

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128852/JO/2020

Date registered valid: 10 December 2020

Proposal: Variation of condition number 2 (specified plans) from planning approval reference 123422/FO/2019 to allow retention of existing stair to the side of the property

Address: 41 Mayfield Road, Manchester, M16 8FU

Ward(s): Whalley Range Ward

Applicant: Mr Jonothan Crowther, City Care Partnership Ltd, Unit 2, Crossford Court, Dane Road, M33 7BZ

Agent (if any): Mr Curtis Martyn, EOHMA Limited, 16 Beever Street, Manchester, M16 9JR

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27 January 2021

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit: 21 December 2020

Standard consultations:

Printed: 11 December 2020 Expired: 1 January 2021

Neighbour notifications

Printed: 11 December 2020 Expired: 1 January 2021

Site notice

Posted: 21 December 2020 Expired: 11 January 2021

Press advert

Published: 22 December 2020 Expired: 12 January 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a large detached three storey dwelling house located on the corner of Mayfield Road and Withington Road.

Permission was granted 2003 to convert the property from a vacant dwelling into four self-contained flats with associated car parking under planning reference: 067425/FO/SOUTH1/03

The property currently consists of three self-contained flats owned and managed by City Care Partnership Ltd. Planning permission for four self-contained flats with associated parking was previously granted in 2003 and planning permission was granted under reference 123422/FO/2019 for conversion of basement to create one self-contained two bedroom flat (Class C3b) with lightwells (making four flats in total) and new stair access from the front elevation at 41 Mayfield Road.

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable as there are none on this site.

Description of area

Much of the area, which is predominantly residential, is contained within 63 acres of flat land purchased for building in 1832 by a prominent banker, Samuel Brooks.

The conservation area was designated in October 1991, with boundaries drawn to include some later housing, extending to Alexandra Road to the east and Upper Chorlton Road to the west.

The layout of Whalley Range as established by Samuel Brooks survives today as an area of large houses on tree-lined avenues. Many of the original houses remain, with new development taking place on the site of demolished houses and on the site of plots left vacant during the initial stages of the area's development.

Description of development

The applicant is seeking planning permission to vary condition number 2 (specified plans) from planning approval reference 123422/FO/2019 to allow retention of existing stair to the side of the property

Consultations & Notification Responses

Local residents/public opinion – None received.

Highway Services – No objection

Environmental Health – No objection

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1
EN3 - Heritage
H1 – Overall Housing Provision
H10 - Housing for people with additional support needs

The relevant **UDP** policies for this application are as follows:

DC18.1 Conservation Areas

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF)

Issues

The Principle – Planning permission was granted in July 2019 to allow the conversion of basement to create one self-contained two bedroom flat (Class C3b) with lightwells (making four flats in total) and new stair access from the front elevation at 41 Mayfield Road.

Since planning permission was granted both Building Control and Fire Safety Officers have examined the means of escape from the basement, and a solution to this would be to reinstate the original basement access which was blocked up some time ago, but with adaptation could be used as a means of escape.

The principle of the use of the site has already been established and is therefore acceptable. Consideration needs to be given to the new staircase including its siting and appearance and whether there is any impact on the Conservation Area.

Siting and appearance – The 2019 application introduced a new staircase to the front of the property which provided access to the basement staff room indicated by the red box. The new staircase as indicated by the blue box would be located on the eastern elevation of the building.

As described above the staircase will provide a means of escape from the flat in case of a fire and is in the position of a former staircase. The staircase will mostly be located below the surface enclosed by brick and above the surface the staircase would be enclosed by a metal railings. The property is set back away from the public highway and therefore the new staircase will be barely visible within the street scene.

There are no concerns with the siting and appearance of the staircase.

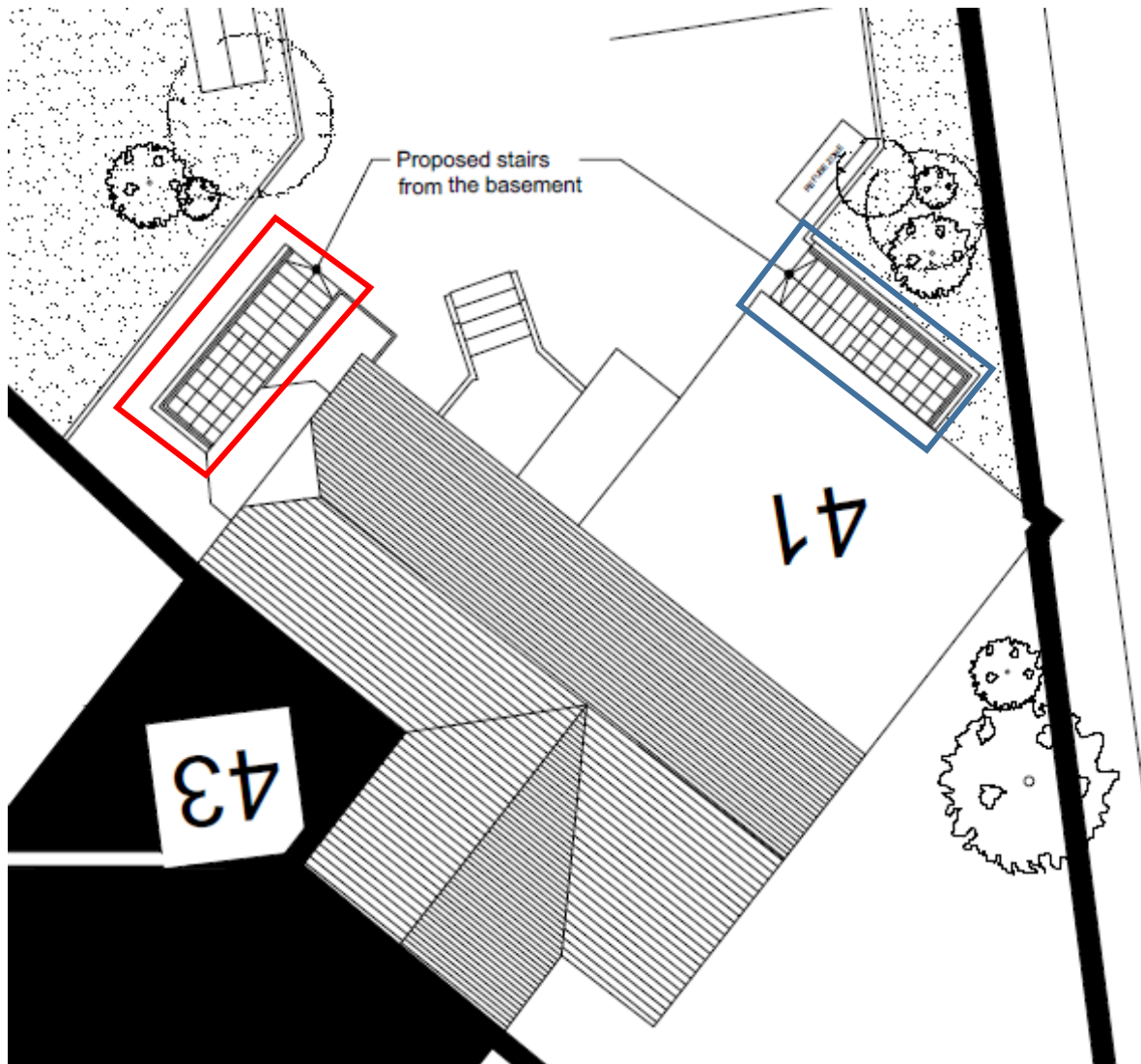


Figure 1(Part) Proposed Site Layout Plan

Impact on the Conservation Area - Core Strategy policies SP1, DM1, EN1 and EN3 and saved policy DC18.1, seek that new development preserves or enhances the character, appearance or setting of the conservation area through the appropriate design, layout and choice of materials of new development. Applications are also required to achieve a good standard of design as expressed in chapter 7 of the NPPF and to the guidance contained within the Guide to Development SPD.

As the changes would have a similar impact to the original proposal and the re-introduction of a staircase in the eastern elevation would not incur substantial harm to the heritage asset within the terms of policies DC18.1, EN3 and Chapter 12 of the NPPF.

Human Rights Act 1998 considerations

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

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan,

the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

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

1) The development must be begun no later than the expiration of three years from the date of the original permission (Reference 123422/FO/2019 approved 26th July 2019).

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:

The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawing 004 and 005, stamped as received by the City Council as Local Planning Authority, on the 10th December 2021

Drawing 006 and 007 stamped as received by the City Council as Local Planning Authority, on the 25 April 2019

Drawing 010 stamped as received by the City Council as Local Planning Authority, on the 13th June 2019

Waste Management Proforma stamped as received by the City Council as Local Planning Authority, on the 13th June 2019

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Whalley Range Conservation Area Group
Whalley Range Forum

33 Mayfield Road, Whalley Range, Manchester, M16 8FU
143 Withington Road, Manchester, M16 8EE
43 Mayfield Road, Manchester, M16 8FU
Flat 3, 41 Mayfield Road, Manchester, M16 8FU
141 Withington Road, Manchester, M16 8ED
Flat 2, 41 Mayfield Road, Manchester, M16 8FU
Flat 1, 41 Mayfield Road, Manchester, M16 8FU
Flat 1, 52 Mayfield Road, Manchester, M16 8EU
Flat 1, 54 Mayfield Road, Manchester, M16 8EU
Flat 3, 35 Mayfield Road, Manchester, M16 8FU
Netto, 135 - 141 Withington Road, Manchester, M16 8EE
Flat 3, 52 Mayfield Road, Manchester, M16 8EU
Flat 2, 52 Mayfield Road, Manchester, M16 8EU
Flat 3, 54 Mayfield Road, Manchester, M16 8EU
Flat 2, 54 Mayfield Road, Manchester, M16 8EU
Flat 5, 35 Mayfield Road, Manchester, M16 8FU
Flat 4, 35 Mayfield Road, Manchester, M16 8FU
Flat 2, 35 Mayfield Road, Manchester, M16 8FU
Flat 1, 35 Mayfield Road, Manchester, M16 8FU
32 Wellington Road, Whalley Range, Manchester, M16 8EX
30 Wellington Road, Whalley Range, Manchester, M16 8EX

Appendix 2 – Planning constraints

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