

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134104/FO/2022

Date registered valid: 20 June 2022

Proposal: Erection of a first-floor side extension

Address: 120-122 Barlow Moor Road, Manchester, M20 2PU

Ward(s): Didsbury West Ward

Applicant: Mr James Ramsbottom, Elle R Leisure Lower Ground Floor, Eastgate, 2 Castle Street, Manchester, M3 4LZ

Agent (if any): Christopher Hymas, Fasciato Architects 14A Regent Road, Altrincham, WA14 1RP

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 August 2022



Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 01 August 2022

Standard consultations:

Printed: 1 July 2022 Expired: 22 July 2022

Neighbour notifications

Printed: 1 July 2022 Expired: 22 July 2022

Site notice

Posted: 1 August 2022 Expired: 21 August 2022

Press advert

Published: 5 July 2022 Expired: 26 July 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is a detached mid to late C19 building in use as a restaurant in a prominent position on the north side of Barlow Moor Road. The site faces the junction of Mersey Road and is elevated from street level. There is a paved front curtilage partly under a glazed canopy, single storey brick extension on the west side and small tarmac surface parking area at the rear. The building is rendered white with steep cross-gable roofs at each end and 2no. small dual-pitched dormers on the front elevation.

Listed building: Not applicable

Conservation area: Albert Park Conservation Area 1988

Tree Preservation Order: Not applicable

Description of area

The building is sited within a largely residential setting comprised of red-orange brick Victorian villas set within a mature landscaped setting including street and garden trees.

Description of development

Erection of a first-floor side extension.

The extension is to provide staff with internal access to a first floor plant room.

Consultations & Notification Responses

23no. neighbours were notified of the proposal and a site notice displayed outside the site; one objection was received as set out below:

Objection comments:

The proposal by virtue of its siting and appearance in the conservations area, would be visually intrusive and represents an over intensification of an existing development, which is already at capacity. (By far- 160 seating with only 12 parking spaces).

The applicants state "The new stair will allow the Applicant's staff to practically and safely access the first and second floor plant areas for maintenance and also allow utilizing the remaining first floor space for storage." but does not state the issues with the existing access provision.

The proposed extension for access purposes appears to be excessive for the suggested purpose of maintaining plant and could be suggested as a prelude for further extensions for additional customers, when there is already significant customer issues with parking, etc...

The drawings refer to LINE OF NEW ROOFTOP PLANT which is not clear. Any additional external plant would be considered obtrusive and noisy in the residential area.

For the above reasons, the application should be refused.

ALSO, This is a residential and there have already been lots of issues with noise from patrons especially when they are intoxicated at closing time and causing disruption on leaving the premises.

The issue about traffic congestion/parked cars is a major issue for such a residential area which is already densely populated

West Didsbury Residents Association – No comments received.

Policy

The Development Plan

The Development Plan consists of:

- o The Manchester Core Strategy (2012);
- o Extant policies within the Unitary Development Plan for the City of Manchester (UDP) (1995);
- o The National Planning Policy Framework (2021)

The Manchester Core Strategy

The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. The policies that are material to this application include:

Policy SP1 'Spatial Principles' one of the key spatial principles is the emphasis on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

The policy goes on to state that development in all parts of the City should:

- o Make a positive contribution to neighbourhoods of choice including;
- o Creating well designed places that enhance or create character.
- o Making a positive contribution to the health, safety and well-being of residents;
- o Considering the needs of all members of the community;
- o Protect and enhance the built and natural environment.
- o Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

- o 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 EN1 'Design principles and strategic character areas' states that all development in Manchester will be expected to follow the seven principles of urban design. 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. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

Policy EN3 'Heritage' states that the Council will encourage development that complements and take 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 (including Conservation Areas).

Policy DM1 'Development Management' all development should have regard to the following specific issues:

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o 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.
- o 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.
- o Community safety and crime prevention;
- o Design for health.
- o Adequacy of internal accommodation and external amenity space.
- o Refuse storage and collection.
- o Vehicular access and car parking.

For the reasons set out below, it is considered that the proposal conflicts with the above Core Strategy policies.

The Unitary Development Plan for the City of Manchester (1995).

For the reasons set out below, the proposed development is considered to conflict with the following saved UDP policies which are material to the application:

DC18.1 (Conservation Areas) Extant policy DC18.1 states that the City Council will seek to preserve and enhance the character of its designated Conservation Areas.

National Planning Policy Framework (July 2021)

The central theme of the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role. Chapter 16 of the Framework requires that the significance of heritage assets is identified and that developments affecting heritage assets should seek to preserve and enhance them, assessing the level of harm that could potentially ensue and highlight the public benefits which could outweigh any harm. Specifically, the paragraphs below are material to the assessment:

Para 130 – Developments should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, sympathetic to local character and history and establish or maintain a strong sense of place;

Para 189 – Heritage assets should be conserved in a manner appropriate to their significance;

Para 197 – In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness;

Para 200 - Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification;

Para 202 – In cases of less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal;

Para 206 - Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance.

Issues

Principle

The Council is broadly supportive of the principle of the extension provided that all internal options / rear elevation options have been explored first and a satisfactory case can be made to reduce visual harm. During negotiations, the applicant confirmed that external options were not available as access from the ground floor had been designed out under a previous approval (089976/FO/2009/S2).

The application was referred to the Urban Design and Heritage Planning Officer for review who supports the proposal.

Impact on the Conservation Area

The principle of extending buildings within the context of Conservation Areas is acceptable provided that there is no harm to the legibility of the host building or the character of the heritage asset. The building in this application is considered a non-designated heritage asset situated within a prominent position facing the junction of Barlow Moor Road and Mersey Road, a very busy junction within the heart of the Conservation Area.

National and local policies and legislation protecting heritage assets require that local planning authorities and applicants identify the significance of those assets and that planning decisions preserve and enhance them or justify any harm in terms of the public benefits of the proposal. The application is accompanied by a Design and Access and Heritage Statement which adequately describe the significance of the heritage asset.

The Council's Conservation Area designation identifies the key elements of value which contribute towards its significance. These comprise the area's architectural merits with specific reference to the quality of building frontages, their architecture, materials, mature landscaped setting, boundary walls and trees.

For the purposes of this assessment, the applicant's Heritage Statement describes the values ascribed to the building and wider Conservation Area. In terms of the building, this is described

as a "significant local landmark" (Paragraph 5.2.3) and is a "significant contributor to the street scene and historic character and appearance of the conservation area within which it lies and is therefore considered to be a 'key building' " (Paragraph 6.2).

The extension would sit on top of an existing single storey flat roof brick extension that is set back 5 metres off the front elevation on the left-hand side of the building. It has a solid wall construction comprising of brick to match the ground floor extension with a sloping monopitch roof and front window. The roof meets the eaves of the original building. Taking account of its siting on top of the ground floor extension, which is 3.8 metres high to the flat roof, the first floor would stand 7.5 metres at its highest point above ground level, and 5 metres at its lowest point. The width is 3.5 metres and depth extends back 4.5 metres to the rear building line. The extension contains a staircase from the ground floor extension into the first floor where there is access across the width of the building to the plant room.

The Council contends that the first-floor extension adds to the cumulative mass and breath of the modern additions and has no precedence on site. By reason of its mass, height and form, the extension would erode the architectural and aesthetic interest of the existing frontage to some extent, albeit this itself has been compromised through modern interventions particularly through the loss of original ground floor windows. The extension will interrupt the relationship between the building and Victorian semi's to the west (Nos.124-126 Barlow Moor Road), increasing the urban grain of the locality, which is characteristic of the wider conservation area.

Whilst harm to a designated heritage asset, irrespective whether substantial or less than substantial, should be avoided, paragraphs 200 and 202 of the NPPF are clear in that a degree of harm could be considered acceptable if supported by clear and convincing justification and outweighed by the public benefits that a scheme would deliver.

The Design & Access Statement notes that *"the current design does not allow internal access to the first floor of the building and the existing first and second floors which are used for plant are only accessible via an external access ladder"*. The means by which the first-floor storage is accessed is therefore unclear as it is presumed this is an area that requires frequent access. Notwithstanding this, the earlier approval which severed first floor access establishes a case for rectifying the current *"impractical and unsatisfactory"* arrangement to secure a feasible future for the building.

Considering the level of interventions into historic and modern fabric that an alternative option would require, the current solution seems to offer the least invasive response. As such, whilst the new extension would cause a degree of harm to the special significance of the Conservation Area, it is considered to be less than substantial in NPPF terms and so complies with paragraphs 200 and 202 of the NPPF.

In terms of materials, the proposed brick to match existing extension is acceptable, enabling the extension to be clearly read as a modern addition that would not challenge the architectural interest and appearance of the non-designated heritage asset. The brickwork of the existing extension is considered sufficiently distinct from the adjacent Victorian villas as to distinguish the proposed extension from them. Discussion of other options including a glazed or rendered finish would increase the prominence of the extension to the further detriment of the street scene and character of the conservation area.

On balance, the proposal is considered to be acceptable from heritage and urban design perspectives. It complies with paragraphs 200 and 202 of the NPPF and, should it receive any approval, conditions are recommended that the window joinery details, including a cross-section (scale 1:5 or 1:10 as appropriate), and brickwork (sample/product specifications) are submitted for approval.

On the basis of the above, the proposal complies with Chapter 16 - paragraphs 197, 200 and 202 of the NPPF, Core Strategy policy EN3 and saved UDP policy DC18.1.

Other matters

The application received one objection on notification. Concerns regarding the appearance of the proposal have been addressed above. The other points of concern raised; intensification of the use, parking and noise and disturbance are not discussed in this report given the small footprint of the extension and its stated use for staff access in the supporting documents and drawings. Existing roof-top plant is not impacted by the proposal in this application.

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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application for the reasons outlined in the delegated report. The application was delayed whilst clarification was sought for the external extension in this location particularly as the first floor is annotated as storage space as well as the location of plant. Consideration was also given to alternative materials which could lessen the appearance of the extension.

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 as referenced, received on the 20th of June 2022 or as stated:

Application Form

Drawing - Location Plan 1842.00
Drawing - Existing Ground Floor Plan / Site Plan 1842.Ex01
Drawing - Existing First & Second Floor Plans & Roof Plan 1842.Ex02
Drawing - Existing Elevations 1842.Ex03
Drawing - Existing Sections 1842.Ex04
Drawing - Proposed Section
Drawing - Proposed Ground Floor Plan / Site Plan 1842.PI01b
Drawing - Proposed First & Second Floor Plans & Roof Plan 1842.PI02c
Drawing - Proposed Elevations 1842.PI03b
Design & Access Statement
Heritage Statement

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to saved policies DC1 and DC18.1 of the Unitary Development Plan, policies DM1 and EN3 of the adopted Core Strategy for the City of Manchester and Chapter 16 of the National Planning Policy Framework (2021).

3) Prior to construction of the development hereby approved, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials.

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, in accordance with policies EN1, EN3, SP1 and DM1 of the Core Strategy for the City of Manchester, Chapter 16 of the NPPF, and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

4) Prior to the commencement of works hereby approved, window joinery details, including a cross-section (scale 1:5 or 1:10 as appropriate) for the south-facing window in the front elevation of the development hereby approved, shall be submitted for approval in writing by the City Council, as Local Planning Authority. The works shall then be carried out in accordance with the approved details.

Reason - To ensure a satisfactory appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area, in accordance with policies EN1, EN3, SP1 and DM1 of the Core Strategy for the City of Manchester, Chapter 16 of the NPPF, and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

West Didsbury Residents Association

111 Clyde Road, Manchester, M20 2WW
132 Old Lansdowne Road, Manchester, M20 2NY
Basement Flat, 132 Old Lansdowne Road, Manchester, M20 2NY
Flat 3, 124 Barlow Moor Road, Manchester, M20 2PU
Flat 2, 124 Barlow Moor Road, Manchester, M20 2PU
Flat 1, 124 Barlow Moor Road, Manchester, M20 2PU
Flat 6, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 5, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 4, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 3, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 2, 126 Barlow Moor Road, Manchester, M20 2PU
Flat 1, 126 Barlow Moor Road, Manchester, M20 2PU
107 Clyde Road, Manchester, M20 2WW
95 Old Lansdowne Road, Manchester, M20 2NZ
124 Barlow Moor Road, Manchester, M20 2PU
126 Barlow Moor Road, Manchester, M20 2PU
Flat 4, 109 Clyde Road, Manchester, M20 2WW
Flat 3, 109 Clyde Road, Manchester, M20 2WW
Flat 2, 109 Clyde Road, Manchester, M20 2WW
Flat 1, 109 Clyde Road, Manchester, M20 2WW
Didsbury Business Centre, 137 Barlow Moor Road, Manchester, M20 2PW
118 Barlow Moor Road, Manchester, M20 2PN
130 Old Lansdowne Road, Manchester, M20 2NY

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