

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138225/FH/2023

Date registered valid: 2 October 2023

Proposal: Part retrospective installation of front steps to ground and basement floor and steps to rear basement and ground floor, together with associated elevational alterations

Address: 100 Clyde Road, Manchester, M20 2JN

Ward(s): Didsbury West Ward

Applicant: Ms Natalie Bolton

Agent (if any): Mrs Magdalena Haener, Pride Road Manchester South

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

Recommendation: Approve

Date of recommendation: 13 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 October 2023

Standard consultations:

Printed: 5 October 2023 Expired: 26 October 2023

Neighbour notifications

Printed: 5 October 2023 Expired: 26 October 2023

Site notice

Posted: 20 October 2023 Expired: 10 November 2023

Press advert

Published: 10 October 2023 Expired: 24 October 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application property relates to a 4 storey (including basement), semi-detached, Victorian dwellinghouse, constructed mainly from orange-red brick masonry.

The bay fronted property incorporates a recessed entrance area set below a canopy with stone headers and cills to the windows.



View of property frontage

The property incorporates front and rear garden areas, with stepped access to ground floor entrance points. The front garden has been paved over to provide off-road parking.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: No

Description of area

The immediate area is largely residential in character, largely comprising family dwellinghouses and flat conversions.

The property is situated within Albert Park Conservation Area, characterised by large, period houses set within traditional front gardens and boundaries, along tree lined roads.

Description of development

Planning permission is sought for new external stairs to access to the lower ground floor at the rear, as well as retrospective permission for replacement front entrance steps involving a tiled surface, the creation of a new staircase and stairwell to the left of and underneath the main steps to serve a new lower ground floor front door and a new safety rail above the void to the top of the stairwell.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

West Didsbury Residents Association (WDRA) – Concerns are raised that the basement may be turned into a separate dwelling. Provided that the plans are not aimed at creating a separate dwelling or conversion of the property into a HMO, no objection is raised.

Planning History

No planning history.

Policy

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

- Saved policies DC1 and DC18.1 of the Unitary Development Plan for the City of Manchester;
- Policies DM1, EN3 and SP1 of the Manchester Core Strategy;
- The Guide to Development in Manchester (SPD);
- Place for Everyone (Consultation Draft, October 2023);
- National Planning Policy Framework (NPPF).

Issues

Principle

Allowing residents to extend or make alterations to their homes to provide enlarged or improved accommodation is generally acceptable, provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this case, the proposed alterations are considered acceptable and in accordance with saved policies DC1 and DC18.1 of the UDP, policies DM1, EN3 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Visual Amenity and Impact to the Conservation Area

The site is situated within the Albert Park Conservation Area and therefore there is a need to have special regard to the desirability of preserving the character of the conservation area, as outlined within Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of designated areas.

This is supported by policies EN3 and DC18.1 of the Core Strategy, along with Section 16 of the NPPF, which underline the need for due consideration to be given to the impact of new developments on heritage assets

In this case, the host building is not listed and there are no listed buildings situated nearby that would be directly affected.

Paragraph 197 of the NPPF states that: *'In determining applications, Local Planning Authorities should take account of:*

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) The desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 199 goes on to state that:

'When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Paragraph 201 advises further that:

'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use'.*

The application is accompanied by a Heritage Statement which acknowledges that the application property makes a positive contribution to the conservation area and that its significance derives from its individual qualities and its value as part of the wider group along Clyde Road.

In this case, the Council concurs that the rear of the property is largely hidden from view and cannot be seen from the wider public domain. On this basis, the rear of the property does not primarily contribute to the view that make up the wider character and appearance of the conservation area. Any impact is therefore considered minimal.

In terms of the property frontage, there is no homogeneous architectural style within the conservation area, including along Clyde Road, which has been subject to considerable change.

Whilst many of the frontages along Clyde Road are of a similar nature, they have been subject to various alterations and there several examples of basement conversions with stepped access from the front.

It is believed that the alterations that have already taken place to the frontage have been undertaken in a sensitive, high-quality manner. The new stairwell has been constructed from matching brickwork to ensuring the original character is largely retained and the new ground floor steps have been constructed with decorative tiles in a Victorian style, in keeping with the age of the property.

On balance, given, the nature of the changes proposed, it is not considered that the character of the Albert Park Conservation Area would be substantially harmed by the proposed works. Any impact is considered to be of a low-level harm, outweighed by making good use of the basement to secure its optimum viable use in an area where residential floorspace is at a premium.

It is considered the proposed works would sustain the heritage significance of the area and when weighed against the public benefits that the proposal would deliver in terms of improvements to living accommodation, the proposed works are considered acceptable and would have no materially harmful impact character of the conservation area. Whilst there would be some minor measurable change to the host asset, the impact would be less than significant.

Residential Amenity

The use of the basement is for purposes ancillary to the main dwellinghouse and is capable of being occupied for ancillary uses without the need for planning permission.

Whilst the external alterations and access points would facilitate the use of additional entrance points to the property, activity is anticipated to low-key and not materially different to the use of the main, ground floor entrances. On this basis, it is unlikely that the alterations would give rise to any unacceptable noise and disturbance. The impact to residential amenity is therefore considered acceptable.

Whilst concerns have been raised that the basement could be used as a self-contained unit or to facilitate occupation as a HMO, such use would require separate planning permission. The applicant has indicated that the use of the basement would be ancillary to the use of the main house. Any use different to this would be treated as unauthorised development.

Security

As the basement access points are sunken and hidden from the public domain, there is concern that intruders could access the basement doors unseen, therefore compromising security.

As such, a condition has been included which requires security prevention measures to be incorporated. It is envisaged that this will take the form of lighting and/or CCTV.

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: Approve

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. Pre application advice has been sought in respect of this matter. The proposal is considered to be acceptable and therefore determined within a timely manner.

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

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

Location plan, proposed lower ground floor and ground floor plan (21) and proposed elevation and section A-A plan (22), received by the City Council as Local Planning Authority on 2 October 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

2) With the exception of the steps, the materials to be used on the external surfaces of the works hereby approved, shall match those of the existing building in type, size, colour and texture.

Reason - In order to ensure a satisfactory appearance, in the interests of visual amenity in accordance with saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

3) Within 3 months of the date of this decision, full details of crime prevention measures for the basement access points, shall be submitted to and agreed in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details and those measures shall be retained thereafter.

To protect existing and future occupiers from criminal activity due to the sunken nature of the basement areas and the limited natural surveillance from the public domain, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police

104 Clyde Road, Manchester, M20 2JN

Flat 5, 104 Clyde Road, Manchester, M20 2JN

Flat 3, 104 Clyde Road, Manchester, M20 2JN

Flat 4, 75 Northen Grove, Manchester, M20 2JL

Flat 2, 75 Northen Grove, Manchester, M20 2JL

Flat 1, 102 Clyde Road, Manchester, M20 2JN

Flat 4, 102 Clyde Road, Manchester, M20 2JN

79 Northen Grove, Manchester, M20 2JL

98 Clyde Road, Manchester, M20 2JN

Flat 5, 96 Clyde Road, Manchester, M20 2JN

Flat 1, 96 Clyde Road, Manchester, M20 2JN

Flat 2, 96 Clyde Road, Manchester, M20 2JN

Flat 3, 96 Clyde Road, Manchester, M20 2JN

Flat 4, 96 Clyde Road, Manchester, M20 2JN

Flat 4, 91 Clyde Road, Manchester, M20 2WW

Flat 7, 102 Clyde Road, Manchester, M20 2JN

Flat 4, 104 Clyde Road, Manchester, M20 2JN

Flat 2, 104 Clyde Road, Manchester, M20 2JN

Flat 1, 104 Clyde Road, Manchester, M20 2JN

Flat 7, 93 Clyde Road, Manchester, M20 2WW

Flat 6, 93 Clyde Road, Manchester, M20 2WW

Flat 5, 93 Clyde Road, Manchester, M20 2WW

Flat 4, 93 Clyde Road, Manchester, M20 2WW

Flat 3, 93 Clyde Road, Manchester, M20 2WW

Flat 2, 93 Clyde Road, Manchester, M20 2WW

Flat 1, 93 Clyde Road, Manchester, M20 2WW

Flat 3, 91 Clyde Road, Manchester, M20 2WW

Flat 2, 91 Clyde Road, Manchester, M20 2WW
Flat 1, 91 Clyde Road, Manchester, M20 2WW
77 Northen Grove, Manchester, M20 2JL
Flat 3, 75 Northen Grove, Manchester, M20 2JL
Flat 1, 75 Northen Grove, Manchester, M20 2JL
Flat 2, 102 Clyde Road, Manchester, M20 2JN
Flat 6, 102 Clyde Road, Manchester, M20 2JN
Flat 5, 102 Clyde Road, Manchester, M20 2JN
Flat 3, 102 Clyde Road, Manchester, M20 2JN
95 Clyde Road, Manchester, M20 2WW
89 Clyde Road, Manchester, M20 2WW

Appendix 2 – Planning constraints

Article 4 Direction - Removal of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA