

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138481/FO/2023

Date registered valid: 3 November 2023

Proposal: Erection of a two storey dwellinghouse with basement accommodation and associated car parking

Address: Land Between 2A Crossway And 15 Barlow Moor Road, Manchester, M20 6TT

Ward(s): Didsbury West Ward

Applicant: Mr Andrew Twambley

Agent (if any): Mr David Lambert ARCD Architects

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 11 January 2024

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 21 November 2023

Standard consultations:

Printed: 17 November 2023

Expired: 8 December 2023

Neighbour notifications

Printed: 15 November 2023

Expired: 6 December 2023

Site notice

Posted: 21 November 2023

Expired: 12 December 2023



Fig. 1 – Displayed site notices

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This application relates to a vacant parcel of land situated on the west side of Crossway and is informally used for car parking. The site is close to the Crossway junction with Barlow Road, which comprises of ground floor retail and commercial uses with actual of potential for upper floor residential use. The application site is immediately adjacent to the boundary of Didsbury District Centre. The properties immediately to the north of the site comprises two storeys with rear extensions within enclosed yards (and are separated from the application site by an alleyway). To the east, is a parcel of land with extensive tree cover. An apparently disused single storey detached building is situated adjacent to the southern boundary with remaining part of Crossway comprising of traditional two storey terraced houses.



Fig.2 – Site location



Fig. 3 – Views of the application site and its context (Crossway)

Description of development

The proposed development comprises the erection of a two storey pitched roof house with two component parts each incorporating a pitched roof set between gable elevations. The first part would have a maximum height of 8 metres, width of 8 metres and overall depth of 8.2 metres. A projecting ground floor element with a lean to roof would present the development to the back of pavement. It would be off set from the southern boundary to facilitate access to the proposed

rear courtyard. The second element would be set back from the principal building line to allow the formation of driveway enclosed with a sliding gate. It would maintain the proposed eaves height (to the principal elevation) and have a ridge height of 7.4 metres and width of 6.2 metres. The juxtaposition of the component parts would allow the formation of an enclosed courtyard. A wall would define the northern boundary in relation to the adjacent alleyway. The elevations would be punctuated by rectangular windows, large glazing panels and patio doors. The elevations would be composed in red brick work and red sandstone detailing. The roof would be formed with zinc cladding. PV panels would be incorporated into the roof.



Fig. 4 – Proposed elevations - Front (east), side (north) rear (west) and side (south)



Fig.5 – Proposed layout – Basement, ground floor and first floor

The proposed layout comprises:

Internal

- Basement – Gym, games room and utility room
- Ground floor – Entrance hall, kitchen/dining/living room, lounge, WC and utility room.
- First floor – 4 bedrooms (three double and one single) and bathroom.

External

- Car parking and bin storage (accessed from Crossway) enclosed with sliding gate.
- Lightwell to basement (adjacent to driveway)
- Enclosed courtyard with cycle storage.

Consultations & Notification Responses

Local residents – One email of objection has been received and summarised below:

- i. The proposed design has not been appropriately related to the architectural character of terraced houses on Crossway. The development would not, therefore, positively contribute to the existing built environment/
- ii. The site plot is used as a car park. The loss of this facility will lead to increase on-street car parking, which would be harmful to pedestrian and highways safety. Existing car parking difficulties and traffic congestion on Crossway is identified as a significant issue.

Didsbury Civic Society – No comments received.

Highway Services – The following comments have been received:

- i. The proposal will provide one parking space, which should meet minimum driveway parking space dimensions of 3.0m x 6.0m to avoid encroachment on to the highway.
- ii. An electrical vehicle charging point with a minimum capacity of 7kW) should be provided.
- iii. A new proposed dropped kerb to Crossway, providing access to the driveway, should be delivered through a highway agreement that is related to the development by an off-site highways condition.
- iv. Secure and sheltered cycle storage for at least one cycle should be provided.
- 1.5 All fencing / railings adjacent to the adopted highway should be visually permeable from a distance of 600mm upwards and proposed gates to the highways should be inward opening.
- 1.6 Proposed waste management arrangement would be acceptable.
- 1.7 The development should be related to a construction management plan condition.
- 1.8 Construction works affecting the highway should be agreed with the Council as highways authority.

Environmental Health – The following comments have been received:

- i. The development should be related to construction management plan condition.
- ii. The development should be conditioned to ensure the approval of a scheme for acoustically insulating the proposed residential accommodation against noise from Crossway and Barlow Moor Road and any other identified noise sources. The scheme should also address potential overheating.
- iii. A noise attenuation scheme is also requested if any external plant and equipment is proposed as part of the development.
- iv. The development should be supported with a comprehensive waste and recycling management condition. The submission identifies a bin storage area, but bin capacities and collection points have not been identified.
- v. To mitigate harm to air quality an electric vehicle charging point should be provided.
- vi. A condition to address potential land contamination has been included.

Neighbourhood Team Leader (Arboriculture) – The following comments have been received:

- i. The development will require the removal of one lower quality specimen and the building will slightly encroach into the root protection zones of several of the trees. However, the encroachment would not significantly impact adjacent trees.
- ii. Trees should be adequately protected during the development and no machinery, materials or spoils should be stored within the root protection zones.
- iii. All work must be carried out in accordance with appropriate standards and the detail of the submitted arboricultural impact assessment.

Greater Manchester Police Design for Security – The following comments have been received:

- i. The position of the front door should be reviewed so that it can be viewed from the street.

- ii. There is only a single narrow window on the front elevation and the dwelling does not incorporate an active street frontage.
- iii. The blank front elevation presented directly on to the pavement and may be vulnerable to graffiti, antisocial behaviour and loitering. The elevation to the existing passageway could be affected by similar issues.
- iv. The development would restrict views into the existing passageway and will reduce lighting levels to this area. This may be addressed through an appropriate lighting scheme.

Flood Risk Management Team – A condition has been requested to ensure the provision of sustainable drainage.

United Utilities - Recommend that the development incorporates a sustainable drainage system.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are considered to be relevant.

- i. Section 5 Delivering a sufficient supply of homes - States that to support the Government's objective of significantly boosting the supply of homes, a sufficient amount and variety of land can come forward where it is needed. The importance of small and medium sized sites to housing requirements is acknowledged along with delivery of development that supports housing for first time buyers. In this case, it is considered that the site has the potential to be developed for very small scale residential development, but a satisfactory and proportionate design solution has not been proposed. Section 5 would therefore not be accorded with.
- ii. Section 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion. The development has not demonstrated that the development would achieve satisfactory natural

surveillance and appropriate boundary treatments have not been demonstrated. The development would not, therefore, positively respond to Section 8.

iii. Section 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users.

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure. The development would be supported with off-site car parking and cycle storage. The site is in a sustainable location benefitting from access to the local bus network. The development would thereby accord with Section 9.

iv. Section 11: Making effective use of land - States that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The use of previously developed or 'brownfield' sites is encouraged. The proposal would positively respond to this objective but would not meet the Section 11 objective of securing well-designed development.

v. Section 12: Achieving well-designed places - States that 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. It is not considered that the development would achieve an appropriate design and its disproportionate scaling and massing would be harmful to the amenities of the area. Section 12 would not, therefore, be accorded with.

vi. Section 14: Meeting the challenge of climate change, flooding and coastal change - States that new development should:

- a. Avoid increased vulnerability to the range of impacts arising from climate change;
- b. Help to reduce greenhouse gas emissions, such as through its location, orientation and design.

It is considered that sustainable drainage could be potentially delivered along with design that would deliver satisfactory carbon emissions.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In the following assessment of the proposed development has been given to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Flood Risk Planning and Flood Risk
- iv. Health and well-being
- v. Air quality
- vi. Land affected by contamination
- vii. Noise

It is not considered the development would be satisfactorily related to points (ii) and (iv) due to concerns regarding the quality of the proposed design and potential harm to residential amenity. It is considered that point (i) has been accorded with and points (iii), (v), (vi) and (vii) could be addressed as part of an appropriate development proposal.

The Places for Everyone Plan is a Joint Development Plan Document - Provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The following policies are relevant to the assessment of the development:

- i. JP-S1- Sustainable development
- ii. JP-S2 – Carbon and energy
- iii. JP-S5 – Flood risk and the water environment.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

Whilst the proposal would deliver the development of a brownfield site, it would not be satisfactorily related to the character of the area or the siting or configuration of neighbouring built form. The development would not accord with policy DM1 due to the resulting harm to amenity.

Policy EN1 (Design Principles and Strategic Character Areas) - States that opportunities for good design to enhance the overall image of the City should be fully realised to reinforce and enhance the local character and context of the development site. In this case, it is not considered that the composition of the development would be appropriately related to the massing and scale of development to the local area. Policy EN1 would not be accorded with.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) - Has been related to the assessment of the submitted statement detailing measures to reduce CO2 emissions and to secure energy efficiency.

Policy EN 8 (Adaptation to Climate Change) - States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. The development has been related to 'fabric-led' design approach, which seeks to exceed the current requirements of building regulations.

Effective measures to reduce carbon emissions that respond to the physical constraints of the site and magnitude of development could be potentially delivered to secure accordance with policy EN4 and EN8.

Policy EN 14 (Flood Risk) - States that in line with the risk-based sequential approach, development should be directed away from sites at the greatest risk of flooding and towards sites with little or no risk of flooding. Sustainable drainage would be potentially provided by condition.

Policy EN15 (Biodiversity and Geological Conservation) – States that developers will be expected to identify and implement reasonable opportunities to enhance, restore or create new biodiversity. Proportionate mitigation measure, such as the provision of bat and bird boxes, could be delivered as part of satisfactory development.

Policy EN 16 (Air Quality) – Requires improvements to air quality that are sought as part the consideration of development. Given the magnitude of the development, it is not apparent impacts on air quality would be significant. The level of related traffic movement would be limited and impact reduced through the provision of EV charging points and opportunities for the adoption of more sustainable transport modes. Policy EN16 would thereby be responded to positively.

Policy EN18 (Contaminated Land and Ground Stability) - States that any proposal for development of contaminated land must be accompanied by a health risk assessment. The development has not been accompanied with a land condition assessment. However, given the magnitude of the development, it is considered that related issues could be addressed by condition.

Policy EN19 (Waste) - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

Although bin capacities have not been demonstrated, the site would have the capacity to deliver appropriate waste management.

Policy H1 (Overall Housing Provision) - Relates to the City Council strategy for the delivery of new housing between March 2009 and March 2027 and sets out the criteria for assessing new provision.

Policy H 6 (South Manchester) – States that South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. It also states that 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.

In this case, the benefits of delivering a new house would be outweighed by the potential harm to residential amenity.

Policy T1 (Sustainable transport) – Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case, the development would be supported with satisfactory car parking provision and arrangements for cycle storage. The site is in a sustainable location with access to local bus routes. The development would thereby respond positively to policy T1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues, which are considered to be relevant to the consideration of this application:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding area;
- Effects on amenity;
- The accessibility of the building and neighbourhood, in relation to inclusive access and sustainable transport modes.
- Community safety and crime prevention;
- Design for health;
- Refuse storage and collection

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development and its relationship to the character of the surrounding area;
- c. Effects on amenity;
- d. The accessibility to buildings and neighbourhoods, in relation to inclusive access and sustainable transport modes;
- e. Community safety and crime prevention;
- f. Design for health;
- g. Adequacy of internal accommodation and external amenity space;
- h. Refuse storage and collection.

It has not been demonstrated that the development would accord with points a to h of policy DM1 as outlined above and for the reasons outlined in this report.

Unitary Development Plan (saved UDP) Policies -The following Unitary Development Plan saved policies are relevant to the assessment of the development:

Policy DC7 (New Housing Development) - States that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people, including those who use wheelchairs, wherever this is practicable. Policy DC7 also requires that a satisfactory quality of development is achieved. In this case, satisfactory inclusive access has not been demonstrated and the elevational composition of the houses would be harmful to the amenities of the area. Policy DC7 would not be complied with.

Policy DC26 (Development and noise) - The following elements of policy DC26 are considered to be relevant:

Policy DC26.1 has been related to the proposals contribution to the local noise environment and how existing noise sources, including noise from neighbouring industrial / commercial uses, may impact on the proposed housing.

Policy DC26.4 requires that where an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, consideration is given to measures to deal with it satisfactorily.

Policy DC26.5 has been related to the assessment of the development, in terms of measures to minimise the impact of noise on future residents, including the incorporation of noise insulation.

The development site is located in a predominantly residential street but also in close proximity to retail and commercial uses. This particularly relevant given the potential noise generated along Barlow Moor Road and its junction with Wilmslow Road. It is considered that any related noise impacts are capable of being addressed through the recommended condition to secure compliance with policy DC26.

Manchester Residential Quality Guidance (MRQG) - Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live. It also seeks to raise the quality of life across Manchester. The guidance is relevant to all stages of the development process, including construction and operational management. The proposed development would meet the relevant space criteria as set out in the guidance. The quality of the design and layout of the development and quality of design would positively contribute to the character of the local area, encourage sustained long-term occupation and thereby secure compliance with the MRQG. The development would exceed the space criteria for a four bedroom, seven person dwellinghouse over three storeys. The quality of the elevation design and magnitude and composition of proposed built form would not be satisfactorily related to the MRQG.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, officers engaged in pre-application discussions with the applicant's agent and advise was issues. Further discussions were undertaken during the consideration of the application as the submitted details did not accord with the issued advice. This further discussion did not secure a satisfactory design solution and the applicant was advised that the proposed development would need to be determined on the basis of the submitted details. No further negotiation was undertaken as sufficient information has been provided to secure that assessment of the development.

Principle of the development – The principal of residential development within the application site has the potential to be acceptable. However, it is not considered that the siting of the development would not form a coherent relationship to the street, including terraced housing on Crossway. There is also concern that the development would result in the cramped and excessive site coverage and the absence of defining space between new built form and existing buildings at 15 and 17 Barlow Moor Road. The development is therefore considered to be unacceptable.

Siting – . Given the character of neighbouring terraced houses, a suitable design response would be the presentation of the development to the back of pavement and appropriate fenestration to secure through the configuration of windows and main entrance with the principal elevation. The proposed siting of the recessed two storey element (adjacent to the northern boundary) would produce a cramped relationship with existing built form to the rear of 15 and 17 Barlow Moor Road. The absence of a defining spaces across the site would also emphasise excessive extent of site coverage and have a harmful and oppressive impact of the streetscene. This impact would be exacerbated by the formation of the expansive and unrelieved brick to the ground floor of the principal elevation and height and solidity of the gate to the proposed driveway. The excessive site coverage would be further emphasised by the position of side elevation in relation to the western boundary. It is not considered that the development would be appropriately sited.

Scale and massing – The proposed level of the ridge and eaves to the main part of the development has been designed to mark a transition in height between neighbouring houses on Crossway and 15 and 17 Barlow Moor Road. Whilst this relationship would be potentially appropriate, concern remains regarding the height and massing of the recessed two storey element. To improve the relationship of the development to existing built form and secure a greater sense of space across the site, it was recommended that the height of the recessed element of the proposed building should be reduced to a single storey. The retraction of the development away from the western boundary is therefore recommended to allow the formation of a more clearly defined space. Such amendments have not been incorporated into the proposal and therefore concerns regarding the disproportionate scale of the development have not been resolved.

Design and impact on the streetscene. – The projection of the single storey ground floor element (to Crossway) would form a bulky and overly prominent addition with an awkward relationship to the first floor element of the principal elevation. The incorporation of a flat roof to the ground floor element would represent an incongruous design feature that would detract from the character of the proposed houses and neighbouring built form. The incorporation of expansive brickwork at ground floor level would also have an oppressive impact on the streetscene and further detract from the character of the streetscene. The external elevations would have an overly 'flat' appearance due to the absence of appropriate window reveals. The expression of the roof is also undermined by the absence of depth to the eaves and incorporation of exposed soffits. Whilst appropriate specification of brickwork and stone detailing could be potentially agreed, the application of zinc cladding to the roof would not be appropriately related to the characteristic materials applied within Crossway. The relationship to the Crossway would have been improved by the formation of a railing gate with a lower height, which would secure views into the site.

Inclusive access – The submitted details have not demonstrated that level thresholds would be provided to external doorways. However, the ground floor layout would secure inclusive access to the principal ground floor rooms, including access by a wheelchair user. The development would not provide a separate pedestrian access from Crossway. Access via the driveway using the sliding gate may present access difficulties for disabled people subject to the specification of its opening mechanism.

Residential amenity – Notwithstanding the existing use of the first floor of 15 and 17 Barlow Moor Road, both properties maintain the potential to provide residential accommodation that may be potentially compromised by the siting of the development in relations to the northern boundary (due the relationship between existing and proposed windows. The recommended reduction in height to the development would have improved the relationship of built form to the north of the site and lead to the omission of extensive glazing to the proposed first floor landing. Given the above concerns and discussed issue relating to the design and composition of the proposed house, it is considered that the development would be harmful the residential and visual amenities of the area.

Residential space criteria - . The development would exceed the space criteria for a four bedroom, seven person dwellinghouse over three storeys as specified in the MRQG.

Crime and security – The concerns of GM Police regarding the lack of natural surveillance form windows to the ground floor of the principal elevation are shared. There is also concern regarding the absence of a front door to Crossway, which would improve security, inclusive access and increase activity within the street. The proposal has not been supported with satisfactory details relating to boundary treatments. The provision of satisfactory security and crime reductio measures have not been demonstrated.

Reducing carbon emissions and sustainable design – The development has been related to 'fabric-led' design approach, which seeks to exceed the current requirements of building regulations. Glazing double designed to harness solar gain, natural ventilation and photovoltaic panels would be provided.

Car parking and highways issues – In response to Highways comments, the development would be supported with on-site car parking that would achieve appropriate dimensions and EV charging points would be capable of being provided. Given the proposed siting to the development and design of the driveway gated, it is not apparent that the requirement of Highways regarding pedestrian / vehicular intervisibility could be addressed.

Cycle storage – The proposal would incorporate two cycle storage spaces within the courtyard area. Any appropriate proposal would need to provide a secure storage enclosure.

Off-site highways works – Required works could be delivered as part of an appropriate development proposal.

Electric vehicle (EV) charging points – The arrangement of the proposed car parking space would facilitate the appropriate provision and siting of an electric vehicle charging point.

Construction Management Plan (CMP) – Given the constraints of the site and amount of on street car parking in Crossway, any suitable development proposal would need to be accompanied with a proportionate construction management plan.

Waste management – A storage area has been identified within the driveway. Satisfactory details regarding confirming of bin capacities and the provision of storage enclosure have not been provided.

Noise – Related issues a capable of being addressed through a scheme for the delivery of acoustic attenuation that could be condition should an appropriate development be brought forward.

Land conditions - The application has not been accompanied with a ground condition survey and any appropriate development proposal would need to be conditioned to address issues, which may affect the site as land that appears to have been previously developed.

Flood risk and site drainage - The application site is located within Flood Zone 1 and has low risk of flooding. The applicant has been advised of the comments of Flood Risk Management Team and United Utilities. It is considered that any additional risk of flooding can be attenuated through a sustainable drainage condition should an appropriate development proposal be brought forward.

Ecology – With the exception of potential tree root systems extending into the site, there would appear to have little ecological values. Given the extent of the footprint of the development there would be very limited opportunities for bio-diversity enhancement beyond the provision of bat and bird boxes.

Tree removal and landscaping – The recommendations of the arboricultural officer could potentially be accommodated, including tree protection. However, it is noted that, if the required consent for the removal of the tree (outside the site) was not forthcoming, there may be implications for the delivery of development within the site.

Conclusion – It is not considered that the proposed development would secure satisfactory relationships to the constraints of the site and would lead to the formation of excessive and cramped arrangement of built form. The proposals would also fail to secure a coherent design response that would be appropriately related to the character, scale and magnitude of the neighbouring development. The development is therefore considered to be unacceptable.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Refuse

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, officers engaged in pre-application discussions with the applicant's agent and advise was issues. Further discussions were undertaken during the consideration of the application as the submitted details did not accord with the issued advice. This further discussion did not secure a satisfactory design solution and the applicant was advised that the proposed development would need to be determined on the basis of the submitted details. No further negotiation was undertaken as sufficient information has been provided to secure that assessment of the development.

Reasons for recommendation to refuse

- 1) The proposal would result in the overdevelopment of the site by virtue of its excessive proportions, scale and massing, cramped relationship to the tight constraints of the application site, including its height in relation to the northern boundary. The resulting relationship to neighbouring properties and the wider streetscene would be harmful to the residential and visual amenities of the immediate vicinity of the application site and the wider streetscene viewed from Crossway. The development would thereby be contrary to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.
- 2) The development, by virtue of its close proximity of its siting to the northern boundary and resulting loss of defined spatial setting across the site, would be poorly and incongruously related to existing built form at 15 and 17 Barlow Moor Road and the wider streetscene viewed from Crossway. The proposed development would thereby be harmful to the residential and visual amenities of the area contrary to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.
- 3) The design of the development would have an incongruous relationship the character, scale and proportions of neighbouring houses on Crossway, particularly with regard to the elevational composition of the principal elevations and roofscape. The configuration of the principal elevation to Crossway would not incorporate windows or a main entrance, which would be required to relieve the formation of expansive brickwork, aid natural surveillance and improve the relationship of the development to the streetscene. The proposed development would thereby be contrary to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Greater Manchester Police
Didsbury Civic Society
MCC Flood Risk Management

1A Churchwood Road, Manchester, M20 6TZ
17 Barlow Moor Road, Manchester, M20 6TN

29A Barlow Moor Road, Manchester, M20 6TN
21A Barlow Moor Road, Manchester, M20 6TN
19A Barlow Moor Road, Manchester, M20 6TN
Flat 10, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 9, Crossway House, 7 Crossway, Manchester, M20 6TE
23 Barlow Moor Road, Manchester, M20 6TN
Flat 5, 1B Churchwood Road, Manchester, M20 6TZ
Flat 2, 1B Churchwood Road, Manchester, M20 6TZ
Flat 8, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 5, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 2, Crossway House, 7 Crossway, Manchester, M20 6TE
10 Crossway, Manchester, M20 6TT
29 Barlow Moor Road, Manchester, M20 6TN
25A Barlow Moor Road, Manchester, M20 6TN
17A Barlow Moor Road, Manchester, M20 6TN
1B Churchwood Road, Manchester, M20 6TZ
1 Churchwood Road, Manchester, M20 6TZ
11 Crossway, Manchester, M20 6TU
8 Crossway, Manchester, M20 6TT
21 Barlow Moor Road, Manchester, M20 6TN
12 Crossway, Manchester, M20 6TT
27 Barlow Moor Road, Manchester, M20 6TN
25 Barlow Moor Road, Manchester, M20 6TN
19 Barlow Moor Road, Manchester, M20 6TN
15 Barlow Moor Road, Manchester, M20 6TN
Flat 6, 1B Churchwood Road, Manchester, M20 6TZ
Flat 3, 1B Churchwood Road, Manchester, M20 6TZ
Flat 1, 1B Churchwood Road, Manchester, M20 6TZ
Flat 7, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 6, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 4, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 3, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 1, Crossway House, 7 Crossway, Manchester, M20 6TE
9 Crossway, Manchester, M20 6TU
13 Crossway, Manchester, M20 6TU
23A Barlow Moor Road, Manchester, M20 6TN
2A Crossway, Manchester, M20 6TT
Flat 4, 1B Churchwood Road, Manchester, M20 6TZ

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 AREA