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Withington Ward	Application Number 079959/FO/2006/S1	Date of Appln 27th Jul 2006	Committee Date 21st Dec 2006
Proposal	Erection of a 2 storey detached dwelling with accommodation in the roof space following demolition of existing coach house		
Location	The Coach House, 6A Parsonage Road, Withington, Manchester, M20 4PQ,		
Applicant	Charlotte Gildart-Butler 9 Parsonage Road, Withington, Manchester, M20 4PB		
Agent	MTA Architectural Consultants Ltd 24 Martin Close, Denton, Manchester, M24 3BG,		

Description

This application relates to the site of a former coach house, located at the rear of 6 Parsonage Road. The site measures approximately 0.06 hectares (0.14 acres) and is accessed by a drive between no.s 4 and 6 Parsonage Road. No. 4 is a detached property let in flats and no. 6 a single family dwelling. To the rear of the site is a recently constructed 4 storey block of flats and to the rear of 4 Parsonage Road and adjoining the side of the site is St Clements Church Hall. Facing the site across Parsonage Road are residential properties. There are 17 trees around the perimeter of the site, which is close to Withington District Centre and within the Withington Conservation Area.

Previously, in October 2001, planning permission (ref. 062687/FO/SOUTH1/01) was granted on the site for the erection of a detached dwelling and Conservation Area Consent (ref. 062690/CC/SOUTH1/01) for the demolition of the original coach house. The applicants have purchased the site and implemented the original planning permission, including discharging the necessary pre-development conditions and entering into a contract to construct the approved dwelling, the coach house has now been demolished. The applicant has saved as many of the bricks as was practical for incorporation into the new development.

Whilst the applicant is prepared to build the previously approved house, it does not fully fit the requirements for their 'grand design'. The current application has been extensively modified and comprises a building with two distinct elements. Viewed from Parsonage Road the property has the appearance, scale and mass of the original coach house. The side and rear however are contemporary in their styling and incorporate large areas of glass and a first floor balcony. The building would occupy the same site of the original coach house, and a private garden would be provided to the side and rear. Off-street parking would be at the front of the property and can accommodate three cars. The proposed building would achieve a BREEAM rating of very good and is capable of being made fully accessible for a disabled person to live in.

Consultations

Local residents - three sets of representations have been received in respect of the original scheme. Concern is expressed that the development would adversely affect the trees on the site and that there would be a loss of privacy

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from the balconies. There is both concern and support for the principle of developing the site.

One resident also expressed concern that the council previously allowed a backland development on this site but not on his, which adjoins, and feels that both sites should be treated the same.

Ward Members - The three ward members object to the original scheme as they feel it will adversely affect trees on the site. They are also concerned over the size of the building, which they feel is too large for the site, and will harm the character of the conservation area.

Member of Parliament - John Leech MP has expressed concern on behalf of the Rector of St Paul's Church, who is concerned that the scheme will affect trees in her garden.

Withington Civic Society - Object to the design of the proposed building, which they feel, is inappropriate to the conservation area in terms of its size and bulk. However, they now accept that the scheme does not affect any trees on the site. They are concerned that a precedent will be set for backland development in the conservation area and result in an increase in hard surfacing which will affect rain water run off and result in more green space being lost.

Head of Environmental Health - No objections subject to a refuse storage condition.

Historic Buildings and Conservation Panel - Recommended refusal of the scheme as originally submitted, which they felt would have a negative impact on the Conservation Area.

The scheme has been significantly revised and residents, members and the Civic Society have been re-notified. However, some further modest amendments in relation to achieving privacy for the immediate neighbour are required.

Issues

UDP - The relevant policies are H2.2, H2.7 and DC18. Policy H2.2 seeks to ensure that new developments do not have an adverse effect on the amenity of neighbouring properties, H2.7 requires new housing to be of a high standard of design. DC18 looks to preserve or enhance the character of conservation areas and to protect them from inappropriate development. In addition, policies E1.5 and E1.6 deal with sustainability and DC7 aspires to ensure new housing is accessible.

Regional Spatial Strategy (RPG13)(2003) - Policy DP1 advises that economy in the use of land and buildings is required. New development should be located so as to make the most efficient use of land, promote appropriate mixes of uses within a site and its wider neighbourhood, make efficient use of transport facilities and assist people to meet their needs locally. The proposal makes use of previously developed land within a local shopping centre. It is therefore considered that the proposal generally complies with this policy.

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Policy DP3 states that new development must demonstrate good design quality and respect for its setting, including the integration of new development with surrounding land use, taking into account the setting, quality, distinctiveness and heritage of the environment and the use of sympathetic materials, more eco-friendly and adaptable buildings and community safety and "designing out crime".

Policy UR4 establishes targets for the recycling of land and buildings. It sets a target of achieving 90% within Manchester between 1996 and 2016. This proposal is in accordance with the aims of Policy UR4.

Planning Policy Guidance Note 15, "Planning and the Historic Environment" - The guidance notes states in paragraph 4.14 that "...special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. "

Furthermore, it states in paragraph 4.19 "The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission,..."

On the subject of new build in conservation area, the guidance note states in paragraph 4.17 that "What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own."

Principle - The principle of redeveloping the site of the former coach house was established in the granting of the earlier planning permission. That permission has been implemented and is therefore extant. The principle of redeveloping the site with a single dwellinghouse is therefore established and consequently the issues revolve around the details of the development rather than the principle.

Sustainability - The proposed development will achieve a BREEAM rating of very good and is well located for local facilities within Withington District Shopping Centre and the public transport routes on Wilmslow Road. Overall, this is a highly sustainable development.

Disabled Access - The building can be made fully accessible and therefore according with policy DC7.

Secured by Design - The proposed development is unlikely to give rise to any issues regarding security, as the site benefits from natural surveillance.

Siting - The proposed building has the same footprint as the original coach house, though it has been pulled away from the site boundary to facilitate maintenance and reduce its impact on nearby trees, though it is essentially in the same position. There is no issue with the proposed siting of the building.

Design - Following the comments of the Historic Buildings and Conservation Panel, the applicants appointed a new architect. The current scheme is a product of discussions with the Head of Planning. The hybrid approach

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adopted results in a building that appears to be a converted coach house when viewed from the public domain within the conservation area. The contemporary approach to the rear of the building results in a fresh building and is in line with the approach set out in Government Guidance. Overall the building is considered to make a positive contribution to the conservation area and represents a significant improvement over the one previously approved.

Trees - None of the trees within the site are adversely affected by the proposal. The applicant has confirmed that the new building will be further away from the trees than the previous coach house and that they will be using a piled foundation, which is less likely to affect the root system of the retained trees.

Parking - Parking on this part of Parsonage Road is a problem due to the proximity of the district centre. Whilst three spaces exceed the city council's normal requirement of one space per dwelling, the difficulty in finding parking spaces justifies the extra spaces for use by the occupiers of the property and any visitors. Government guidance on parking contained in PPG 13 seeks to encourage lower parking standards in sustainable locations but is not prescriptive as to the amount required.

Residential Amenity - Whilst the proposed development contains a significant amount of glass and a balcony, there need be no significant loss of amenity to the adjacent properties, the applicant has been asked to delete the Juliet balcony on the side elevation and amend the roof terrace.

Impact on the Conservation Area - The proposed building is a well designed blend of traditional and modern. It replaces a gap site that was formerly occupied by a coach house. The proposed development will enhance the conservation area.

Conservation Area Consent - When this application was submitted the coach house was still standing and an application for conservation area consent was submitted. However, the earlier consents were about to expire and in order to retain a fall back position should this application fail, the applicants have begun to implement the earlier consent in that the pre-development conditions were discharged, the coach house has now been demolished.

Backland Development - The site the subject of this application has historically accommodated a building, which could have been converted to living accommodation, without harm to the character of the conservation area. When the earlier application was considered it was decided that policy DC6 which relates to backland development was satisfactorily complied with in terms of no adverse impact on amenity privacy etc. The adjoining property, which has had an application for a similar development refused, differs in that the site is not as wide, nor has there been a coach house on the site. The circumstances are therefore significantly different and was in conflict with policy DC6. Each application must be determined on its merits and the particular circumstances surrounding the site the subject of this application point to the principle of the development being acceptable.

Conclusion - The revised proposal represents a significant improvement over the previously improved scheme and in the Head of Planning's view will enhance the Conservation Area.

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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 the right to a fair hearing and to this end the Committee 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 Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents 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. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation MINDED TO APPROVE (subject to the amendments to the roof terrace and the deletion of the Juliet balcony)

On the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policies H2.2, H2.7, DC18, DC7, E1.5 and E1.6 would enhance or preserve the character of the Withington Conservation Area and there are no material considerations of sufficient weight to indicate otherwise.

Conditions and/or Reasons

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) Construction of the works hereby approved by this permission shall not take place until samples and specifications of the materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

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 pursuant to policies H2.2, H2.7 and DC18 of the Unitary Development Plan for the City of Manchester .

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3) The development hereby approved shall be carried out in accordance with the drawings numbered , stamped as received by the Local Planning Authority on , unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans pursuant to policies H2.2, H2.7 and DC18 of the Unitary Development Plan for the City of Manchester.

4) Details of the proposed boundary treatment, including colour, shall be submitted to and approved in writing by the City Council, as local planning authority, before the development commences and the approved treatment shall be provided before the use commences.

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, pursuant to policies H2.2, H2.7 and DC18 of the adopted UDP.

5) A landscaping scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the development. The approved scheme shall be implemented not later than 12 months from the date the building is first occupied. Any trees or shrubs removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

Reason

To ensure that a satisfactory landscaping scheme for the development is carried out pursuant to policies H2.2, H2.7 and DC18 of the Unitary Development Plan for the City of Manchester.

6) Before the development hereby approved commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted UDP.

7) The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Any security measures to be implemented in compliance with this condition shall seek to achieve the 'Secure by Design' accreditation awarded by the Greater Manchester Police. Written confirmation of those measures are to be provided to the City Council, as the Local Planning Authority.

Reason - In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well-being of the area in pursuance of the

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Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in PPS1 "Delivering Sustainable Development".

8) In this condition "retained tree" means an existing tree on site which is to be retained and a tree on a neighbouring site whose root structure extends into the site as shown on plan number 2, and any replacement tree planted under paragraph (c) below; and paragraphs (a), (b) and (c) below shall have effect until the expiration of 1 year from the date of first occupation of the building hereby approved.

(a) No retained tree shall be cut down, uprooted or destroyed.

(b) No retained tree shall be topped or lopped other than in accordance a scheme (which is in accord with British Standard 5837:2005) previously approved in writing by the City Council as local planning authority and following the City Council's previous written approval.

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

(d) All retained trees shall be protected in accordance with a scheme (which is in accord with British Standard 5837:2005) previously approved in writing by the City Council as local planning authority before any equipment, machinery or materials are brought on to the site. The approved protection 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 City Council as 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 pursuant to policies H2.2, h2.7 and DC18 of the Unitary Development Plan for the City of Manchester

9) All vehicles entering and leaving the site during the construction period are to pass through a wheel wash. Details of the wheel wash shall be submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

Reason

To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud pursuant to policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of 'very good' or 'excellent'. A post construction review

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certificate shall be submitted to and approved in writing by the City Council as local planning authority before the building hereby approved is first occupied.

Reason

In order to minimise the environmental impact of the development pursuant to policies E1.5, E1.6 and E1.3 of the Unitary Development Plan for the City of Manchester, policy DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 079959/FO/2006/S1 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

The following residents, businesses and other third parties in the area were consulted on the application:

5 Parsonage Road Withington Manchester M20 4PB
1a Parsonage Road Withington Manchester M20 4PB
7 Parsonage Road Withington Manchester M20 4PB
8 Parsonage Road Withington Manchester M20 4PQ
6 Parsonage Road Withington Manchester M20 4PQ
4 Parsonage Road Withington Manchester M20 4PQ
The Revd S B Woodhead 491 Wilmslow Road Withington Manchester M20 4AW

Representations were received from the following third parties:

8 Parsonage Road Withington Manchester
The Revd S B Woodhead 491 Wilmslow Road Withington

Relevant Contact Officer: : Dave Morris
Telephone No. : (0161) 234 4539
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