

Application Number	Date of Appln	Committee Date	Ward
088623/FO/2008/S1	23rd Dec 2008	9th Apr 2009	Chorlton Ward

Proposal Erection of a pair of 3 storey semi-detached houses with associated car parking and landscaping

Location 3 Keppel Road, Chorlton, Manchester, M21 0AT,

Applicant Mr Ginty , AJC, 13 Highfield Road, Bramhall, Cheshire, SK7 3BE

Agent S W Foulkes Architects, Withington House, 160-164 Wellington Road, Withington, Manchester, M20 3FU

Description

This application relates to a triangular piece of land on the west side of Keppel Road close to its junction with Wilbraham Road. The site lies outside but adjacent to the boundary of the District Shopping Centre. The site is currently occupied by a letting agency and a builders yard. Accommodation is provided in a number of single storey buildings. There are no parking restrictions outside the site.

Adjoining to the north is a terrace of three storey houses whilst facing the site is a private hire car office and a further terrace of three storey houses. All the houses have small front gardens and no off-street parking provision. To the south and separated from the site by a narrow alleyway is a terrace of three storey properties comprising commercial uses on the ground with residential and commercial uses above. Adjacent to the apex of the site is the rear yard to the Royal Oak Public House on Barlow Moor Road.

It is proposed to erect a pair of three storey houses in a contemporary style. The properties would be set back to the same line as the properties to the north. Each would have a single parking space in the front garden. Both properties are provided with a small rear yard within which are facilities for the storage of refuse. The refuse would be taken out via the alleyway at the side of the site. Both properties are accessible.

Consultations

Local residents/businesses – No representations received.

Ward Members - Councillor Sheila Newman - believes the proposed three storey buildings are too high and out of keeping with the other properties in Keppel Road. She would ask that the applicant be asked to submit plans for a two storey development.

Councillor Val Stevens – is concerned about the roof line and height of the building and would prefer the roof line to be lower and therefore to the height of the other buildings' roof lines on Keppel Road and therefore, in keeping with the other properties.

Street Environment Manager – Has been contacted by councillor Paul Ankers who is concerned about the amount of refuse dumped in the alleyway and is keen to ensure that there is adequate refuse storage for the development.

Regulatory and Enforcement Services – No objections

Issues

UDP – The relevant policies are H2.2 which seeks to protect the amenity of the occupiers of nearby residential properties from the adverse impact of development and policy H2.7 which requires new residential developments to be of a high standard of design.

Regional Spatial Strategy - The Regional Spatial Strategy was adopted as part of the Development Plan for the City of Manchester in September 2008. The relevant policies are:

DP1 Which sets down the Spatial principles that underpin the Regional Spatial Strategy

DP2 Which seeks to promote sustainable communities

DP4 Which looks to make the best use of existing resources and infrastructure

DP7 Require new developments to promote environmental quality

Principle – The site lies outside of the district shopping centre on what is otherwise a primarily residential street. The principle of erecting houses is therefore considered acceptable and in line with the approach set out in the Housing Development Pipeline report approved by the Executive in September 2008.

Disabled Access – The ground floor including the toilet is fully accessible whilst the internal layout is such that a platform lift could if necessary be provided.

Crime and Disorder – The development is capable of achieving Secured by Design accreditation and an appropriate condition is proposed should permission be granted.

Site layout – The site layout reflects the pattern of development found in the area, namely the buildings principle elevation overlooks the street from behind a shallow front garden. Parking spaces are provided in front of the property, copying what happens elsewhere on Keppel Road. At the rear of the property is a small yard with access onto an alleyway. Overall the site layout makes good use of what is otherwise a difficult shaped site.

Scale and Mass – The proposed development will occupy the full width of the site and the overall height to the ridge is the same as for the adjoining terrace. The applicant has employed Chris Partington Land Surveyors to survey the adjacent property in order to ensure that it is represented accurately. The scale

and massing of the development therefore reflects the adjoining properties and is considered acceptable.

Residential amenity – The proposed development will replace an existing use that is inappropriate next to residential properties both in terms of the level of activity and noise it would generate.

In terms of privacy and overshadowing the proposed development raises no issues with the surrounding residential properties.

Design – The adjacent terrace whilst uniform in terms of its height is broken up by the use of bays of differing heights, one and two storeys high. There is also an old (possibly original) metal balcony at second floor level adding to the character of the terrace. This approach is reflected in the elevations of the proposed development which seeks to reproduce the features found in the area but in a modern way.

Parking – There is a parking problem on Keppel Road arising from the private hire car office and the close proximity of the district shopping centre, the provision of two off-street spaces is therefore essential as well as being in line with the Council's current approach. Whilst the provision of hard standings for parking in front of the building line is discouraged by the Guide to Development in Manchester, it is a feature found elsewhere on Keppel Road and there is no viable alternative means of providing off-street parking.

Refuse Storage – Provision is made for the storage of refuse and recycling containers in the rear yards of the properties.

Sustainability – This is an extremely sustainable location with excellent access to local shopping facilities, public transport and the proposed Metrolink extension.

Conclusion – This is a well designed infill development that will replace an existing use that is inappropriate to its location. In particular it will broaden the range of house types available in this popular residential suburb.

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

On the basis that the proposal is in accord with the City Council's Unitary Development Plan in particular policies H2.2 which seeks to protect residential accommodation from the adverse impact of development, policy H2.7 which requires new residential developments to be of a high standard of design 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) 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 and H2.7 of the Unitary Development Plan for the City of Manchester.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents 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, H2.7 of the Manchester Unitary Development Plan.

4) The development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least three star sustainability rating under the code for sustainable homes for those elements of the development which are residential in nature. A post construction review certificate shall be submitted to and approved in writing by the City Council as local planning authority before any of the buildings hereby approved are first occupied.

Reason - In order to minimise the environmental impact of the development pursuant to policies E1.5 and E1.6 in the Unitary Development Plan for the City of Manchester, policies ER13 and DP3 of Regional Planning Guidance for the North West (RPG13) and the principles contained within The Guide to Development in Manchester 2 SPD and Planning Policy Statement 1.

5) No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the development hereby consented. Development shall be carried out in accordance with the approved details and shall thereafter be retained.

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 in order to comply with Policies H2.2, E3.3 and E3.5 of the Unitary Development Plan for the City of Manchester.

6) The car parking indicated on the approved plans shall be surfaced 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 parking for the development proposed when the building is occupied in order to comply with Policies H2.2 and T2.6 of the Unitary Development Plan for the City of Manchester.

7) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment Desk Study) to identify and evaluate all potential sources and impacts of any ground contamination, groundwater contamination and/or ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Preliminary Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

The Desk Study shall be prepared by a suitably qualified person whose competence to carry out the Desk Study has been approved in writing by the City Council as local planning authority (an "Expert").

In the event of the Preliminary Risk Assessment Desk Study identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal Scheme) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal Scheme shall be carried out, by an Expert before development commences and the Expert shall prepare a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy. Site Investigation Report and a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, an Expert has prepared a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy Site Investigation Report) which shall be submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy Site Investigation Report, which shall take precedence over any Remediation Strategy Site Investigation Report or earlier Revised Remediation Strategy Investigation Report.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to H2.2 of the Unitary Development Plan for the City of Manchester.

8) The wheels of contractors vehicles leaving the site shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to any works commencing on site.

Reason - In the interest of pedestrian and highway safety, as specified in policy H2.2 of the Unitary Development Plan for the City of Manchester.

9) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how secure by design accreditation will be achieved have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. The development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secure by design accreditation.

Reason - To reduce the risk of crime pursuant to Policy E3.5 of the Unitary Development Plan of the City of Manchester and to reflect the guidance contained in Planning Policy Statement "Delivering Sustainable Development".

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: 088623/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:

Environmental Health
Greater Manchester Police
Steve Hobson, Crime Reduction Officer

Chorlton Civic Society
Kebabco, 452 Wilbraham Road, Manchester, M21 0AG
452a, Wilbraham Road, Manchester, M21 0AG
Flat 2, 442a, Wilbraham Road, Manchester, M21 0AG
450 Wilbraham Road, Manchester, M21 0AG
450a, Wilbraham Road, Manchester, M21 0AG
450b, Wilbraham Road, Manchester, M21 0AG
Subway, 454 Wilbraham Road, Manchester, M21 0AG
Natwest, 438 Barlow Moor Road, Manchester, M21 0NW
Genesis Estates, 3 Keppel Road, Manchester, M21 0AT
Royal Oak Hotel, 440 Barlow Moor Road, Manchester, M21 0BQ
A & S Newsagents, 442 Wilbraham Road, Manchester, M21 0AG
Flat 1, 442a, Wilbraham Road, Manchester, M21 0AG
Direct Vision, 444 Wilbraham Road, Manchester, M21 0AG
Chorlton Meat Market, 446 Wilbraham Road, Manchester, M21 0AG
448a, Wilbraham Road, Manchester, M21 0AG
Flava, 448 Wilbraham Road, Manchester, M21 0AG
Olympic Private Hire, 2a, Keppel Road, Manchester, M21 0AT
5 Keppel Road, Manchester, M21 0AT
4 Keppel Road, Manchester, M21 0AT
Flat 1, 7 Keppel Road, Manchester, M21 0AT
6 Keppel Road, Manchester, M21 0AT
Flat 1, 8 Keppel Road, Manchester, M21 0AT

Representations were received from the following third parties:

Councillor Val Stevens
Councillor Sheila Newman

Relevant Contact Officer : Dave Morris
Telephone number : 0161 234 4539
Email : d.morris@manchester.gov.uk