

Planning

Growth & Development

Delegated officer report for planning application

Application no.	134524/JO/2022
Date registered valid:	28 July 2022
Proposal:	Application to vary condition no. 2 (approved drawings) attached to planning permission 128090/FO/2020 to allow for amendments to the elevations and internal layout
Address:	10 Cranmer Road, Manchester, M20 6AW
Ward(s):	Didsbury East Ward
Applicant:	Mr Phil Heneghan 10 Cranmer Road, Manchester, M20 6AW
Agent (if any):	Mr Matthew McNulty McNulty Architects 12 Hartington Road, Manchester, M21 8UY
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	1 September 2022

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 August 2022 Expired: 24 August 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

The application site relates to the rear garden of 10 Cranmer Road. The properties on Cranmer Road are large two storey semi-detached properties and their plots vary in size with the properties along the eastern side of the road (even numbers) predominately having large rear gardens which abut onto Sussex Avenue. This includes the application site.

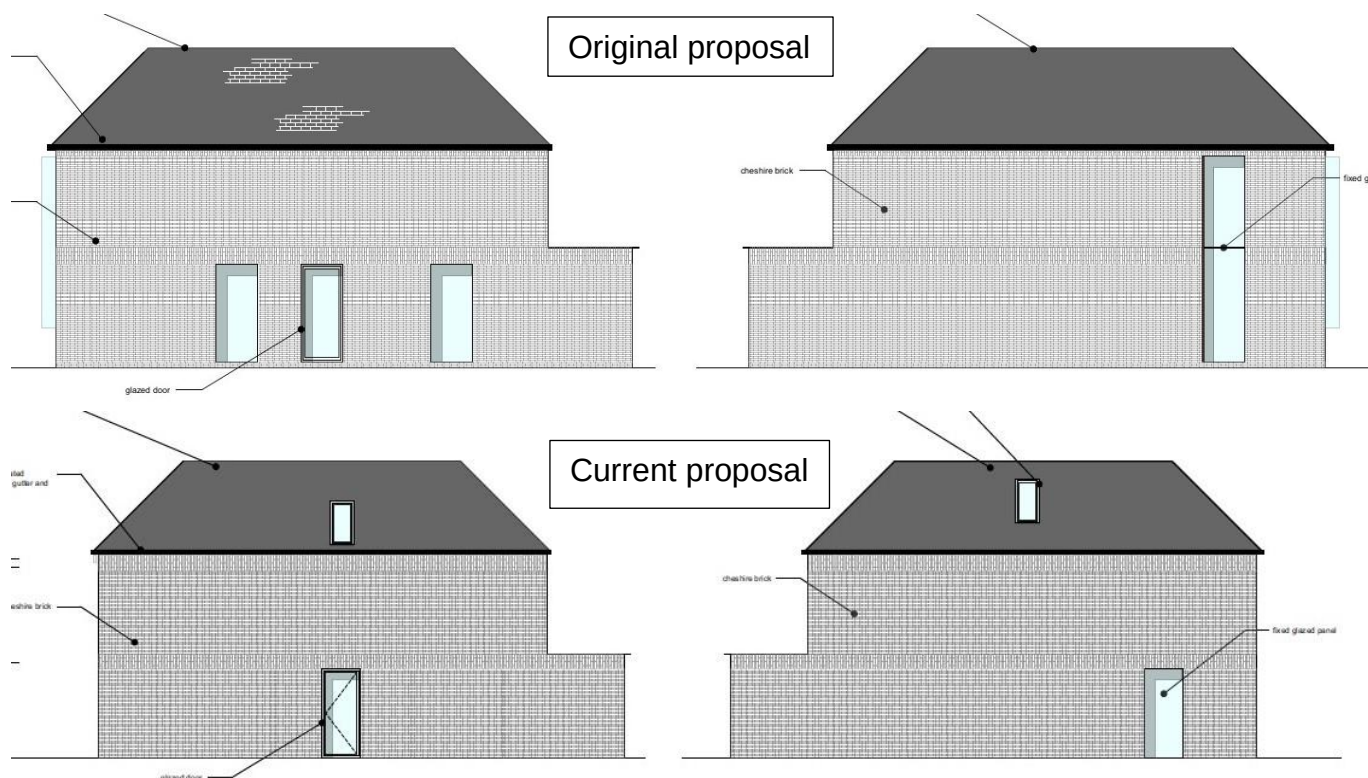
Sussex Avenue is a narrower road with properties predominately on the eastern side of the road. These properties are two storey detached properties with front and rear gardens. Fog Lane Park lies to the north of Cranmer Road and Sussex Avenue with pedestrian access from Sussex Avenue.

Listed building: No
Conservation area: No
Tree Preservation Order: No

Description of development

The applicant is applying to vary condition no. 2 (approved drawings) attached to planning permission 128090/FO/2020 in order to allow for amendments to the elevations and internal layout.

The proposal would reduce the amount of glazing on the side elevations (see below), remove the glazed bay to the front elevation, as well as install opening windows to the front and rear elevations and rooflights to the side roof slopes.



Consultations & Notification Responses

Local Residents – no comments received.

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.

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 sited 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 DM1, *Development Management* – This policy states that all development should have regard to a number of issues, in this instance the most relevant are considered as follows:-

- 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.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Flood risk and drainage.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Issues

Principle of the Proposal – The principle for a new dwelling has already been established with the granting of the original planning permission (128090/FO/2020). Notwithstanding this, the impact of the proposed changes to the internal layout and elevations needs to be assessed to determine whether they would have a detrimental impact on existing levels of residential and visual amenity.

Design – It is not considered that the reduction in glazing to the side elevations, the removal of the glass bay on the front elevation, the use of opening windows to the front and rear elevations and the installation of rooflights detracts from the original design. Overall, the design of the proposal remains acceptable.

Internal Layout – The minor amendments to the internal layout are considered acceptable. The levels of accommodation proposed would still comply with the Nationally Described Space Standards.

Residential Amenity – Amendments to the internal layout and elevations would not have a detrimental impact upon the levels of residential amenity enjoyed within the vicinity of the site.

Visual Amenity – The variations to the design of the proposed dwelling are considered acceptable and would not change the overall character of the proposal. As a result, it is not considered that the proposal would have a detrimental impact upon the levels of visual amenity enjoyed within the vicinity of the site.

Pedestrian and Highway Safety – The proposal would not have a detrimental impact upon the current levels of pedestrian and highway safety enjoyed along Sussex Avenue.

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 to resolve any matters arising in relation to dealing with the planning application.

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

1) The development must be begun not later than the expiration of three years beginning with the date of the original planning permission (128090/FO/2020) approved on 11 February 2021.

Reason - Required to be imposed pursuant to Section 92 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:

- a) Drawing no. 1926-101 Revision K, stamped as received on 28 July 2022
- b) Drawing no. 1926-102 Revision G, stamped as received on 28 July 2022
- c) Drawing no. 1926-103 Revision D, stamped as received on 28 July 2022
- d) Drawing no. 1926-1000 Revision D, stamped as received on 28 July 2022
- e) Drawing no. 1926-201 Revision H, stamped as received on 28 July 2022
- f) Drawing no. 1926-202 Revision H, stamped as received on 28 July 2022
- g) Arboricultural Impact Assessment and Arboricultural Method Statement stamped as received by the City Council as Local Planning Authority, on the 28.09.2020

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.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification) the dwellinghouse 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 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) than the purpose(s) of C3(a).

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

4) 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 outbuildings, garages or extensions; shall be erected other than those expressly authorised by this permission.

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 and

amenity space that is suitable for people living as families and easement for underground services pursuant to policies DM1 and H7 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

5) The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Manchester Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

6) The boundary treatment shall be implemented in accordance with the details approved under Discharge of Condition Application CDN/21/0703 and be completed prior to first occupation of the development hereby approved and 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 policies SP1 and DM1 of the Manchester Core Strategy.

7) The single storey flat roof, as shown on drawings no. 1926-102 Revision G and 1926-201 Revision H, stamped as received on 28 July 2022, shall not be used as a roof terrace or balcony area.

Reason - To protect the amenity of the surrounding residential properties from overlooking pursuant to policy DM1 of the Manchester Core Strategy

8) Before first occupation the side windows in the first and ground floor elevations shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

9) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Manchester Core Strategy.

10) The landscaping scheme, approved under Discharge of Condition Application CDN/21/0703, shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

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

11) The tree protection measures shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement prepared by Mulbery stamped as received by the City Council as Local Planning Authority, on the 28.09.2020

In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction) and Arboricultural Impact Assessment.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

12) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

13) The measures for investigating the site, approved under Discharge of Condition Application CDN/21/0703, shall be carried out, before the development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

14) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy as part of condition 13 and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

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

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to policies DM1 and EN18 of the Manchester Core Strategy.

15) The development shall be implemented in accordance with the materials approved under Discharge of Condition Application CDN/21/0703.

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 Manchester Core Strategy

16) The development shall be constructed and completed in accordance with the drainage details approved under Discharge of Condition Application CDN/21/0703.

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

17) The approved vehicle charging scheme, approved under Discharge of Condition Application CDN/21/0703, shall be implemented prior to the first use of the development and made available and thereafter retained for as long as the development is in place.

Reason - In the interest of promoting alternatives and minimising the impact of the development on air quality pursuant to policies EN16 of the Manchester Core Strategy.

Informatives

1) **Highways** - Vehicle and pedestrian access to the development is proposed from Sussex Avenue. In order to facilitate access onto the driveway a new dropped crossing will be required via a Section 184 Agreement with MCC Highways.

Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

5A Sussex Avenue, Manchester, M20 6AQ
12 Sussex Avenue, Manchester, M20 6AQ
5C Sussex Avenue, Manchester, M20 6AQ
10 Sussex Avenue, Manchester, M20 6AQ
8 Sussex Avenue, Manchester, M20 6AQ

8 Cranmer Road, Manchester, M20 6AW
12 Cranmer Road, Manchester, M20 6AW

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