

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135146/FO/2022

Date registered valid: 18 October 2022

Proposal: Erection of single storey rear extension to form a one bedroom self-contained dwelling

Address: 2 Elmsmere Road, Manchester, M20 6FL

Ward(s): Didsbury East Ward

Applicant: Mr Mohammed Azam, 43-45 Rye Bank Road , M26 0EP

Agent (if any): Mr Colin Williams, Alpha design, 11 Gilda Crescent Road, M30 9AG

Case officer: David Lawless
Tel: 0161 234 4543
Email: david.lawless@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 5 December 2022



Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 22 November 2022

Standard consultations:

Printed: 31 October 2022 Expired: 21 November 2022

Neighbour notifications

Printed: 31 October 2022 Expired: 21 November 2022

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/area

This application relates to one half of a semi-detached property located on Elmsmere Road. The property is currently in use as two flats, no. 2 Elmsmere Road on the first floor, while no. 2a Elmsmere Road occupies the ground floor. The first floor flat is in use as a “health clinic” offering a variety of services to visiting members of the public.

The front of the property is used for bin storage for no. 2A and car parking and rear access for no. 2. The rear of the property is hardsurfaced and is home to a ramshackle outbuilding. To the side of the outbuilding and separated from the amenity space by a palisade fence there is a sub-station.

The site is predominantly residential in nature, with residential properties adjoining the site on three sides and on the opposite side of Elmsmere Road. Notwithstanding this, the Fog Lane Local centre is located at the end of Elmsmere Road.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of development

The applicant is proposing to erect a single storey extension at the rear of the property to form an additional 1 bed self-contained dwelling.

Consultations & Notification Responses

Local Residents – Correspondence has been received from two local residents, the comments are summarised below:

- Building next to a substation may prove dangerous
- The extension would lead to overshadowing of the adjacent property.
- The area consists of semi-detached dwellings with adjoining back gardens, the addition of an extra dwelling in the back garden would add to the density, unbalancing the layout and ruining the current sense of space.
- There is already a lack of parking.
- The area at the rear of the property is mostly built over, this would worsen the situation and leave little room for planting/landscaping.
- If considered acceptable then the design of the proposal should be altered to make it less intrusive.

Ward Councillors – A letter of objection has been received from Cllr Wilson:

- The proposed development would constitute an overdevelopment of the site, being of a similar footprint to the existing property and taking up most of the garden space to the rear of the property.
- The proposed development would have a detrimental effect on the residential amenity on the neighbours, both at number 2 who would lose their outside space and on the surrounding properties in a fairly high density area with acute parking pressures.

Electricity Northwest – Have commented as follows:

- The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Land Rights & Consents, Frederick Road, Salford, Manchester M6 6QH.
- The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity
- The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night.

Highway Services – Have made the following comments:

- The site is well served by sustainable modes with regular bus services routed along Fog Lane and Parrs Wood Road. Burnage Train Station is located within a walkable radius of the site. East Didsbury Metrolink stop is within a 20minute walk of the site.
- The proposed extension is fully contained within the site's perimeter and does not impinge onto the adopted highway.
- Pedestrian access will remain as existing with an additional pedestrian entrance being created for the extension, this is acceptable to Highways.
- In-curtilage parking will remain as existing, which is acceptable to Highways.

- It is requested that 100% secure and sheltered cycle parking provision is provided on site.
- Refuse servicing will continue as present, bins will be stored within the sites curtilage and presented to the highway on waste collection days.

Environmental Health – Suggests the imposition of a refuse storage condition.

Greater Manchester Police – Recommend that the proposal be designed to Secured by Design specifications.

Policies

The National Planning Policy Framework July 2021 (NPPF) – The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan, i.e. the Core Strategy Development Plan Document and accompanying policies, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.

Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development, which for decision-taking means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In addition to the above, Section 5 (*Delivering a sufficient supply of homes*) is of relevance:

Paragraph 60 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

Paragraph 69 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.

National Design Guide (2021) – The NPPF makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide (NDG) illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The relevant sections in relation to this proposal are as follows.

Context – The NDG states that well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary (para 41). It states further, under paragraph 42 that well designed development proposals are shaped by an understanding of the context that identifies opportunities for design as well as constraints upon it. In addition, under paragraph 46, the guide states that when determining how a site may be developed, it is important to understand the history of how the place has evolved and how local history, culture and heritage have influenced the built environment and wider landscape. Paragraph 48 continues this vein by stating that well-designed places and buildings are influenced positively by:

- the history and heritage of a site, its surroundings and the wider area, including cultural influences;
- the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;
- the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details

Identity – The NDG states in paragraph 50 that well-designed places, buildings and spaces have a positive and coherent identity that everyone can identify with, including residents and local communities; have a character that suits the context, its history, how we live today and how we are likely to live in the future; and are visually attractive, to delight their occupants and other users.

Built form – In paragraph 65 it states that well-designed new development makes efficient use of land with an amount and mix of development and open space that optimises density. It also relates well to and enhances the existing character and context. The NDG states further in paragraph 66 that built form is determined by good urban design principles that combine layout, form and scale in a way that responds positively to the context.

Homes and buildings – Paragraph 123 states that well-designed homes and buildings: provide good quality internal and external environments for their users, promoting health and well-being; relate positively to the private, shared and public spaces around them, contributing to social interaction and inclusion; and resolve the details of operation and servicing so that they are unobtrusive and well-integrated into their neighbourhoods.

In paragraph 129, the NDG states that well designed buildings are carefully integrated with their surrounding external space. All private and shared external spaces including parking, are high quality, convenient and function well and amenity space should have a reasonable degree of privacy. It states further that external spaces are designed to respond to local character. Paragraph 130 states that well designed private spaces should be fit for purpose and incorporate planting wherever possible.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy H1, Overall Housing Provision – This policy states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors and goes on to state that new residential development 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;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of
- the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF 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 (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours.

Policy H6, *South Manchester* – 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 EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy DM1, *Development Management* – This policy 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:-

- 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.

- Vehicular access and car parking.
- Flood risk and drainage.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

Issues

Principle of the Proposal – It is proposed to site the accommodation to the rear of no. 2/2A Elmsmere Road, between the existing property and an electricity sub-station. As the existing property is currently in use as two flats, this proposal would increase that number to three. Originally, this property would have been in use as a single semi-detached dwelling and the overwhelming character evident along Elmsmere Road and the surrounding roads is still one of family homes.

This proposal, which would result in the building over of most of the rear private amenity space, constitutes overdevelopment and would have a detrimental impact upon the overall character of this predominantly residential area. As a result, the principle of providing an additional dwelling on the site is not considered acceptable.

Car Parking – This proposal would result in the loss of the side-rear parking area and all that would remain is a single space at the front. This is considered an inadequate provision for what would be three units. As Elmsmere Road is subject to high instances of on-street parking, as evidenced below, it is considered that increasing this, due to the lack of adequate parking facilities, would have a detrimental impact on the existing levels of pedestrian and highways safety enjoyed along that road and in the surrounding neighbourhood.



Residential Amenity – The residents of no. 4 Elmsmere Road should be able to enjoy their private amenity space with little disturbance. However, it is considered that the comings and goings of the occupant(s) and their visitors would have a disruptive effect upon this enjoyment.

As such, it is considered that the introduction of an additional dwelling in the location proposed would have a detrimental impact upon the levels of amenity enjoyed by the occupants of no. 4 Elmsmere Road when using their rear private amenity space.

Amenity Space – The amount of private amenity space remaining within the curtilage of the site would be insufficient for the enjoyment of three separate households.

Design – The design of the proposal is adequate.

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

The proposal was assessed against the policies within the Manchester Core Strategy Development Plan Document (2012), the Manchester Residential Quality Guidance (2017) and the guidance contained within the National Planning Policy Framework (2019). The applicant was advised that the provision of residential accommodation in this location would not be appropriate as it constituted overdevelopment, lacked sufficient off-street parking and offered a poor standard of accommodation. As the nature of the proposal was considered to be unacceptable and the applicant has requested that the proposal be determined in its current format, a solution that was acceptable to both the Local Planning Authority and the applicant could not be reached.

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

- 1) Having regard to the character and density of development in the vicinity of the site, the proposed development, due to its footprint and the number of units proposed, is considered to be overdevelopment and would therefore be detrimental to existing levels of visual and residential amenity, contrary to policy DM1 in the Manchester Core Strategy and guidance contained within the National Planning Policy Framework and National Design Guide.
- 2) The proposed development, due to the inadequate number of parking spaces proposed and loss of existing parking spaces, would lead to an increase in on-street parking in an area that experiences a high demand for on-street parking spaces. This increase in on-street parking would have a detrimental impact upon the levels of pedestrian and highway safety enjoyed along Elmsmere Road, contrary to Policy DM1 in the Manchester Core Strategy Development Plan Document.
- 3) The siting of an additional dwelling in the location proposed would lead to a loss of residential amenity for the residents of no. 4 Elmsmere Road as a consequence of the comings and goings of the future occupants and their visitors and the associated noise and disturbance. The proposed development would therefore conflict with policies DM1 and SP1 of the Manchester Core Strategy.

4) The proposed development, due to its design and layout, would result in the provision of inadequate levels of private external amenity space for the proposed and existing dwellings. As a result, the proposal would be contrary to the guidance contained within the Manchester Residential Quality Guidance, the National Planning Policy Framework, the National Design Guide and policy DM1 in the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Electricity Northwest
Highway Services
Environmental Health
Greater Manchester Police
6 Elmsmere Road, Manchester, M20 6FL
275 Parrs Wood Road, Manchester, M20 6JZ
273 Parrs Wood Road, Manchester, M20 6JZ
4 Elmsmere Road, Manchester, M20 6FL
1 Elmsmere Road, Manchester, M20 6EY
277 Parrs Wood Road, Manchester, M20 6JZ
271 Parrs Wood Road, Manchester, M20 6JZ
216 Fog Lane, Manchester, M20 6EL
220 - 222 Fog Lane, Manchester, M20 6EL
1A Elmsmere Road, Manchester, M20 6EY
218 Fog Lane, Manchester, M20 6EL
1 Norwood Avenue, Manchester, M20 6EX
269 Parrs Wood Road, Manchester, M20 6JZ
2A Elmsmere Road, Manchester, M20 6FL

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA