

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134422/FH/2022

Date registered valid: 20 July 2022

Proposal: Installation of external rear steps in association with the conversion of the existing basement

Address: 41 Chequers Road, Manchester, M21 9DX

Ward(s): Chorlton Ward

Applicant: Mr Jordan Robery, 41 Chequers Road, Manchester, M21 9DX

Agent (if any): Mr G Farmer, Maple Building Design Limited, 8 Linden Grove, Stockport, SK7 1HT

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 5 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 27 July 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 25 July 2022 Expired: 15 August 2022

Site notice

Posted: 27 July 2022 Expired: 17 August 2022

Press advert

Published: 2 August 2022 Expired: 23 August 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Wilbraham Road/Edge Lane (Extension) Conservation Area 2007

Tree Preservation Order: NO

Description of site/building

The site relates to a two storey terraced property located on Chequers Road in the Chorlton ward area of Manchester. The property is located within the Wilbraham Road/Edge Lane (Extension) Conservation Area 2007.

The application seeks planning permission for the installation of an external rear steps in association with the conversion of the existing basement

There has been no previous planning applications at the address.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and a site notice was erected close to the site due to the site being in a conservation area and no representation were received.

Issues

Unitary Development Plan

Saved Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC18.1 The Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
 - ii) the effect of major changes to the appearance of existing buildings;
 - iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
 - iv) the effect of signs and advertisements;
 - v) any further guidance on specific areas which has been approved by the Council.
- b. The Council will not normally grant outline planning permission for development within Conservation Areas.
- c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

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.

Policy SP1 identifies the City Council's Core Development Principles and states that 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
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 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 and 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.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Policy EN3 states that throughout the City, the Council will encourage development that compliments and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including conservation areas.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

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. However, paragraph 10 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: 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 or specific policies in this Framework indicate development should be restricted.

Issues

Principle

As the proposal seeks to adapt a residential property policy DM1 and saved policy DC1.1-1.6 are applicable.

Consideration has, however, been given as to whether the scale, massing, design and appearance of the proposal is acceptable. In addition, consideration has been given to any impact the proposed development may have on the residential and visual amenity of neighbouring occupiers and the residential area.

Furthermore, as the property is within a conservation area policies EN3 and saved policy DC18 are applicable, and assessments against the proposal's impact upon the character of the conservation must be made.

Scale and Massing

The proposed includes the fitting out of an existing basement area which are permitted. However, the external means of access and the handrail need consent.

The proposed lightwell excavation would be similar in scale to other properties on Chequers Road and would be somewhat screened by the rear boundary treatment that is to be retained.

It is not considered that the proposal is overly dominant or bulky and the proposal would be subservient to the main house.

Residential amenity/visual amenity

It is not considered that the proposal would give rise to any significant loss of privacy, or create any overlooking due to its positioning.

Therefore, the proposal is considered to be acceptable in this location and would not create any undue loss of visual or residential amenity to neighbouring occupiers.

Impact on character of the conservation area

The proposal is quite modest in scale and the proposed materials including common red brick to match existing with stone coping on top of retaining wall, flag paving on new concrete steps leading to the basement and metal guardrail on top of brick retaining wall, are in keeping with the original house and neighbouring properties. It is not considered that the proposals would be harmful to the character of the conservation area.

Conclusion

It is therefore considered that the proposals are in accordance with City Council saved policies DC1.1, DC1.2, DC1.3, DC18 of the Unitary Development Plan and policies DM1, SP1, EN3 of the Core Strategy.

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.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

100 Location Plan and Site Plan and drawing number 101, stamped as received on the 20 July 2022.

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

3) The materials to be used on the external rear steps hereby permitted, as specified on the submitted application form and approved drawings in Condition 2.

Reason - To ensure the appearance of the building to be altered is not adversely affected by the materials to be used. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

36 Chequers Road, Manchester, M21 9DY
34 Chequers Road, Manchester, M21 9DY
48 Wilton Road, Chorlton, Manchester, M21 9DW
46 Wilton Road, Chorlton, Manchester, M21 9DW
43 Chequers Road, Manchester, M21 9DX
39 Chequers Road, Manchester, M21 9DX

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 - Wilbraham Road/Edge Lane (Extension) Conservation Area 2007
Area Team Boundary - Name: SOUTH AREA