

Application Number	Date of Appln	Committee Date	Ward
087100/FO/2008/N2	2nd Jul 2008	11th Sep 2008	Ancoats And Clayton Ward

Proposal Erection of detached house in side garden

Location 39 Folkestone Road West, Clayton, Manchester, M11 4LS

Applicant Mr Mark Tracey, 39 Folkestone Road West, Clayton, Manchester, M11 4LS

Agent Goodwin Planning Services Archway House, Station Road, Chester, CH1 3DR

Description

Site

The application site is the side garden of semi-detached dwelling house on Folkestone Road West, Clayton. The site is within a suburban residential area comprising low density housing with private gardens. The site is located at the corner of a crossroads of Folkestone Road West and the small cul-de-sacs of Fourth and Fifth Avenues.

Proposal

It is proposed to erect a detached two-storey, two-bed dwelling house. The proposed car parking would be in two off-street bays at the front. The building would be set in small front and rear gardens, with the bin store to one side. The existing driveway for 39 Folkestone Road West would be retained for the use of no. 39.

Consultations

Neighbouring residents and businesses

A standard neighbour notification letter was sent to all surrounding households. No representations were received in response.
See list at end of report.

Consultees

Engineering Services - There are concerns about the lack of driver visibility when reversing off the proposed driveways. This is due to the fence screen at the boundary with No. 1 Fifth Avenue. The driveways are too short. They need to be minimum 5.5m long. This is to ensure that no car encroaches onto the existing footway and loading / unloading functions can take place off the highway. There is also a concern at the dropped kerbs being provided on the kerb radius to Fifth Ave.

Issues

Policies

Central Government Guidance contained within PPS1 and PPS3
Planning should facilitate and promote sustainable and inclusive patterns of development by ensuring high quality development through good and inclusive design and by promoting the more efficient use of land through higher density.

However more intensive development is not always appropriate. However, when well designed and built in the right location, it can enhance the character and quality of an area. Successful intensification need not mean high rise development or low quality accommodation with inappropriate space. Good design should contribute positively to making places better for people. Good design is indivisible from good planning and responds to its local context and creates or reinforces local distinctiveness. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.

Unitary Development Plan for the City of Manchester (adopted 1995)

H2.7 New housing schemes will be expected to be of a high standard of design and make a positive contribution towards improving the City's environment. They should not create areas of incidental open space outside the curtilage of dwellings unless there are proper and enduring arrangements for its maintenance.

EM1 Seeks the provision of sustainable urban neighbourhoods.

EM2 Seeks designs which enhance the quality of the built environment in terms of scale, density, height, layout, massing, landscape, access and detailing and conserve the natural environment.

EM13 Within Clayton development will be permitted which includes the renewal, improvement and modernisation of residential neighbourhoods.

Supplementary Planning Document 'Guide to Development in Manchester'

The Guide states that Design should respect and be informed by location. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area.

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline. Buildings should recognise the common building line created by the front face of adjacent buildings. The impact of car parking areas should be minimised.

Site history

Planning permission was refused for the erection of a two storey dwelling house with associated car parking and landscaping at the site on 19 March 2008 (085294) on the basis of its effect on the character and appearance of the street, and the lack of outdoor amenity space for future occupiers.

It is not considered that the current proposal addresses the concerns raised against the previous proposal adequately, for the following reasons:

Character and appearance

The proposed dwelling would meet the adjacent building lines, and would be of a similar detailed design to neighbouring buildings. However, it would occupy a large part of the side garden to no. 39.

The site context is very open as a result of the relatively large gardens in the area. The site is at a junction where the gardens form an open setting to the street.

The proposal would be crowded within the site, and as such incongruous in its context and detrimental to the openness of its setting. It is considered that this openness is a positive characteristic of the area. It is considered on this basis that the proposed development would not have appropriate regard for the character and appearance of its surroundings, and would detract from the street scene.

Amenity space

The amount of garden space left for no. 39 and for the proposed dwelling would be significantly inferior to that available in the area generally. This would be harmful to the quality of the residential environment.

Design

The two proposed car parking bays to the front of the building would be unduly dominant and detrimental to the appearance of the street. The provision of frontage car parking is contrary to the adopted Supplementary Planning Document 'Guide to Development in Manchester'. On this basis, and having regard to the above, the overall design and layout of the proposal is contrary to the policies of the development plan and is unacceptable.

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 refusal of the application is proportionate to the wider benefits of refusal and that such a decision falls within the margin of discretion afforded to the Council under the Town and country Planning Acts.

Recommendation REFUSE

Conditions and/or Reasons

1) Refuse in light of the development plan, including Central Government Guidance contained within PPS1 and PPS3, policies H2.7, EM1, EM2 and EM13 of the Unitary Development Plan for the City of Manchester (adopted 1995) and the Supplementary Planning Document 'Guide to Development in Manchester', on the basis that the development would be detrimental to the character and visual amenities of the residential environment, by virtue of the

overdevelopment of the site as a consequence of the amount of building within the plot, in conjunction with its prominence at the corner site, and the resulting unduly-dominant impact of the proposal on the open setting of the site and its surroundings.

2) Refuse in light of the development plan, including Central Government Guidance contained within PPS1 and PPS3, policies H2.7, EM1, EM2 and EM13 of the Unitary Development Plan for the City of Manchester (adopted 1995) and the Supplementary Planning Document 'Guide to Development in Manchester', on the basis that the development would be detrimental to the quality of the residential environment, by virtue of the limited amount of outdoor amenity space for future occupiers of both the proposed dwelling and the existing dwelling, set against the relative openness of the site surroundings and the resulting expectation of garden space for family dwellings in the area.

3) Refuse in light of the development plan, including Central Government Guidance contained within PPS1 and PPS3, policies H2.7, EM1, EM2 and EM13 of the Unitary Development Plan for the City of Manchester (adopted 1995) and the Supplementary Planning Document 'Guide to Development in Manchester', on the basis that the development would be detrimental to the character and appearance of the residential environment, by virtue of the proposed layout design in which car parking would be unduly dominant in the street scene.

4) Refuse in light of the development plan, including policy H2.2 of the Unitary Development Plan for the City of Manchester (adopted 1995) on the basis that the proposed car parking would be of inadequate length and provide inadequate visibility, to the detriment of highway safety.

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: 087100/FO/2008/N2 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:

Engineering Services

Contaminated Land Section

1 Fifth Avenue, Manchester, M11 4LT

2 Fifth Avenue, Manchester, M11 4LT

3 Fifth Avenue, Manchester, M11 4LT

4 Fifth Avenue, Manchester, M11 4LT

37 Folkestone Road West, Manchester, M11 4LS

39 Folkestone Road West, Manchester, M11 4LS

41 Folkestone Road West, Manchester, M11 4QH

24 Folkestone Road West, Manchester, M11 4QP

22 Folkestone Road West, Manchester, M11 4QP

1 Fourth Avenue, Manchester, M11 4LZ

2 Fourth Avenue, Manchester, M11 4LZ

26 Folkestone Road West, Manchester, M11 4RF

Representations were received from the following third parties:

Engineering Services

Relevant Contact Officer : Robert Lilburn
Telephone number : 0161 234 4166
Email : r.lilburn@manchester.gov.uk