MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	124614/FO/2019
Date registered valid:	22 October 2019
Proposal:	Erection of a two storey house with basement and accommodation in the roof void with associated car parking and landscaping
Address:	12 Talbot Road, Manchester, M14 6TB
Ward(s):	Withington Ward
Applicant:	Mr M Kiyum 12 Talbot Road, Manchester, M14 6TB
Agent (if any):	Mr Phil Holmes PHA Architects Limited 1 Cranleigh Avenue, Stockport, SK4 3PZ
Case officer:	Dave Morris Tel: 0161 600 7924 Email: d.morris@manchester.gov.uk
Recommendation:	APPROVE
Date of recommendation:	17 June 2020

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:
Printed: 23 October 2019 Expired: 13 November 2019

Neighbour notifications
Printed: 14 January 2020 Expired: 24 January 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

This application relates to a rectangular site formerly occupied by 12 Talbot Road a semi detached villa, now demolished. The ground level of the site has been reduced to that of the sites to either side. The site is occupied by a partially constructed detached house.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Planning History

In August 2017 reference 115183/FO/2017 planning permission was granted for the erection of a two storey four bed house with associated car parking and landscaping.

In July 2019 a stop notice was issues in respect of the dwelling currently being erected on the site which differed significantly from that approved in August 2017.

Description of area

The site is located within a predominantly residential area. It is however, typified by a range of house types of varying ages.

The adjacent site to the south has a modern three storey detached dwelling whilst beyond that are two pairs of large semidetached villa which occupy sites with a higher ground level that the application site.

Adjoining to the north of the site are smaller more modern two storey semi detached houses.

Adjoining the site to the rear is Mauldeth Road Primary School.

Facing the site across Talbot Road are two storey terraced houses.

Description of development

Consent is sought to erect a two storey detached house on the site which would entail remodelling the existing unauthorised shell. The property would be of brick construction with a dual pitched roof. The property would have an elevated ground floor with a basement and accommodation in the roof void, which would have a gable on the front elevation and roof lights. There would be a two storey rectangular bay with a flat roof on the front elevation. The rear elevation would also have a gable in the roof.

The front elevation will contain the entrance, a pair of double windows in the bay at ground and first floor levels, an oriel window above the front door at first floor level, a window in the gable at second floor level, a roof light and two high level basement windows. The north elevation would contain a single window. And the rear elevation would have a fully glazed ground floor, two windows at first floor level and a window in the gable at second floor level, a roof light and two high level basement windows. There would be a ramped access to the front door and parking for two vehicles on the forecourt, which would have a low brick boundary wall. Refuse storage would be in the rear yard.

Consultations & Notification Responses

Ward Members

Councillor Chris Wills has expressed concern that the development does not accord with the approved scheme on the site. He is further concerned that the development will not be used as a family house but as a HMO.

Local residents

No representations were received in response to either the original notification or the re-notification.

Highways

The drawings show two spaces utilising an existing cross which is acceptable. The boundary wall should not exceed 600mm high.

United Utilities

Want the development to have a sustainable drainage system.

Policy

Core Strategy

The relevant Core Strategy policies are SP1, DM1, H1, H6 and H8.

Policy SP1 sets down the key spatial principles which will guide the strategic development of Manchester to 2027 and is relevant to the application as this site is a development opportunity in this area. Outside the City Centre and the airport the focus will be on the creation of

neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.

The Core Development Principles require development in all parts of the City to make a positive contribution to neighbourhoods of choice including:-

- creating well designed places that enhance or create character.
- making a positive contribution to the health, safety and wellbeing of residents
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 is relevant to this application as it seeks to protect the amenity of an area from the adverse impact of development. The policy states that all development should have regard to the following specific issues:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

Policy H1 is relevant in that it sets down the Council's objectives in supplying new housing. Approximately 60,000 new dwellings will be provided for in Manchester between March 2009 and March 2027. This equates to an average of 3,333 units per year.

Outside the Inner Areas the emphasis will be on increasing the availability of family housing therefore lower densities may be appropriate. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works.

Proposals for new residential should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population, including elderly people, disabled people, people with specific support requirements, BME communities, Gypsies and Travellers and Travelling Showpeople;

- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes into account the availability of developable sites in these areas;
- Contribute to the design principles of Manchester's Local Development Framework, including in environmental terms.
- The design and density of a scheme should contribute to the character of the local area.
- All proposals should make provision for appropriate usable amenity space. - - Schemes should make provision for parking cars and bicycles ; and the need for appropriate levels of sound insulation.
- Address any existing deficiencies in physical, social or green infrastructure, or future deficiencies that would arise as a result of the development, through developer contributions or on site provision;
- Prioritise sites which are in close proximity to centres or high frequency public transport routes.
- Take account of any environmental constraints on a site's development (e.g. flood risk through the Manchester-Salford-Trafford Strategic Flood Risk Assessment, or other statutory designations).
- Be designed to give privacy to both its residents and neighbours.

Policy H6 is relevant as it addresses housing developments in the south of the City. The policy says that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. 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.

Policy H8 relates to affordable housing provision in Manchester and has been raised by an objector. Policy H8 relates to all residential developments on sites of 0.3 hectares and above or where 15 or more units are proposed. As the proposals does not meet these size or number criteria this policy is not relevant to the consideration of the current application.

Guide to Development in Manchester

This Supplementary Planning Document sets down the design considerations in determining applications for new developments. The Guide requires new developments to achieve a high standard of design that is informed by and respects the character of an area.

The Guide states the Council wishes to encourage the most appropriate form of development to enliven neighbourhoods and sustain local facilities. The layout of the scheme and the design, scale, massing and orientation of its buildings should achieve a unified urban form which blends in with, and links to, adjacent areas. Increased development density can be appropriate where it is necessary to reinforce community identity, promote a more economic use of land, increase demand for local facilities and contribute to safer, self-policed streets. However density levels must be informed by the character of an area and the specific circumstances of a proposal.

The Guide also says that properties should front streets and where practical parking should be behind the building line.

Green and Blue Infrastructure Strategy

The Strategy encourages developers to increase or improve the quality of green infrastructure as apart of development.

Issues

Principle

This is a residential area and the site was previously occupied by a house and consent has previously been granted for a two storey dwelling on the site. The principle of the proposed development is therefore considered acceptable.

Scale

Of concern is the relationship of the proposed building to the adjacent much smaller two storey property, originally at a lower level, and this was reflected in the earlier approval. It is considered that the scale of the proposed dwelling which is sits between a larger and a smaller property is appropriate to this location.

Design

The design of the building reflects the adjacent new build whilst not overshadowing the simplicity of the smaller houses to the north.

Parking

The provision of two off street spaces is in line with the Council's current practice.

Refuse

The submitted plans show the refuse stored at the rear of the property. This is considered acceptable and an appropriate condition is proposed.

Amenity Space

The amenity space located at the rear of the property is comparable with other properties in the area.

Blue Green Infrastructure

This is a previously developed site that has been derelict for some time. The proposed development will improve the green infrastructure in the area.

UU

Have requested that the development has a sustainable drainage system. That the building is partially constructed it is too late for the pre commencement conditions requested. The drainage system would have need to comply with the building regulations.

Residential amenity

This is the site of a former dwelling and therefore any comings and goings and general activity associated with the development will be comparable with the previous use.

In terms of privacy principle windows are in the front and rear elevations and therefore do not give rise to any privacy or overlooking issues.

The proposed dwelling is immediately to the south of the house on the adjacent site by limiting the height of the building the impact on the adjacent property is kept to a minimum.

HMO

Since the adoption of the article 4 Direction in 2011planning permission is required to change from a dwelling class C3 to a small HMO class C4. Planning permission has always been required for larger HMO's.

A condition is proposed to reinforce the need for planning permission.

Impact on the character of the area.

This has been a problem site for some time and its development will improve the physical environment and make a positive contribution to the varies character of the area.

Conclusion.

On balance it is considered that the proposed development will make a positive contribution to the amenity of the area as well as providing another family home.

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 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:
F03/KY/02 received 13 January 2020
F03/KY/04 received 13 January 2020
F03/KY/09 received 13 January 2020
F03/KY/10 received 13 January 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 brickwork to the buolding hereby approved shall be completed using brick that match those used thusfar in the development. Prior to the construction of the roof and installation of the windows details of the materials to be used shall be submitted to and approved in writing by the City Council.

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 refuse storage arrangements shown on the approved drawings shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no garages or extensions or dormers shall be erected other than those expressly authorised by this permission.

Reason - To enable the City Council as local planning authority to assess the impact of any extensions on the amenity of adjoining properties. Pursuant to Core Strategy policy DM1 and saved UDP policy DC1

6) The parking shown on the approved drawings shall be surfaced and available for use before the property hereby approved is first occupied.

Reason - to ensure that the car parking for the development is available for use pursuant to Core Strategy policy DM1.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises 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). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

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.

8) The front boundary treatment as detailed on the approved drawings shall be completed prior to the first occupation of the dwellinghouse hereby approved 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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services

25 Talbot Road, Manchester, M14 6TA
17 Talbot Road, Manchester, M14 6TA
15 Talbot Road, Manchester, M14 6TA
Mauldeth Road Primary School, Mauldeth Road, Manchester, M14 6SG
14 Talbot Road, Manchester, M14 6TB
23 Talbot Road, Manchester, M14 6TA
21 Talbot Road, Manchester, M14 6TA
19 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
Area Team Boundary - Name: SOUTH