

## List No. 7

<b>Fallowfield Ward</b>	<b>Application Number</b> 080757/MO/2006/S1	<b>Date of Appln</b> 19th Sep 2006	<b>Committee Date</b> 21st Dec 2006
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**Proposal** RESERVED MATTERS seeking approval of the design, external appearance and landscaping arising out of outline planning permission ref 078345/00/2006/S1 for the erection of a pair of two storey semi detached houses

**Location** 7 Rostherne Avenue, Fallowfield, Manchester, M14 7DZ,

**Applicant** Constable House Ltd 12 George Street, Alderley Edge, Cheshire, SK9 7ES,

**Agent**

### Description

This application relates to a site of 0.04 Hectares that formerly made up part of the large side garden area to 7 Rostherne Ave, it is located in a residential area where semi detached houses are the predominate house type. The application site is a grassed, oblong shaped piece of land that sits between no. 7 and no 15 Rostherne Avenue. It is bordered on all sides by residential dwellings.

The outline application ref 078345/00/2006/S1 for the erection of a pair of two semi detached houses to be built on the site was approved on 3rd April 2006. The details considered during that stage concerned the principle of the development, the siting and size of the footprint and the means of accessing the site. No representations were received.

The application now before committee seeks consent for the reserved matters arising from outline planning permission ref 078345/00/2006/S1. The reserved matters are concerned with the design, external appearance and landscaping of the site.

### Consultations

Local Residents - No representations

Ward Members - One letter of objection accompanied with a petition with 10 signatures was received from Councilor David Royle objecting to the proposal, the petition objects on the grounds that the building process will cause a lot of noise and nuisance in such a small avenue.

Further correspondence was received from Councillor David Royle who objects to the 'landscaping and other works'.

Head of Landscape Practice - No objections against the landscaping proposal.

Greater Manchester Police Architectural Liaison Unit - Architectural Liaison Unit confirmed that the developer has submitted plans for the development to achieve Secured by Design accreditation. Architectural Liaison Unit has listed the relevant measures that must be taken. Once the scheme is nearing completion an ALU officer will visit the site to check whether the measures have

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been implemented. Once the development has achieved accreditation the City Council will discharge this condition.

Environment & Operations (Refuse & Sustainability) - There have been no objections to this proposal.

### **Issues**

Unitary Development Plan (UDP) - There are no site-specific policies in the UDP for this site. However, in considering this proposal consideration is given to policies H2.2, H2.7 and E3.5b.

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 H2.7 outlines how new housing schemes will be expected to be of a high standard of design and make a positive contribution towards the City's environment. E3.5b states that the Council will promote landscaping schemes that are designed so as to minimise the risk of attack.

Further to the above draft Supplementary Planning Document: Guide to development in Manchester 2 provides guidance for development. In taking into account the proposal consideration is given to policy 3.2 Continuity and Enclosure, the policy explains that the scale, position and external appearance of new buildings should respect their setting and relationship.

In addition to the above, Central Government provide 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' identifies sustainable development as a core principle underpinning planning. Emphasis is placed on the need for good design to ensure, attractive, usable, durable and adaptable places.

In terms of Regional policy, The Regional Planning Guidance for the North West (RPG13) provides further guidance and contains policies that promote sustainable development through its four Core Development Principles: the economic use of the land and buildings, enhancing quality of life, improving quality of design; and promoting sustainable economic growth and competitiveness. Policy DP3 requires that new development demonstrates good quality design and respect for its setting.

Principle of the proposal - Since the principle of the development has previously been approved the purpose of this application is to ensure that the development is implemented using a satisfactory scheme. The scheme should promote good design, which compliments and enhances the existing established character in the area. The application concerns the following reserved matters:

Design - The building is proposed in the area designated for buildings in the outline approval. It is considered that the scheme has been carefully designed to fit in well with the existing dwellings. Like the existing buildings the proposed footprint will front Rostherne Avenue. The area is currently dominated with two

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storey semi detached dwellings therefore the proposed height, width, and length of the semi detached building is in keeping with the surrounding character.

External appearance - The application site is currently vacant and forms part of the large side garden area for 7 Rosherne Avenue, this development will infill the vacant space between 7 & 15 Rosherne Avenue with a pair of two storey semi detached dwellings.

The proposed dwellings aim to reflect and complement the existing built form which in the main, are small, brick built two storey semi detached dwellings. The proposed dwellings are simple and traditional in appearance. They will be constructed using a mix of buff, brick and pre-formed reconstituted stone cills, with brick detailing around the windows. Further, each dwelling will have a dark grey tiled roof. The distances between the proposed habitable room windows and those in the neighbouring dwellings, comply with the City Council's guidance on privacy distances.

Landscaping - The landscaping proposal involves the loss of 6 poor quality trees and 2 metres of the hedge located at the front boundary of the site. The loss of trees has been compensated for by the planting of 7 new trees i.e. a net gain of 16.5%. The loss of hedgerow has been compensated for with 4 metres of boundary hedge treatment to minimise the visual impact of the proposal and be in character with the area, other existing trees are to be retained where possible.

In terms of hard landscaping, the proposal provides tarmac driveways, which allow for level access to the building and provide parking within the curtilage of the site.

Amenity space is sufficiently supplied with grassed garden areas to the front, rear and side of the properties further to this a concrete flagged patio area is located to the rear of the property.

A hedge will be planted in the middle of the front grassed garden area this will act as a boundary between the dwellings and be in character with this part of the city.

Construction - The applicant has been asked to provide an indication of how he will minimise disruption during the building work, and this will be reported to committee.

Comments on Consultations - The principle of development on this site is acceptable, as outline planning permission has been granted. The outline permission is subject in particular to a condition requiring a wheel wash and complaints about noise and nuisance during construction can be made to Environmental Health if necessary.

## Conclusions

Landscape Practice have no objection to the proposal and the landscaping, design and external appearance are considered to be acceptable.

**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

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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    **APPROVE****

Approve on the basis that the proposal is in accord with the City Councils Policies in particular Policies DC7.1 and H2.2 and there are no material considerations of sufficient weight to indicate otherwise.

### **Conditions and/or Reasons**

1) The development hereby approved shall be carried out in accordance with the drawings numbered CHL-01 rev A, CHL-02 rev A, CHL-03 rev D, stamped as received by the Local Planning Authority on 16/11/2006, 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 City Council Policy H2.2 as set out in the Unitary Development Plan for the City of Manchester.

2) The landscaping scheme approved by the City Council as local planning authority shown on drawing ref CHL-02 rev E, 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 3 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 City Council Policy H2.2 as set out in 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: 080757/MO/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

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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:**

8 Rostherne Avenue Fallowfield Manchester M14 7DZ  
3 Stelfox Avenue Fallowfield Manchester M14 7DD  
1 Stelfox Avenue Fallowfield Manchester M14 7DD  
7 Rostherne Avenue Fallowfield Manchester M14 7DZ  
6 Rostherne Avenue Fallowfield Manchester M14 7DZ  
5 Rostherne Avenue Fallowfield Manchester M14 7DZ  
15 Rostherne Avenue Fallowfield Manchester M14 7DZ

**Representations were received from the following third parties:**

Cllr David Royle: objection letter together with petition listing 10 signatures from the following addresses:

1 Rostherne Avenue Fallowfield Manchester M14 7DZ  
3 Rostherne Avenue Fallowfield Manchester M14 7DZ  
4 Rostherne Avenue Fallowfield Manchester M14 7DZ  
5 Rostherne Avenue Fallowfield Manchester M14 7DZ  
6 Rostherne Avenue Fallowfield Manchester M14 7DZ  
8 Rostherne Avenue Fallowfield Manchester M14 7DZ

<b>Relevant Contact Officer:</b>	: Charenjit Kaur
<b>Telephone No.</b>	: (0161) 234 4548
<b>Email</b>	: c.kaur@manchester.gov.uk