

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133954/FH/2022

Date registered valid: 10 June 2022

Proposal: Installation of 1.7m high entrance gates to drive, pedestrian gate and erection of a single storey outbuilding to rear

Address: 20 Elm Road, Manchester, M20 6XD

Ward(s): Didsbury West Ward

Applicant: Mr A Halpenny 20 Elm Road, Manchester, M20 6XD

Agent (if any): Mr Paul Judge Paul Judge Design 49 Bideford Road, Stockport, SK25AX

Case officer: Janet Lawless
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Recommendation: Approve

Date of recommendation: 5 August 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 04.08.2022 second visit

Standard consultations:

Printed: 17 June 2022 Expired: 8 July 2022

Neighbour notifications

Printed: 17 June 2022 Expired: 8 July 2022

Site notice

Posted: Expired: Posted: 13 July 2022 Expired: 3 August 2022

Press advert

Published: 21 June 2022 Expired: 12 July 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site is a detached Arts and Crafts style dwelling house situated on the eastern side of Elm Road in the Didsbury West ward. The property, which is within the Blackburn Park Conservation Area, occupies a proportionately large plot in comparison to other neighbouring dwellings on the street, a substantial proportion of which is made up of the rear garden. The dwelling has a rectangular plan form with the building line towards the front of the plot and a complex roof structure with different ridge heights and orientations. The property also benefits from previous alterations and enlargement some which are historical prior to 1979. The neighbouring property at number 22 projects rearward beyond number 20 quite considerably.

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: No – Conservation area coverage

Description of area

The area is predominantly residential in nature made up of large family dwelling houses with substantial rear gardens. The properties are a mix of brick and render with hipped and gabled roof lines. Each of the properties are individually architecturally designed,

Description of development

The proposal is for the installation of 1.7m high entrance gates to drive, a 1.7m high pedestrian access gate and erection of a single storey outbuilding to rear. The entrance gates would be wrought iron recessed 1.7m high sliding gates. The detached building in the rear garden is to provide a sheltered space accessible from the new bedroom which will allow comfortable enjoyment of the garden. The building will comprise a natural oak frame with brick infill panels to the rear and one side. The roof will be clad with plain clay tiles to match the existing house and brickwork will be of a size and colour to match the existing house. It will have a hipped roof. It would be sited just off the common boundary with number 22 Elm Road.

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Blackburn Park Conservation Society- no representations have been received.

Highways- The proposed erection of a single storey outbuilding is fully contained within the site's perimeter and therefore poses no highway issues.

The sliding nature of the gate ensures no obstruction to passing pedestrians on the footway however should be visually permeable from a height upwards of 600mm.

Plans show that the new pedestrian access will provide inward opening gates to ensure they do not impact on the adopted footway or highway, which is acceptable to Highways.

The distance from the new pedestrian access point to the existing lamp post on Elm Road is acceptable and Highways have no objections to the proposal.

HS2- were consulted and confirm that the land falls within sub-surface safeguarding, however the proposed development is minor in nature and will not impact HS2 works in that location.

Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o DC18 for Conservation Areas
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 3 Heritage
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

Principle

The principle of allowing residents to extend 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 instance the principle of the proposal is considered acceptable. It is enabling improved use of the garden area by catering for the specific needs of the occupant, and it is not believed that there are any factors of sufficient weight that would merit refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

There are seven previous applications relating to this site as follows:

073855/FH/2004/S2 - Application Approved - 20.12.2004. Erection of pitched roof over existing single storey rear extension and enlargement of existing first floor rear dormer

076525/TCA/2005 Application Closed -

076605/TCA/2005/S2 - Application Approved - 07.09.2005 NOTIFICATION OF INTENT TO CARRY OUT WORKS TO TREES WITHIN BLACKBURN PARK CONSERVATION AREA to fell various trees and remove one self set goat willow tree from garden

111087/FH/2016/S2 - Application Approved - 08.03.2016. Erection of a 2 storey rear extension with associated elevational alterations to existing rear elevation, installation of dormer to the side elevation with associated elevational alterations to the side elevation, following demolition of existing conservatory and removal of porch screen to the front.

115431/FH/2017 - Application Approved - 25.04.2017 . Erection of a two-storey rear extension and a single-storey rear extension, installation of rear dormer and two rooflights, roof and elevational alterations including introduction of a new bay window to the rear, following the demolition of the existing rear extension and conservatory.

124615/TCA/2019 - No objection - 07.10.2019 Works to trees - proposed pruning works to T1 grey willow, T4 silver birch and hawthorn, T5 apple T6 magnolia and felling of T2 grey willow.

132462/FH/2021- Application Approved-14.02.2022 Alterations and conversion of garage to provide accommodation for disabled person including raising the height of the walls and roof and building a new bay window in place of the existing garage door and ramp access to the rear

Residential Amenity

The applicant is proposing to install 1.7 m high wrought iron decorative gates within the front elevation. They would be recessed so as not to sit back of pavement they would have a sliding mechanism. There is also a pedestrian gate of the same wrought iron materials and design proposed further along the front boundary. The pedestrian gate would be inward opening. In addition to this a part brick sided and part open sided garden shelter is proposed set off the common boundary with number 22 Elm Road. This is to provide a sheltered external area for the disabled occupant to be able to enjoy the garden and is proposed in this location to enable ease of access from the accessible accommodation created through the conversion of the garage under a previous application.

There is a 2 metre high boundary in this location, and the impact of the development proposed is really the amount that the proposed structure is raised above the boundary, and what impacts if any this has on the enjoyment of the neighbouring property by its' occupants. There are no windows in the proposed garden structure, and for additional privacy the solid brick elevations are the ones closest to the boundary. The roof has been hipped, with the only real additional height being central to the structure. It is not considered that the additional height above the existing boundary would result in overshadowing, loss of light or loss of privacy. It is therefore considered that it would not result in a detrimental impact upon the residential amenity currently enjoyed by the neighbouring properties.

The garden structure would not be visible from within the street scene being internal to the garden and bounded on three sides by neighbouring gardens. The new gates on the frontage would be visible from within the street scene, however these are light in their design, and are not a solid finish, being fully visually permeable. The remainder of the front boundary treatment would be retained as a low brick wall with hedging behind. The development benefits the needs of a disabled user residing at the property, therefore in this instance the proposal is considered acceptable and therefore complies with The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and Saved Policies DC1 and DC1.5 of the Unitary Development Plan.

Overall, it is considered that the proposed development would not provide a significant impact upon the residential amenity of the adjoining occupiers and surrounding properties in the area and therefore is considered accords with Core Strategy Policy DM1 and SP1 and saved policy DC1 of the UDP.

Given the very large external footprint of the property, It is felt that the proposal can be easily accommodated at the site and is considered that the proposal would not interfere with the existing characteristics of the area.

Siting, scale and massing

The proposal has been sited and designed to ensure that it is subservient to the original dwelling house, is not excessively large or bulky and are therefore considered to accord with the principles set out in saved UDP policies DC1 and accords with Core Strategy policies DM1 of the Core Strategy.

Impact on the Blackburn Park Conservation Area

The garden structure would be located in a suitable position and cannot be viewed readily from the main road as such it would not interfere with the existing characteristics of the conservation area. Material choices for the gates would be an acceptable selection for the conservation area mirroring historical railing styles that would be appropriate to the age of the property, and many of the other boundary treatments already present locally within the Conservation area.

On balance, it is believed that the proposal would not harm the character of the Conservation Area and is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Design

The proposal is considered acceptable, and the materials used are sympathetic and typical of many free standing structures of this nature. The timber proposed is oak with brick work panels forming the two enclosed sides. The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use matching materials as specified in the application form.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Waste management

The storage of bins are not affected by this proposal.

Parking

Current parking arrangements are unaffected by this proposal.

Conclusion

The proposal complies with the above policies; it received no objections, and the City Council recognises the importance of adapting homes to suit changing household needs and accommodate disabled residents. The single storey free standing unit would improve the safety and comfort of the dwelling for the resident, allowing them to enjoy their garden area.

For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with saved UDP policies DC1, DC18 and policies SP1 and DM1 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. No significant problems have arisen during the consideration of this 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:

Proposed Site Plan Revision A received 4th August 2022.

Proposed Floor Plans and Elevations received 31st May 2022.

Elm Road elevation of boundary treatment received 10th June 2022.

Location Plan received 31st May 2022.

Design and Access Statement received 31st May 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 surfaces of the hereby permitted development shall match those as set out within the submitted Householder application form, Design and Access Statement and approved drawings.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the extension hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

High Speed Two (HS2) Limited
Blackburn Park Conservation Society
Highway Services

25 Elm Road, Manchester, M20 6XD
21 Elm Road, Manchester, M20 6XD
18 Elm Road, Manchester, M20 6XD
27 Elm Road, Manchester, M20 6XD
23 Elm Road, Manchester, M20 6XD
22 Elm Road, Manchester, M20 6XD
16 Elm Road, Manchester, M20 6XD
2 Pine Road, Manchester, M20 6UY

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 - Blackburn Park Conservation Area 1979

HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH