

List No. 10

Chorlton Ward	Application Number	Date of Appln	Committee Date
	085658/FO/2008/S1	5th Feb 2008	29th May 2008
Proposal	Erection of a two storey detached house following demolition of garages previous approved under ref 082139/FO/2007/S1		
Location	Land Off Buckingham Road Between , 27 Salisbury Road And 22 Silverdale Road, Chorlton, Manchester, M21 0SJ		
Applicant	Mr K & Mrs H Hatcher, 4 Walmersley Road, New Moston, Manchester, M40 3RS		
Agent	DPW Design 183 Wellington Road North, Stockport, Cheshire, SK4 2PB		

Description

Members will recall that at their meeting of 10th April 2008 consideration of this application was deferred to enable officers to provide further information on the differences in wall height between the approved and current schemes. However, in the intervening period the applicant has sought to address some of the objectors concerns by reducing the proposed ridge height back to that approved. This amended scheme has been the subject of a re-notification with local residents.

The application site relates to a irregular shaped plot of land approximately 0.03 hectares in area, and is bounded by dwellings on Salisbury Road to north, Silverdale Road to the south, Buckingham Road to the west and the rear gardens of both Salisbury Road and Silverdale Road to the east. The area is located within the predominantly residential suburb of Chorlton, which contains a large mix of housing types, although the immediate area surrounding the site, mainly consists of two storey, Victorian and Edwardian properties.

The site which is accessed off Buckingham Road was previously occupied by a terrace of six, flat roof garages and parking area. It is believed that the site was once in the ownership of 22 Silverdale Road and formed part of the rear garden. However, the site has been in separate use for many years and now forms a infill site with the potential for a development more in keeping with a residential area.

The proposal relates to the erection of a detached, two storey dwelling following the demolition of the 6 garages. The proposed dwelling has been designed with a contemporary feel and includes the provision of three bedrooms and bathroom on the first floor and a living, dining and kitchen area, together with a toilet on the ground floor. The site also includes the provision of an integral garage and will be entirely landscaped with new boundary treatment. The proposed house has a footprint orientated east/west and follows the same line as the existing garages.

The application is a revised submission and seeks amendments to a very similar scheme that was approved by the Planning and Highways Committee on 31st May 2007. The previous planning permission proposed the first floor to be half floor and half roof space. However, this restricted the height of the first floor internal walls and standard internal walls could not be used unless stud walls creating voids were built around the floor. The revised proposal is that only the

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eaves are raised to flatten the angle of the roof and prevent the creation of voids.

In addition to the above, there was an error on the previously approved drawings as the pitched roof above one of the protruding, triangular sections of the kitchen's north elevation was drawn incorrectly. This has now been rectified.

The applicant is a City Council officer.

Consultations

Local residents - 3 letters of objection have been received to the original proposal. These are summarised below:

- i) Concerns regarding the height of the proposed house and loss of sunlight to a south facing garden at 21 Salisbury Road.
- ii) The roof tiles and bricks should be kept in keeping with surrounding houses.
- iii) The proposal includes demolishing part of a more or less continuous garden boundary wall. If necessary to remove part of the wall, it should be replaced with reclaimed brick from the original.
- iv) The obscured glazing should be an enforceable requirement and restriction should be put on dormer extensions in the future.

Ward members - Councillor Sheila Newman has lodged an objection to the original proposal and objected to the previous application for a house on this site due to overdevelopment. Councillor Newman considers that as the currently proposed house is even higher, the application should be refused, as it is not in keeping with nearby property.

Local residents have been re-notified about the amendments to the plans and 2 letters of objection have been received. Comments are summarised below:

- i) The additional roof height is unacceptable in terms of visual amenity and overdevelopment of the site.
- ii) The change to the boundary treatment are unspecified and do not address original objections.
- iii) If the house is to be built the materials should match adjoining housing stock.
- iv) The plot suits a single storey building and not a two storey building. The windows in the roof can look into the windows at the rear of my property at 25 Salisbury Road.

Issues

The Unitary Development Plan (UDP) for the City of Manchester. There are no site specific policies relating to the application site. However, the following city wide policies are relevant to this proposal:

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Policy H1.2 seeks to ensure that the housing stock contains a wide range of housing types to meet the needs of all people living in Manchester.

Policy H2.2 states that the Council will not allow development that will have an unacceptable impact on residential areas. The matters that the Council will consider include the scale and appearance of the development and its impact in terms of noise, vibration, traffic generation, road safety and air pollution.

Policy DC7.1 states that the Council will negotiate with developers to ensure that new housing is accessible at ground floor level to disabled people wherever this is practical and that family homes will be expected to provide safe areas within which children can play.

In terms of regional policy, the Draft North West Plan (The Regional Spatial Strategy) was submitted to Government on 30th January 2006, published for public consultation on 20th March 2006 and closed on 12th June 2006. The Examination in Public commenced in October and the final plan is expected soon. This plan (RSS) will replace Regional Planning Guidance for the North West (RPG 13) and currently carries more weight in planning decisions.

The RSS contains many of the themes contained in RPG13 in terms of urban regeneration and the use of previously developed land. The key theme underpinning RSS however is sustainable development. The strategy to achieve this sustainable environment involves an integrated and long term approach to ensure that progress is made in pursuit of all the economic, social and environmental objectives

Policy DP1 encourages both the economic use of land and the development of brownfield land.

Policy UR1 identifies the sustainable regeneration of the region's urban areas as a clear priority. Emphasis is placed on the reuse of derelict land and buildings, the balanced distribution of good quality dwellings and access to employment and community facilities.

In addition to the above, central government provides national planning guidance in the form of Planning Policy Guidance Notes (PPG) and more recently on some planning issues, Planning Policy Statements (PPS).

PPS1 'Delivering Sustainable Development' sets out the overarching policies on the delivery of sustainable development through the planning system. Emphasis is placed on the need for good design to ensure, attractive, usable, durable and adaptable places

PPS3 'Housing' highlights that the majority of new housing should be located on brownfield land. The guidance also states that the planning system should deliver:

- High quality housing that is well designed and built to a high standard.
- A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas both urban and rural.

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- A sufficient quantity of housing taking into account need and demand and seeking to improve choice.

- Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key service and infrastructure.

The Guide to Development in Manchester - This is a City Council supplementary planning document (SPD). This document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Principle

It is considered that the proposed dwelling is acceptable in principle and would pose no significant harm to the amenity of adjoining residents. The proposed dwelling is two-storeys in height but is lower in height than the surrounding houses on Buckingham Road, Silverdale Road and Salisbury Road and follows the existing building line of Buckingham Road. The dwelling has also been designed to resemble the footprint and scale of a typical coach house and will sit in the site without having an over-dominant or oppressive relationship with its surroundings.

The site is currently occupied by a terrace of six garages in a hard landscaped area at the rear of 22 Silverdale Road. Concerns have been raised that the scheme would constitute what has been termed 'garden grabbing' and would therefore represent overdevelopment. However, the land is now in different ownership to that of 22 Silverdale Road and it is assumed that the land must have been sold off many years ago. The site is therefore an infill site that would be better suited to residential development which would be more in keeping with the surrounding residential environment. The proposal would also adhere to national guidance contained in PPS1 and PPS3 which advocates the use of brownfield land for housing.

Scale and Massing

The proposed two-storey dwelling is much lower in height than a traditional two storey dwelling as much of the first floor is contained within the roof void. In that sense, the dwelling could be described as one and half storeys in height. The dwelling has also been designed in a contemporary style and has been orientated to allow sufficient gaps from the boundaries. It is therefore considered that the proposed dwelling sits well within the site and will have no undue impact on the residential amenity.

Members were concerned about the impact that the increased height of the proposed building on the visual amenity of local residents. The scheme previously approved under ref.082139/FO/2007/S1 had a ridge height of 6 metres and an eaves height of 3.6 metres. Since the meeting of the Planning and Highways Committee on 10th April 2008 the applicant has submitted amended drawings, these show the ridge height reduced by 0.55 metres back to 6 metres, the same as the approved building, whilst the eaves are 4.1 metres in height, 0.5 metres higher than originally approved. The reduction in

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the height of the ridge by 0.5 metres results in a less steeply pitched roof and whilst the eaves level remains higher the overall impact of the building is lessened.

Residential Amenity

The proposed dwelling has been designed to minimise any impact in terms of overlooking or loss of privacy to surrounding properties. The contemporary shape of the dwelling includes windows that have been designed to prevent overlooking and where windows face other habitable windows, the distance in between is considered satisfactory.

Habitable rooms facing Buckingham Road are more than 22 metres away from opposite dwellings, the north elevation only has a small, low level window which overlooks the Boundary wall and the large windows have been angled to look away from the opposite dwelling. The south single bedroom window looks directly down Buckingham Road and the windows to the rear of the houses on Salisbury Road are 16 metres away from the proposed dwelling.

Sustainability

The proposed dwelling is sited within close proximity of bus routes along Barlow Moor Road and Wilbraham Road and only a short distance from amenities contained within Chorlton District Centre. Bicycle use will also be encouraged with a cycle store to be provided on site.

Code for Sustainable Homes

The proposal will utilise contemporary materials and the applicant has indicated that the development will achieve a very good rating. A condition has been inserted to ensure that a licenses assessor awards a post construction 3 star rating in line with the Code for Sustainable Homes.

Disabled Access

The dwelling has been designed as much as possible to take account of the Council's 'Design or Access 2'. There are no stepped changes of level on either floor and an accessible WC has been provided on the ground floor. In addition an integral garage has been incorporated into the design within close proximity of the main entrance into the dwelling.

Landscaping/Amenity Space

Landscaping has been provided around the entire perimeter of the house and includes lawned areas to the north and south of the dwelling, the provision of a new tree in the front garden, and new high level planters, approximately two metres high, are to be planted around all boundaries to adjoining houses. These will soften the area and provide a screening feature to protect the amenity of both potential occupiers and adjoining residents. In total, the garden area equates to 158 square metres.

Parking

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The proposal would allow the provision of two off road car parking spaces in the form of an integral garage and a surface level driveway. In terms of the Council's usual car parking standards, this provision is considered adequate for a single dwelling.

Crime and Disorder

The house has defensible space facing Buckingham Road and allows for adequate natural surveillance to the street. Further, an appropriate 'secure by design' condition has been inserted if the Committee are minded to approved the application.. This stipulates that the applicants must liaise with Greater Manchester Police regarding any security measures.

Conclusion

The Head of Planning welcomes the reduction in ridge height back to that previously approved and believes the modest increase in the brickwork of 0.5 metres is acceptable in terms of its impact on adjoining properties on Salisbury Road in particular, given their distance away at some 16 metres.

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)/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. He believes that any restriction on these rights posed by the 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 APPROVE

Approve on the basis that the proposal is in accordance with Policies H1.2, H2.2 and DC7.1 of the Unitary Development Plan for the City of Manchester 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.

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2) The development hereby approved shall be carried out in accordance with the drawings numbered 9329/02 and 9329/03 stamped as received by the Local Planning Authority on 28th January 2008, 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 Policy H2.2 of the Unitary Development Plan for the City of Manchester.

3) No development that is hereby approved shall commence unless and until samples and specifications of all 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, as specified in policy H2.2 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 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, E3.3 and E3.5 of the adopted UDP.

5) Before the development hereby approved commences a report to assess the likely extent of any ground contamination and/or ground gas being present on or affecting the site shall be submitted to and approved in writing by the City Council as local planning authority. Any necessary site investigations shall then be carried out according to a scheme to be agreed in advance with the City Council as local planning authority and implemented in accordance with the approved scheme.

Reason -

To ensure that the presence of or the potential for any contaminated land/ground gas is detected and appropriate remedial action is taken in the interests of public safety.

6) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

Reason -

To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

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7) 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 buildings are 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 Policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) Notwithstanding the provisions of Article 3 of, and Class A of Part 1 of Schedule 2 to, the Town and Country (General Permitted Development) Order 1995, the garage accommodation hereby approved, as part of this development shall not be converted into living accommodation without the express written permission of the City Council as local planning authority.

Reason -

The loss of garage parking space would result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

9) The development hereby approved shall include acoustic glazing and acoustically treated ventilation in accordance with an acoustic attenuation scheme to be submitted to and approved in writing by the City Council as local planning authority before the development commences. The acoustic attenuation scheme hereby approved shall be implemented in full before use of the premises first commences.

Reason - To protect the amenity of the occupants of the premises once the development hereby approved is occupied, pursuant to policy H2.2 of the adopted UDP.

10) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, no building extensions or dormers shall be erected to the proposed dwellinghouses without the prior consent of the City Council.

Reason -

To protect the amenity of adjoining and nearby residential accommodation, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

11) 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.

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Reason - In the interests of amenity and public health, pursuant to policy H2.2 of the adopted Unitary Development Plan for the City of Manchester.

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

13) The development hereby approved shall not be occupied unless a minimum sustainability rating of 3 stars has been awarded by an assessor licensed by the Building Research Establishment in respect of all buildings comprised in the development, in accordance with The Code of Sustainable Homes.

Reason -

In the interests of minimising the environmental impact of the development, pursuant to Manchester Unitary Development Plan policy and the Guide to Development in Manchester.

14) The glazing indicated as being obscure on drawing 9329/03, stamped as received on 28th January 2008 shall be implemented and retained at all times, unless agreed in writing by the City Council as Local Planning Authority.

Reason

In the interests of residential amenity, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

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: 085658/FO/2008/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 held by the Planning Division.

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

31 Buckingham Road, Manchester, M21 0SB
33 Buckingham Road, Manchester, M21 0SB
35 Buckingham Road, Manchester, M21 0SB
37 Buckingham Road, Manchester, M21 0SB
39 Buckingham Road, Manchester, M21 0SB

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41 Buckingham Road, Manchester, M21 0SB
19 Silverdale Road, Manchester, M21 0SH
20 Silverdale Road, Manchester, M21 0SH
Flat 1, 22 Silverdale Road, Manchester, M21 0SH
19 Salisbury Road, Manchester, M21 0SJ
21 Salisbury Road, Manchester, M21 0SJ
23 Salisbury Road, Manchester, M21 0SJ
25 Salisbury Road, Manchester, M21 0SJ
27 Salisbury Road, Manchester, M21 0SJ
Flat 2, 22 Silverdale Road, Manchester, M21 0SH
Flat 3, 22 Silverdale Road, Manchester, M21 0SH
Flat 4, 22 Silverdale Road, Manchester, M21 0SH
Flat 5, 22 Silverdale Road, Manchester, M21 0SH
Flat 6, 22 Silverdale Road, Manchester, M21 0SH
Buckingham Place, Buckingham Road, Manchester, M21 0SB

Representations were received from the following third parties:

Ward Councillors

33 Buckingham Road, Manchester, M21 0SB
21 Salisbury Road, Manchester, M21 0SJ
25 Salisbury Road, Manchester, M21 0SJ
27 Salisbury Road, Manchester, M21 0SJ
Kher Singh Landa, 25, Salisbury Road, , Chorlton, , Manchester,
Mary Szalk, 21 Salisbury Rd, Chorlton-cum-Hardy
Personal details withheld at the request of individual
Peter Wright, 27 Salisbury Road, Chorlton, Manchester

Relevant Contact Officer : Steven McCoombe
Telephone number : 0161 234 4607
Email : s.mccoombe@manchester.gov.uk