

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129491/FO/2021

Date registered valid: 23 February 2021

Proposal: Elevational alterations including replacement of existing door, opening up of basement window and insertion of rooflights to front elevation and insertion of bay windows, door and three rooflights to rear with decked area to enable alterations to existing house in multiple occupation

Address: 29 Talbot Road, Manchester, M14 6TA

Ward(s): Withington Ward

Applicant: Mr James Nichols, JMKN LLP, 7 Broomfield Road, Altrincham, WA15 9AP

Agent (if any): Mr Richard Floyd, RJF Design, 99 Turves Road, SK8 6AJ

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 20.04.2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Standard consultations:

Printed: 2 March 2021 Expired: 23 March 2021

Neighbour notifications

Printed: 2 March 2021 Expired: 23 March 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

This application relates to a two storey mid terrace property in use as a house in multiple occupation. There is a two storey outrigger to the rear with accommodation in the roof void. There is a small front garden which has been block paved and a yard to the rear of the property.

In May 2020 planning permission reference 126241/FO/2020 was granted for the Erection of a single storey rear extension and elevational alterations to existing HMO (Class C4)

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The property is located in a predominantly residential area. There are similar properties to either side and a terrace of smaller properties to the rear separated by an alley. Facing the site across Talbot Road are larger semi detached houses.

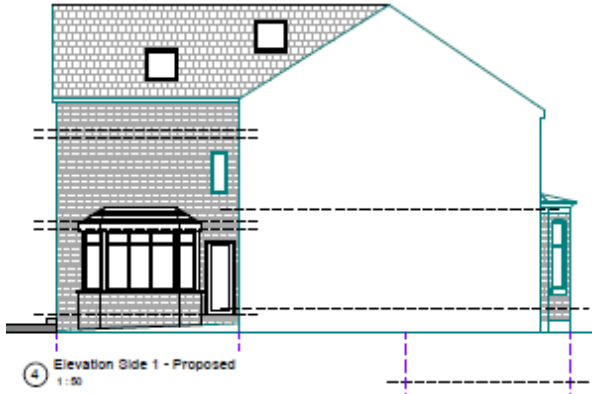
Description of development

This application relates to an existing seven bed HMO. The applicant is seeking to carry out improvements to the property, although of the works outlined in this application only the new bay requires planning permission in its own right.

It is proposed to create a parking space in what is currently the block paved front garden. This will require the removal of the front wall. It is however, intended to reuse the brick and the terracotta copings to infill the existing gap between the two stone gateposts. The parapet

around the front lightwell is to be removed and replaced with a grill at ground level. An enclosure is to be provided for the bins to one side of the front garden. And two roof lights added to the front roof slope.

A singly storey wall in bay is proposed for the side of the outrigger, this has chamfered sides and a hipped roof. It would be half glass half brick in construction. Two roof lights would be added to the outrigger.



A new door would be added to the rear of the outrigger and a roof light in the roof of the main body of the building.

A 30cm high deck would be provided across the full width of the site at the rear of the outrigger. Projecting approximately 2.2 metres. At the bottom of the garden would be a secure Cycle store.

As a result of internal remodelling the number of bedrooms would be reduced from 7 to six.

Consultations & Notification Responses

Ward members

Councillor Chris Wills objects for the following reasons:

- 1) The proposed alterations, particularly the insertion of rooflights to both front and rear, would adversely affect the street scene.
- 2) The area is the subject of an Article 4 Direction, and already contains a large number of HMOs. While this is an existing HMO and no increase to the number of bedrooms is proposed, the extension would create potential for more bedrooms in the future. This would create additional stress in an already high-density area. This therefore goes against Policy H11 of the Council's Core Strategy.
- 3) Increase in occupation would create additional stress in terms of on-street parking.

Local residents

One letter has been received commenting on the proposed development. The issues raised are summarised below.

- There are no details in the application of occupancy numbers. At present there is an occupancy level of 7. From the proposed plans all six bedrooms are double and so suggest an occupancy of 12.
- Although parking isn't raised as an issue in the application this is a serious problem on Talbot Road. As the proposal will increase the occupancy from 7 to 12 this will inevitably lead to more cars being

parked in the road, despite the planned parking space for 1 car. The purpose of the re-modelling is to attract the wealthier renter who is more likely to own a car.

-Secondly, noise disturbance is bound to increase due to higher occupancy. These properties are poorly sound-insulated and are not suitable for high occupancy. They were built to be family homes. Sound proofing should be included as part of the re-modelling.

-Thirdly, he has grave concerns about smoke penetration. At present there is a serious problem in this regard. No one in our household smokes any substances, nevertheless we have been, over the last several years, exposed to varying levels of cigarette and cannabis smoke which has infiltrated from No 29. The risks of passive smoking are well known. Increased occupancy will surely increase this exposure. Re-modelling should address the issue of smoke penetration.

The plan for the front garden and want it modified. The bin store in the proposed plan is located along the existing front path from the front door to the gate. This directly abuts our own front path. Since the bins are unsightly and regularly smell, especially in summer, and wants to see the bin store located on the other side, adjacent to No. 27 Talbot Rd's bin store, which is where the bins are stored at present. This is the least unsightly place to store the bins and limits exposure to the obnoxious smell of the bins in summer. This should not interfere with the plans for parking a car.

-It is doubtful the 3.85m space from the front bay window to the pavement will provide enough space to park a car without it sticking out over the pavement. To prevent this a car would need to park at an angle across the front garden which is not possible with the proposed plans.

Withington Civic Society

-The proposed alterations, particularly the insertion of rooflights to both front and rear, would adversely affect the street scene and should not be permitted.

-The area is the subject of an Article 4 Direction, and already contains a large number of HMOs. The property is already designated as an HMO. Whilst the plans show no increase in the number of bedrooms the proposed extension would inevitably lead to an increase in living space and therefore potentially in occupation. The basement "games room" which is currently used as a bedroom, could easily become a bedroom again.

-Reference should be made to Policy H 11 where, in the final paragraph it is stated:

"In areas of high concentration, extensions to HMOs would not be permitted where this could reasonably be expected to lead to an increase in the level of occupation"

-Any increase in occupation is likely to exacerbate existing parking problems on the street. The proposed off road parking for one car seems unrealistic. It is difficult to see how a car could be accommodated in the small front garden. There simply isn't enough space, particularly with (relocated) gate pillars and the need for space for waste bins.

-Finally, there is limited space already on Talbot Road. On the occasion of another building development on a house on this road, a vast quantity of materials, including skips and contractors vehicles used St George's Road. The contractors used the alleyway as the access

point to the premises and left a great deal of mess. If planning permission for this development is granted, we would request that appropriate conditions are put in place to protect the other residents of both Talbot Road and St George's Road.

Policy

Core Strategy

The relevant policies are DM 1 and H11

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

Policy H11 seeks to prevent the over concentration of HMO's and extensions to existing HMO's that would result in an increase in the number of occupants.

Unitary Development Plan

The relevant saved UDP policy is DC1 which sets down the criteria to be considered in determining applications for residential extensions. This includes enlarging properties to meet the changing needs of the occupiers and protecting the amenity of residents and the area.

Issues

Principle

The proposed bay window is modest in its scale and replaces the extension at the side of the outrigger previously approved. The remaining works seek to improve the standard of accommodation and do not require consent per se. On balance the principle of the proposed development is therefore considered acceptable.

Design

The proposed walk in bay is of traditional construct with a lower part in brick, with glazing above and a hipped roof. On balance the design is considered acceptable.

Scale

The proposed bay is single storey. It is 3.4 metres wide where it adjoins the property, a maximum of 4 metres high and projects 0.75 metres. In that the previously approved extension infilled the whole of the space at the side of the property the scale of the proposed bay which is considerably smaller is considered acceptable.

HMO

The proposal will reduce the number of bedrooms by one and an appropriate condition is proposed to prevent the number of bedrooms being increased.

Regarding the drawing showing double beds it appears that this is normal practice and does not imply that the accommodation is intended for couples.

Parking

What was the front garden is currently paved. It is proposed to create an off street parking space at the front by removing the existing wall and using the reclaimed material to infill the

current pedestrian gate. The drive would be small at 3.3 metres and whilst not ideal it could potentially remove a vehicle off the street. As long as the parking area is surfaced with permeable materials or has a soakaway it would require consent. An appropriate condition is proposed regarding materials.

Refuse

The refuse is currently stored randomly in the front garden. The provision of a bin store would regularise the storage and tidy the front garden. An appropriate condition is proposed regarding the design of the bin store.

Roof lights

The insertion of roof lights does not require planning permission.

Decking

The decking is at the limit of what is allowed under permitted development. The garden is bounded by 1.8 metre high fencing and it is not therefore considered that there would be any significant issues arising from the decking.

Cycles

The provision of secure cycle parking is considered to be a positive step in line with the Council's policy of encouraging alternative means of transport.

Lightwell.

The existing brick parapet to the lightwell at the front of the property is unsightly. Its replacement with a grill is considered to improve the appearance of the property.

Rear door.

The installation of a new rear door in the rear face of the outbuilding raises no issues.

Conclusion

On balance most of these works do not require consent in their own right and it would therefore be difficult to refuse consent. The bay window is significantly smaller and has less impact than the extension it would replace. On balance it is considered that the proposed development is acceptable.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to issues arising from the consideration of this application.

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:

20.004. 01250 received 23 February 2021

20.004. 01350 received 23 February 2021

Design and Access Statement 23 February 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 development hereby approved shall be constructed using the materials specified on the application forms.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The property shall not exceed 6 bedrooms in multiple occupation class C4 occupied by no more than six residents and no rooms shall be converted or sub divided to form additional bedrooms or be used in conjunction with any increase in the number of bedrooms in the property or any increase in the number of occupants of the property.

Reason To ensure that the development is carried out in accordance with the approved plans pursuant to core Strategy policy H11.

5) Prior to its installation the details of the proposed enclosure for the refuse bins shall be submitted to and approved in writing by the City Council. The approved scheme shall be implemented as part of the development and remain in place as long as the use is carried on.

Reason - to ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1.

6) The secure cycle storage referred to in the Design and Access Statement received on 23 February 2021 installed as part of the development and shall thereafter be retained as long as the use is carried on and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

7) The proposed drive shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Top ensure that the proposed drive is drained in a sustainable manner pursuant to Core Strategy policies DM1 and EN14

Appendix 1 – List of consultees & neighbours notified

Withington Civic Society

18 Talbot Road, Manchester, M14 6TB
36 St Georges Road, Manchester, M14 6SZ
44 St Georges Road, Manchester, M14 6SZ
42 St Georges Road, Manchester, M14 6SZ
40 St Georges Road, Manchester, M14 6SZ
38 St Georges Road, Manchester, M14 6SZ
16 Talbot Road, Manchester, M14 6TB
14 Talbot Road, Manchester, M14 6TB
31 Talbot Road, Manchester, M14 6TA
27 Talbot Road, Manchester, M14 6TA

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
Flood Zones Type 2 (low to medium risk) -
Area Team Boundary - Name: SOUTH