

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127023/FO/2020

Date registered valid: 9 June 2020

Proposal: Erection of a single, detached 3 x storey dwellinghouse (Class C3) to front Balleratt Street with associated landscaping and boundary treatment

Address: Rear Garden of 41 Barlow Road, Manchester, M19 3DB

Ward(s): Levenshulme Ward

Applicant: Ms Tracy Murphy, 41 Barlow Road, Manchester, M19 3DB

Agent (if any): Marcus Francis Cube7Design 46 Sandringham Avenue, Manchester, M34 5NE

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

Recommendation: Approve

Date of recommendation: 27 July 2020

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 15 July 2020

Standard consultations:

Printed: 11 June 2020 Expired: 2 July 2020

Neighbour notifications

Printed: 11 June 2020 Expired: 2 July 2020

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 part of the rear garden associated with 41 Barlow Road, which provides a frontage to Ballerratt Street, between dwellinghouses at No's 30 and 40.

41 Barlow Road relates to a large, three storey terraced property incorporating a two storey outrigger. The part of the rear garden to which the application site relates mainly comprises hard standing with a large, timber gate enclosing the frontage to Ballerratt Street.

Immediately to the western side of the application site between 30 and 40 Ballerratt Street, are a series of single storey, flat roof garages and access gates which front directly onto the street. Beyond these is a more recent terrace of 4 properties.

To the east are even more recent, three storey, terrace properties, of a design which the application proposal seeks to replicate.

Opposite the site, on the other side of Ballerratt Street are traditional, two storey red brick, terraced dwellinghouses.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The immediate area is principally residential in context, largely comprising two and three storey, terraced properties consisting of mixture of traditional, Victorian terraces and more recent infill

development. Levenshulme district centre is situated a short distance to the west along Stockport Road.

Description of development

Planning permission is sought for the erection of a three storey, detached dwellinghouse (Class C3) incorporating a front roof dormer.

The accommodation comprises living space on the ground floor and a bedroom with an en-suite bathroom to each of the upper floors.

Externally, there is small, enclosed front yard area to the front and a larger yard area to the rear.

The application follows the withdrawal of an earlier application (Ref: 126557/FO/2020) due to previous concerns surrounding the elevational design.

As part of this application, a revised plan to remove an anomaly in the position of the front roof light and the contextual street-street drawing was also received.

Consultations & Notification Responses

Local Residents/Occupiers – 1 letter of objection has been received from a neighbouring occupiers. Comments are summarised below.

The drawings show that the new development is to be built up to or beyond the boundary of the property potentially extending onto the land of 39 Barlow Road.

It is questioned why the house is built up to the boundary on the side of 39 Barlow Road and not on the other side.

The development should not divert any of the underground water towards the property.

There is a discrepancy on the submitted elevation in terms of the Velux windows and external finishes.

Environmental Health – Conditions are advised in relation to ground conditions, waste management and construction hours.

Highway Services – An additional dwelling is likely to generate a minor increase in vehicular trips, however it is accepted that this can be absorbed on the highway network with no significant impact. The lack of designated on-site car parking provision is not preferred by Highways. Given the lack of on-site car parking, the development is likely to generate further demands for parking on Balleratt Street with limited capacity to support any further increase. Whilst this is not ideal, it is acknowledged that this is an existing arrangement experienced for the majority of dwellings in this location and the constrained nature of the site offers no availability to provide on-site provision.

It is assumed that bins will be stored within the site's curtilage and transferred to the kerbside for necessary collection as per the existing strategy for neighbouring dwellings. For the avoidance of doubt, the rear alleyway must be retained for access at all times. Should any boundary treatments be proposed, these must provide visual permeability from a height upwards of 650mm in order to retain sight lines onto the adopted highway.

A Construction Management Plan is advised.

Greater Manchester Ecology Unit - The site is located in a residential area and is predominantly hardstanding. It has limited potential to support protected species, and is unlikely to have any negative impacts on such species. The site has no nature conservation designations, legal or otherwise.

An informative is recommended so that the applicant is made aware of the laws which are in place in relation to protected species and invasive species, and if at any time the applicant suspect protected species (including nesting birds) to be present on the site they should stop work and contact the LPA for advice.

Biodiversity enhancements should be incorporated into any development in line with guidance in the NPPF. In this instance the provision of bird boxes, such as swift boxes, into the new dwelling would be appropriate and should be encouraged.

Flood Risk Management- An informative is suggested for the applicant to design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

United Utilities – The development should incorporate a surface water drainage scheme. Foul and surface water shall be drained on separate systems

Greater Manchester Police (Design for Security) -

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, SP1, H1, H6, T2, EN4, EN14, EN14, EN16-19 of the Core Strategy;
- Saved policy DC7.1 and DC26 of the UDP;
- Guide to Development in Manchester (SPD);
- Residential Quality Guidance;
- Greater Manchester Spatial Framework;
- National Planning Policy Framework (NPPF).

Issues

Principle - Having regard to the existing planning policy framework, City Council policy and national planning guidance, the principle of the development is considered acceptable.

Policy H1 outlines the strategic approach to housing growth in the City. Approximately 60,000 new homes need to be provided in the City between 2009 and 2027. This growth is expected to be accommodated principally within the North, East, City Centre and central areas of Manchester which fall within the Regional Centre and inner areas of Manchester. This is as a direct response to Manchester's growing economy and population growth the later which is expected to rise significantly over the next 20 years.

New developments in the City will therefore be expected to contribute towards this growth strategy ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

Policy H1 goes on to state that the Regional Centre is a priority area for residential schemes in order to support regeneration and drive regional growth.

Policy H6 states further that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Further policy support is also given within policies SP1 and H1 which seek to encourage development on previously developed land including the renewal of areas characterised by poor quality housing, whilst the NPPF advocates a presumption of sustainable development particularly where existing resources can be utilised and shared.

In this case, the site would regenerate an unattractive frontage and would add to the housing mix in the locality. The site is also appropriately situated within a sustainable location, close to Levenshulme district centre. On this basis, the principle of the proposed development is considered acceptable.

Design, Scale and Appearance – The proposed house has been designed to provide a principal frontage to Balleratt Street and is of a style, layout and scale to mirror a recent development of terraced properties approved as part of planning permission referenced 107208/FO/2014/N2

Whilst ordinarily the development of a garden area is not likely to be acceptable, the division of the garden to provide a frontage to Balleratt Street would improve the appearance of the street frontage in this location and would in effect provide a continuation of the built form along this part of the road

The layout makes efficient use of the land available, to provide residential accommodation which respects the amenity of neighbouring occupiers, whilst providing a strong frontage to the road.

The incorporation of a front dormer and gable roofs reflect the design of adjoining properties, with the window and roof proportions taking the lead from the neighbouring terrace

It is therefore considered that the layout reflects the pattern of development in the area and the development will assimilate effectively into its immediate context. It is believed that the proposed house can be satisfactorily accommodated, without being over-dominant or at odds with the streetscape.

The proposed use of materials utilises a simple palette, including brick work, grey UPVC window frames and interlocking concrete tiles. The exact specification will be controlled by way of planning condition to ensure the materials reflect the colour and texture of neighbouring properties.

Residential space standards - The proposed development would deliver a 1 x three storey, two bedroom unit.

Whilst the proposed houses is modest in size, it would have a floor area in line with the Council's space standards.

On balance, it is considered that the development secures a satisfactory configuration of accommodation and responds to the site boundaries. Within this urban context it is considered that a satisfactory quality accommodation has been achieved, with appropriate arrangements

for the external functional requirements of amenity space. It is therefore considered that the development responds positively to the Residential Quality guidance.

Residential amenity - Policies DM1 and SP1 of the Core Strategy advocate that consideration should be given to effects of development upon the amenity, living conditions and well-being of residents.

In this instance, the proposed development will introduce a residential use into the context of an established residential area.

Whilst it is acknowledged that there will be a marginal increase in activity at the site, the relatively limited amount of prospective occupiers is unlikely to significantly undermine the amenity of existing residents in terms of coming and goings, noise and disturbance.

In terms of any impact as a result of the physical presence of the proposed houses, including any potential over-dominance, overshadowing or overlooking, it is believed that given that the relationship and interface distances mirrors the relationship with the neighbouring terrace and the rear facing terrace along Barlow Road, there is unlikely to be any significant, adverse impact upon living conditions.

It is however important to protect future and nearby occupiers from any undue noise and disturbance and therefore conditions are recommended in relation to any potential new window/door openings. A Class C3 use restriction will also prevent any potential over-intensification of use, by preventing the property from being occupied as a HMO.

Impact on the Highway – In comparison to most properties in the area, the proposal does not include any off road car parking provision and would rely on street parking for any provision. There would be space immediately in front of the property to serve this purpose.

Highways consider that whilst the lack of off road parking is not ideal, it is acknowledged that this is an existing arrangement experienced for the majority of dwellings in this location and the constrained nature of the site offers no availability to provide on-site provision.

In terms of vehicle movements and access, although there is potential for a marginal increase in traffic along Balleratt Street, it is not considered that the anticipated amount and frequency of vehicle movements will be so excessive that it will jeopardise highway or pedestrian safety or cause congestion on such roads. Highway Services have not expressed any concern in this regard.

Moreover, the site is situated within a highly sustainable location, close to high frequency bus routes, railway station, cycle network and a range of local amenities contained within Levenshulme district centre. On balance therefore the lack of off road parking is considered acceptable in this instance.

Cycle storage – The proposed house has a secure rear amenity space, where cycle storage units can be provided.

Sustainability - Bus stops are located within the immediate vicinity of the site along Stockport Road, with regular services linking south Manchester and the city centre. Levenshulme railway station is also within walking distance of the site. As such, the application site is accessible by non-car modes of transport and it is considered that the location is therefore sustainable in terms of reducing emissions from the vehicles by encouraging the use of forms of transport other than the private car.

Security - It is considered that proposal enhances natural surveillance to the street and through satisfactory planting and boundary treatment will allow for decent levels of defensible space and perimeter security.

To ensure all external fittings and associated works are of a satisfactory standard, an informative has been included which advise that all external fittings should be to 'Secured by Design' certification.

Waste Management - Space is shown, within the rear yard, for the storage of waste receptacles. Waste will be moved along a path at the side of the property for kerbside collection. The number and range of receptacles is expected to be in accordance with the Council's normal provision and collection protocol and will include recycling arrangements. These arrangements are considered to be satisfactory.

Air quality - From an air quality perspective, the proposal is for a single unit only. The application site is located close to significant public transport routes with regular rail and bus services. It is therefore envisaged that the location of the proposed development, together with measures forming part of the development, have the potential to limit any adverse impacts to air quality. It is proposed that a condition is attached requiring a Construction Management Strategy to be submitted, which would include mitigation measures in relation to dust suppression.

Surface Water Drainage - A pre commencement condition has been included to ensure the a surface water drainage is submitted and approved in writing by the City Council prior to non-demolition works commencing scheme.

Ecology – Greater Manchester Ecology Unit (GMEU) have no objection to the proposed development and consider that the site has low ecological potential. A condition has been include which will require details of measure to promote bio diversity at the request of GMEU.

Climate Change - As the proposal would result in the addition of a single residential unit within the context of a principally residential environment, the impact upon climate change is considered negligible.

The site is located near to a busy, main arterial route and transport corridor, and is therefore unlikely that there would be any significant or harmful contribution to air quality or climate change as a consequence of vehicular movements or ongoing activity.

Construction Management - To ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area or the highway, a condition has been included which requires the submission and approval of a construction management plan which will need to details working practices, safety measures, dust suppression, the parking of construction vehicles and the removal of waste.

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 polices 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 to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning 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) No above ground development works above ground shall take place unless and until samples and specifications of all materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials. The development shall only be implemented in accordance with the agreed details.

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, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

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

Drawings numbered 002/A, 003/A and 001/C received by the City Council as Local Planning Authority on 29 May 2020 and 24 July 2020 respectively.

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.

4) Before the development hereby approved commences, a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal), shall be submitted to and approved in writing by the City Council as Local Planning Authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority. No occupation of the development shall take place until the completion/verification report is submitted to and approved by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

6) Prior to the commencement of development, a construction management/demolition plan outlining working practices during development shall be submitted to and approved in writing by the local planning authority, which for the avoidance of doubt should include;

- Measures to control noise and vibrations;
- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

7) No development with the exception of demolition and any necessary remedial works shall take place until surface water drainage works, designed in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards, have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be carried out in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, pursuant to policies EN8 and EN14 of the Manchester Core Strategy.

8) The development hereby approved shall not be occupied until details of the implementation, maintenance and management of a sustainable drainage scheme have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- A verification report providing photographic evidence of construction as per design drawings;
- As built construction drawings if different from design construction drawings;
- Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason - To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system, pursuant to policy EN17 of the Manchester Core Strategy.

9) The development shall be carried out in accordance with the Waste Management Strategy received by the City Council, as Local Planning Authority on 9 June 2020 and indicated on drawing numbered 001/C received by the City Council as Local Planning Authority on 24 July 2020. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation. No bins shall be stored outside the curtilage of each property, other than on the day of collection.

Reason - In the interests of amenity and public health, pursuant to policies DM1 and SP1 of Manchester's Core Strategy.

10) Notwithstanding details submitted, no above ground development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment/gates to be erected. The boundary treatment/gates shall be completed before any of the houses hereby approved are occupied. The development shall be carried out in accordance with the approved details and shall thereafter be retained.

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, pursuant to policies SP1 and DM1 of the Core Strategy.

11) Notwithstanding details submitted, no above ground development shall commence until a detailed hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall include further replacement tree planting to mitigate the trees lost and be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

12) Prior to above ground development commencing, an Environmental Standards Statement shall be submitted to, and approved in writing by, the City Council, as Local Planning Authority. The statement shall demonstrate measures to be incorporated into the development to achieve

energy efficiency and approved measures shall be implemented in the construction of the approved development.

Reason - In order to minimise the environmental impact of the development, pursuant to policies DM1 and SP1 of Manchester's Core Strategy and the National Planning Policy Framework.

13) Prior to first occupation of the dwellinghouse hereby approved, a scheme for the enhancement of the site for biodiversity purposes shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The agreed scheme shall be implemented in accordance with a timescale to be agreed and retained and maintained thereafter.

Reason -To promote bio-diversity, pursuant to policy EN15 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted within the exterior of the dwellinghouses, or any other boundary treatment to the road frontages, other than expressly authorised by the granting of this planning permission.

Reason - In the interests of residential amenity, since any additions to the approved dwelling may adversely impact upon visual amenity or the amenity of neighbouring occupiers, pursuant to Policies DM1 and SP1 of the Manchester Core Strategy.

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) none of the apartments hereby approved shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a).

Reason - In the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

Informatives

1) Greater Manchester Police (Design for Security) advise that all external fittings and openings are certified to 'Secured by Design' standards.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit

47 Barlow Road, Manchester, M19 3DB
37 Barlow Road, Manchester, M19 3DB
28 Balleratt Street, Manchester, M19 3DF
26 Balleratt Street, Manchester, M19 3DF
24 Balleratt Street, Manchester, M19 3DF
25 Balleratt Street, Manchester, M19 3DF
35 Barlow Road, Manchester, M19 3DB
37 Balleratt Street, Manchester, M19 3DF
31 Balleratt Street, Manchester, M19 3DF
29 Balleratt Street, Manchester, M19 3DF
1 Charlton Road, Manchester, M19 3DE
45 Barlow Road, Manchester, M19 3DB
39 Barlow Road, Manchester, M19 3DB
33 Barlow Road, Manchester, M19 3DB
31 Barlow Road, Manchester, M19 3DB
48 Balleratt Street, Manchester, M19 3DF
50 Balleratt Street, Manchester, M19 3DF
40 Balleratt Street, Manchester, M19 3DF
44 Balleratt Street, Manchester, M19 3DF
42 Balleratt Street, Manchester, M19 3DF
46 Balleratt Street, Manchester, M19 3DF
30 Balleratt Street, Manchester, M19 3DF
49A Barlow Road, Manchester, M19 3DB
53A Barlow Road, Manchester, M19 3DB
53B Barlow Road, Manchester, M19 3DB
Flat 3, 51 Barlow Road, Manchester, M19 3DB
Flat 2, 51 Barlow Road, Manchester, M19 3DB
Flat 1, 51 - 53 Barlow Road, Manchester, M19 3DB
39 Balleratt Street, Manchester, M19 3DF
33 Balleratt Street, Manchester, M19 3DF
49 Barlow Road, Manchester, M19 3DB
43 Barlow Road, Manchester, M19 3DB
29 Barlow Road, Manchester, M19 3DB
51 - 53 Barlow Road, Manchester, M19 3DB
41 Balleratt Street, Manchester, M19 3DF
35 Balleratt Street, Manchester, M19 3DF
27 Balleratt Street, Manchester, M19 3DF

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
Area Team Boundary - Name: NORTH2