

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127064/FH/2020

Date registered valid: 11 June 2020

Proposal: Erection of single storey extension to form additional living accommodation, associated elevational alterations together with the erection of detached outbuilding.

Address: 27A Circular Road, Manchester, M20 3LB

Ward(s): Didsbury West Ward

Applicant: Stuart Chilvers, 29 Dalston Drive, Manchester, M20 5LD

Agent (if any): Katherine Ludlam, Ludlam Associates, The Bank, 99 Palatine Road, Manchester, M20 3JQ

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

Recommendation: Approve

Date of recommendation: 20 August 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: Site photographs were provided by the applicant

Standard consultations:

Printed: 18 June 2020 Expired: 9 July 2020

Neighbour notifications

Printed: 18 June 2020 Expired: 9 July 2020

Site notice

Posted: 19 June 2020 Expired: 10 July 2020

Press advert

Published: 23 June 2020 Expired: 14 July 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a rectangular shaped plot located to the southeast of Palatine Road, between West Didsbury and Withington. The site is 0.10Ha in size and is accessed from a driveway between No.27 and 29 Circular Road.

The land used to be two separate plots and formed the rear gardens of No.79 and 81 Palatine Road.

The site is also on the boundary of Ballbrook Conservation area, with the northern boundary of the conservation area finishes at the rear of the houses and Sandleigh Avenue.



Planning History

There have been a total of 16 applications for this site. The most relevant application details are as follows:

Application Reference: 105039/FO/2014/S2 - Erection of a single storey detached dwelling with associated parking and landscaping following demolition of existing garage.

Decision: Withdrawn

Application Reference: 112477/FH/2016 - Conversion of existing bungalow to a 2-storey flat-roofed house with a single storey side extension.

Decision: Approved 23rd November 2016

Application Reference: 121692/FO/2018 - Remodelling and extension of existing bungalow to form a four bedroom, two-storey dwellinghouse with a single-storey side extension together with the creation of associated gardens and car parking.

Decision: Approved 8th March 2019

Application Reference: 125390/FO/2019 - Erection of a detached single storey, three bedroom dwellinghouse with detached double garage and ancillary office space with associated landscaping following demolition of existing dwellinghouse.

Decision: Approved 3rd March 2020

At the date of this report, none of the approved applications have been implemented.

Listed building: Not applicable

Conservation area: Ballbrook Conservation Area 1992

Tree Preservation Order: None on the site

Description of area

The area is residential in nature comprising of three storey dwellinghouses converted into flats and dwellinghouses. The housing typology is varied comprising of 1960 two storey terraced houses to the north and semi-detached Victorian three storey houses and flats to the south and west.

Description of development

The applicant is seeking planning permission to erect a single storey extension to form additional living accommodation, associated elevational alterations together with the erection of detached outbuilding.

Consultations & Notification Responses

Local residents/public opinion – One Representation was received objecting to the application, a summary of the issue raised are as follows:

- Overdevelopment – The garden area is already overdeveloped.
- Second Storey – Objected to any second storey addition to the property
- Party Barn – Concerned that the proposed outbuilding would become a party barn and beer garden introducing noise and disturbance into the area.

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

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

DC 1.1 – 1.6 – Residential Extensions

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

124. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

127. 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

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.

130. 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. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The Principle –Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

From the planning history there have been a variety of different extensions proposed and approved on the site including addition of a second storey to more recently demolition of the existing dwellinghouse and replacement with a new dwelling. The applicant seeks to extend the property with a single storey extension and provide two outbuildings on the site. The principle is considered to be acceptable.

Therefore, matters that will require consideration, in order to assess the acceptability of any proposal are siting, scale and massing, design and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Siting, Scale and Massing – The application site relates to land at the rear of No.78 and 81 Palatine Road and is surrounded by residential properties on Sandleigh Avenue, Circular Road and Palatine Road. The existing dwellinghouse located on part of the land is accessed via a single track between 27 and 29 Circular Road.

The applicant seeks to extend the existing dwellinghouse with a single storey extension to the western end of the house. This would result in an extension with a sideward projection of 8.59 metres and would match the existing dwellinghouse in terms of ridge height (4.65 metres) and eaves height (2.81) metres.

Taking into consideration the context of the site and distances to the common boundaries with the adjacent properties the extension is considered subservient to the original dwellinghouse and is sited appropriately, so that it would not result in any overshadowing or overbearing impacts on the neighbouring properties pursuant to policies DC1, DM1 and SP1.

There are two outbuildings proposed for this application, the larger outbuilding is in a similar location to the outbuilding approved under planning reference: 121692/FO/2018 in the north east corner of the site albeit of a different design as the proposed outbuilding for this application is an L shape with the windows facing towards the existing dwelling and proposed extension.

The outbuilding would have a dual pitched roof built to a maximum height of 3.62 metres and an eaves height of 2.77 metres. The outbuilding is also over 2 metres away from the shared boundary with no.27 Circular Road.

The applicant has also submitted amended drawings to show a smaller outbuilding close to the shared boundary with No.1 Sandleigh Avenue. This outbuilding has a proposed height of 2.44 metres with a lean to roof that reduces to 2.14 metres close the boundary, the outbuilding would have a width of 3.57 metres and a length of 1.74 metres although this does increase to 1.95 metres due to the roof overhang.

Whilst both outbuildings are subject to this planning application and there are no concerns with the siting, scale and massing of the outbuilding. Furthermore both outbuildings would meet the tests under the GPDO and therefore could have been built without the requirement of planning application.

Design and Appearance – The drawings indicate that the materials will be a mixture of brick and hung vertical tiles to the elevations and a tiled roof.

The existing bungalow does not actively contribute to the street scene due to its location within the site and therefore there are no concerns with the choice of materials and the design of the extension and outbuildings is considered to match that of the existing dwellinghouse.

It is considered that the proposed scheme would not cause a harmful effect upon the character and appearance of the area. The scheme is therefore compliant with Policy SP1 of the Core Strategy which sets out a number of spatial principles and seeks that development makes a positive contribution to the neighbourhoods of choice by creating a well-designed place that enhances the character of the area.

Residential Amenity – Concerns have been raised regarding the use of the outbuilding and that it may become a “party barn”, there is no indication from the floor plan that the use of the outbuilding would be for purposes other than related to the residential nature of the site. The use of the site as residential has already been established with the existing dwellinghouse and this use is compatible with the residential nature of the surrounding area. Any noise or disturbance would be similar to the existing and the addition of the outbuilding would not result in a loss of amenity for the neighbours. A condition is recommended to ensure that the outbuilding remains ancillary to the main dwellinghouse to ensure that it does not become a separate dwelling.

The extensions due its siting and scale would not result in any overshadowing nor would it be overbearing on the neighbouring properties and therefore it would not have a detrimental impact on their amenity.

Majority of the windows on the extension and the outbuilding face inwards to the site and therefore would not result in any overlooking on their neighbouring properties.

Therefore the extension and outbuildings would not result any detrimental impacts on the neighbouring properties and would comply with saved policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Access/Site Boundaries – Questions were raised regarding the ownership of the access road/path into the site and this was raised with the applicant a revised site edged in red now shows the correct boundaries and ownership. Access in and out of the site has already been established for a number of years but a right of way is a civil legal matter. Officers are satisfied that the access to the site can still be achieved and that the proposal does not have an impact on the access path.

Car Parking and Refuse Storage – There is no indication that the car parking or refuse storage would be impacted by the development.

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:

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. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. 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

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:

Drawing: 2018 002 Revision B and 2018 003 Revision B stamped as received by the City Council as Local Planning Authority on the 24th July 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 development hereby approved shall be carried out in accordance with the materials as set out in drawings:

Stamped as received by the City Council as Local Planning Authority

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 outbuilding as shown on drawings: 2018 002 Revision B and 2018 003 Revision B stamped as received by the City Council as Local Planning Authority on the 24th July 2020. Shall

not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 27A Circular Road, Manchester, M20 3LB.

Reason: To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Ballbrook Conservation Area Group

83 Palatine Road, Manchester, M20 3LJ
Basement Flat, 81 Palatine Road, Manchester, M20 3LJ
Second Floor Flat, 81 Palatine Road, Manchester, M20 3LJ
81 Palatine Road, Manchester, M20 3LJ
Ground Floor Flat, 81 Palatine Road, Manchester, M20 3LJ
First Floor Flat, 81 Palatine Road, Manchester, M20 3LJ
The Cottage Rear Of, 79 Palatine Road, Manchester, M20 3LJ
Flat 6, 79 Palatine Road, Manchester, M20 3LJ
Flat 3, 79 Palatine Road, Manchester, M20 3LJ
31 Circular Road, Manchester, M20 3LB
Flat 3, 7 Sandileigh Avenue, Manchester, M20 3LN
Flat 8, 79 Palatine Road, Manchester, M20 3LJ
79 Palatine Road, Manchester, M20 3LJ
7 Sandileigh Avenue, Manchester, M20 3LN
Flat 5, 79 Palatine Road, Manchester, M20 3LJ
Flat 4, 79 Palatine Road, Manchester, M20 3LJ
Flat 2, 79 Palatine Road, Manchester, M20 3LJ
Flat 1, 79 Palatine Road, Manchester, M20 3LJ
35 Circular Road, Manchester, M20 3LB
33 Circular Road, Manchester, M20 3LB
29 Circular Road, Manchester, M20 3LB
27 Circular Road, Manchester, M20 3LB
Flat 4, 7 Sandileigh Avenue, Manchester, M20 3LN
Flat 2, 7 Sandileigh Avenue, Manchester, M20 3LN
Flat 1, 7 Sandileigh Avenue, Manchester, M20 3LN
5 Sandileigh Avenue, Manchester, M20 3LN
3 Sandileigh Avenue, Manchester, M20 3LN
1 Sandileigh Avenue, Manchester, M20 3LN

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 - Ballbrook Conservation Area 1992
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH