is not harmed and no digging takes place around this tree.

Ask that T1 is TPO'd, that the City Arborist supervises the work and express concerns that a future application will be submitted to fell this tree.

Arboricultural Services – No comments received.

Issues

Saved UDP policies DC1 and DC18.1

Core Strategy policies DM1, EN3, EN9 and EN19

Principle

The application is for extensions to a residential property in a residential area for which provision is made in saved UDP policy DC1, subject to satisfactory compliance with the impacts on residential and visual amenity, parking, bin storage and trees.

The extension provides an extended kitchen/dining room, WC and utility room together with elevated external patio.

Residential amenity

The proposals will have acceptable impacts on residential amenity. The extension is an infill of the outrigger with a WC window to the north-eastern side, full height bi-fold doors to the rear and 2no. roof lights in the sloping mono-pitch roof. The bi-fold doors will extend across the rear of the outrigger in line with the re-configured internal space and are positioned at the same height above ground level as the existing kitchen window.

The extension measures 5.9m long x 1.850m wide x 3.88m height maximum. As it is a single-

storey infill, there are no concerns with overshadowing or being overbearing. The WC window is required to be obscure glazed to protect the privacy of the occupiers and those adjacent.

The raised terrace replaces a similar albeit lower structure. The new terrace is 4.8m in width, 1.217 m deep and is raised 768mm above ground level via 3 steps. Given that the property has a basement, the original internal floor levels are raised and windows on this and neighbouring properties are higher above ground level.

There is a small risk that some degree of overlooking into the garden and upper window of No.65 adjoining to the south would be possible over the 2-metre-high hedge. This will be mitigated by the fact that the top of the patio area is only 1.217 metres deep so there is not much scope within the design to use this space for recreational purposes. which will mitigate any intrusive overlooking opportunities.



Visual amenity

All the extensions will be contained within the side and rear boundary with very limited views from within the street scene. The impacts on the conservation area are therefore negligible.

Notwithstanding this, the extension is of a typical design which makes the best use of a space that is shaded by the outrigger of No.61 to the south.

The brick elevations and roof tile materials are to match with aluminium frames used across the doors and windows. The materials are required to match on condition of any approval.

Trees

The Tree Survey identifies 2no. Category B trees in the site boundary. These are T1: a 9-metre-high mature Silver Birch tree on the eastern boundary and T2: a 6.5-metre-high Wild Cherry on the south-eastern boundary. Both trees are identified in the drawings as being retained in the extension proposals.

Based upon the proposed site layout plan and the submitted Tree Survey, the impact of the development on these trees is assessed as having a Low / Moderate damage rating. These ratings highlight the level of intrusion into the root protection zones and determine the mitigation necessary to protect these medium-high category trees.

Low Damage = Some minor intrusion into some of 'tree root protection area/s' and with no considered significant damage to tree roots and tree canopies.

Moderate Damage = Intrusion into 'tree root protection area/s' that is estimated to possibly cause tree root cutting to tree roots and with proposed structures conflicting with tree canopies.

Mitigation

T1 is approximately 50% of its full maturity with its root protection zone (RPZ) within 227mm of the nearest point of development and so is most likely to be affected by foundations dug for the steps and extension. The steps form most of the development within the RPZ and will likely only require shallow foundations. Notwithstanding this, as the tree is protected within the designated land, tree protective fencing and further details of the type and depth of foundations are both required to be submitted as this information is unknown as acknowledged in the Arboricultural Impact Assessment (AIA). A condition is appended requiring written details and drawings of the foundations to be approved prior to the commencement of development.

Notwithstanding this assessment and recommendations in the AIA, concerns have been expressed by WDRA that T1 in particular is at risk of a future application to fell the tree and that the steps should be pulled away from it which will avoid any need to hand dig in the area. WDRA also recommend that this tree is further protected under a TPO application.

The Council does not share these views; even without the assessment of the City Arborist, the mitigation recommendations in the AIA are reasonable and typical within the vicinity of protected trees. Careful foundation design, siting of materials and hand digging in the RPZ obviate the need to amend the scheme or seek a TPO when the tree is automatically protected within designated land. There is no indication in the application that the applicants wish to fell the tree or that it cannot be retained within the site with the recommended conditions in place. A TPO is also unlikely given the tree is category B and semi-mature.

The Council is satisfied that provided these mitigation measures are implemented, the proposal will have an acceptable impact on the trees.

Bin storage

The proposed site plan shows bins stored in the 1.450 metre gap forward of the side extension where they are stored at present. This section of the side elevation is unaffected by the development and, as it is gated off from the front of the property, the bins will continue to be invisible in the street scene as at present.

Parking

Parking is unaffected by the proposal.

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 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 this delegated report. The consultation process resulted in no objections, but concerns were raised by the local residents' association in relation to the impact on protected trees. Appropriate mitigation measures to protect trees during development are recommended and require the submission and written approval of further details as recommended in the Arboricultural Impact Assessment.

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:

Application Form 26 Feb 2021

Drawing - Location Plan 22 Dec 2020 001

Drawing - Existing 22 Dec 2020 002 Floor Plans
Drawing - Existing 22 Dec 2020 003 Floor Plan
Drawing - Existing 22 Dec 2020 004 Elevations
Drawing – Proposed Site Plan, 22 Dec 2020 007
Drawing - Proposed 22 Dec 2020 005 Floor Plan
Drawing - Proposed 22 Dec 2020 006 Elevations
Arboricultural Method Statement, Arboricultural Impact Assessment and Tree Protection Plan provided by Urban Forestry Group, dated 24 February 2021, received on the 26 Feb 2021
Tree Survey provided by Urban Forestry Group, 26 Feb 2021
Tree Survey Site Plan provided by Urban Forestry Group, Ref: DW/PI/CR/004/BSTS_r1, 26 Feb 2021
Site Photos, 22 Dec 2020

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 match those of the existing building in type, size, colour and texture, as stated on the Householder Application Form and in the above proposed drawings received on the 22 December 2020.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1 and DC1.2 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

4. Before first occupation of the extensions hereby approved, the ground floor bathroom window on the extended side elevation shown on drawings: 005 and 006 received on the 22 December 2020, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy and saved UDP policy DC1.

5. Prior to commencement of above ground works, detailed design drawings, including cross sections, showing the type and depth of foundation design for the extension and stepped terrace area hereby approved, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be constructed in accordance with the approved drawings.

Reason - To safeguard the root protection zones of retained and protected trees on the site in the interests of residential and visual amenity pursuant to policies DC1, DM1, EN3, EN9 and EN15 of the Development Plan for Manchester.

6. Prior to commencement of above ground works, detailed design drawings, including cross sections, showing the methods of protecting the roots of the protected trees identified as T1 and T2 in the Urban Forestry Group Arboricultural Impact Assessment, and affected by any development, including the movement of mechanical digging equipment, storage of materials and any other activities which may impact on the root protection zone of these trees, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be constructed in accordance with the approved drawings.

Reason - To safeguard the root protection zones of retained and protected trees on the site in the interests of residential and visual amenity pursuant to policies DC1, DM1, EN3, EN9 and EN15 of the Development Plan for Manchester.

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

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

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

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

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

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

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

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)

80 Old Lansdowne Road, Manchester, M20 2WX
65 Clyde Road, Manchester, M20 2WW
76 Old Lansdowne Road, Manchester, M20 2WX
First Floor Flat, 78 Clyde Road, Manchester, M20 2WN
Ground Floor Flat, 78 Clyde Road, Manchester, M20 2WN
Flat 5, 76 Clyde Road, Manchester, M20 2WN
Flat 2, 76 Clyde Road, Manchester, M20 2WN
Flat 3, 61 Clyde Road, Manchester, M20 2WW
Flat 6, 74 Clyde Road, Manchester, M20 2WN
Flat 5, 74 Clyde Road, Manchester, M20 2WN
Flat 4, 74 Clyde Road, Manchester, M20 2WN
Flat 3, 74 Clyde Road, Manchester, M20 2WN
Flat 2, 74 Clyde Road, Manchester, M20 2WN
Flat 1, 74 Clyde Road, Manchester, M20 2WN
Flat 6, 76 Clyde Road, Manchester, M20 2WN
Flat 4, 76 Clyde Road, Manchester, M20 2WN
Flat 3, 76 Clyde Road, Manchester, M20 2WN
Flat 1, 76 Clyde Road, Manchester, M20 2WN
Flat 5, 61 Clyde Road, Manchester, M20 2WW
Flat 4, 61 Clyde Road, Manchester, M20 2WW
Flat 2, 61 Clyde Road, Manchester, M20 2WW
Flat 1, 61 Clyde Road, Manchester, M20 2WW
78 Old Lansdowne Road, Manchester, M20 2WX

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH