

Application Number	Date of Appln	Committee Date	Ward
118294/FO/2017	24 th Nov 2017	31 st May 2018	Didsbury West Ward

Proposal Erection of 2no. part single/part three storey detached dwellinghouses following demolition of existing dormer bungalow including associated hardstanding, landscaping and boundary treatment

Location 13 Oaker Avenue, Manchester, M20 2XH

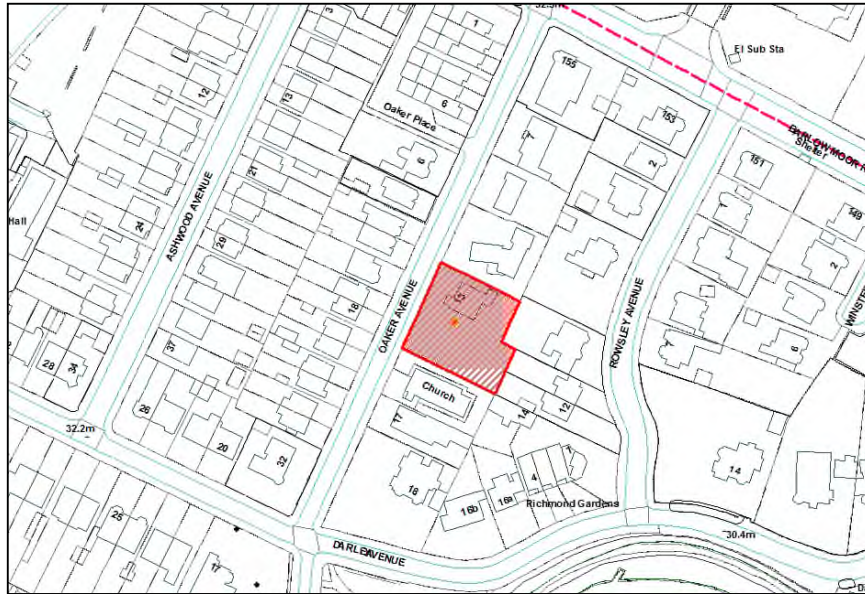
Applicant Mr Nicolas Rubin , 13 Oaker Avenue, Manchester, M20 2XH

Agent Mr Jonathan Hart, Jonathan Hart Associates, 29 Pine Road, Manchester, M20 6UZ

Description

13 Oaker Avenue is a 1970s detached bungalow located on a site 0.18 hectares in size. The property is located in the northern half of the site, with the remainder consisting of gardens and hardsurfaced parking area. Two vehicular driveways, located at either end of the site, currently serve the property. Mature landscaping exists throughout the site, but predominantly along the front and rear boundaries of the site. To the north of the site, stands no. 11 Oaker Avenue which is also a bungalow, while to the south is the Welsh Presbyterian Church. To the rear (east) of the site stand nos. 8 to 12 Rowsley Avenue. To the front (west) of the site, on the opposite side of Oaker Avenue, stands a number of two storey detached and semi-detached dwellings, namely nos. 12 to 18 Oaker Avenue.

Apart from the presence of the Welsh Presbyterian Church, the area is residential in nature consisting of substantial detached and semi-detached dwellings in sites of varying size. The western side of Oaker Avenue consists primarily of two storey detached and semi-detached properties in regular shaped plots, while the eastern side, in which the application site sits, consists of several bungalows and two storey detached dwellings, along with the church. The site context is shown below:



The applicant is proposing to demolish the bungalow and erect two part single/part three storey dwellings (2 traditional storeys with accommodation in the roofspace) on the site. A total of six bedrooms is proposed for each dwelling though the submitted drawings give some flexibility as bedroom six is annotated as “bed 6/play”. Both properties will be accessed off Oaker Avenue, with separate pedestrian accesses and driveways leading to a garage located at the side of each dwelling. The two new vehicular driveways will be provided in the centre of the existing brick boundary wall, away from the mature street trees that are in close proximity to the existing driveways. The existing vehicular accesses will be closed off and bricked up, apart for the provision of a pedestrian gate, to mirror the brick boundary wall which is to be retained along the majority of the frontage. To facilitate the proposal ten individual trees and four groups of trees will be felled.

The applicant originally applied for two larger three storey detached properties but due to concerns about their height and massing it was amended to that now before the committee. In summary, the ridge height has been reduced from 9.5 to 8.6 metres and the eaves height reduced from 7.3 to 6.4 metres. In addition, the first and second floor elements on the side have been removed to open the gap between the two dwellings. For comparison the original and revised proposals are shown below, along with a street view showing how the two dwellings will relate to each other in the streetscene.



Original proposal

Revised proposal



Consultations

Local Residents – Ten letters of objection have been received in relation to the revised scheme. The points raised are as follows:

- The proposal will shade 50% of the garden area at the rear of the dwellings on Rowsley Avenue.
- As the numbers of windows present in the proposed rear elevations is an increase in the number that currently exist the proposal will lead to a reduction in privacy due to overlooking of adjoining private amenity space.
- The proposal is too big, intrusive and too dense a development for the size of land. The family homes in the streets and surrounding area to 13 Oaker avenue - from the large houses on Barlow Moor Rd to the homes on the Merseybank Estate - all have gardens that are in proportion to the height of the house – presumably in consideration of the shade and intrusiveness created by a house in addition to the benefit of the garden as an amenity.
- The revised proposal continues to exceed the floor area of most, if not all current luxury home developments in the West Didsbury area and beyond by at least 10%. Both buildings proposed will each have a considerable floor area of 445.1m² a further 10% reduction in floor area could not disadvantage the developer in his intention to create two 6-bedroom luxury homes.

- The houses proposed are still three rather than two storeys and so would be out of character with the rest of the street. They would be of a size that is out of proportion to other properties in that part of the road which are all single or two storey buildings. Also they would occupy a far greater proportion of the plot than do neighbouring properties leaving little room for garden and parking.
- The height proposed is still excessive, due to the three storey construction, and out of proportion when compared to the neighbouring properties. The houses as proposed would be very dominant and overlook other properties in an intrusive manner.
- The proposed security fence would be unsightly and out of character with the street.
- The windows in the front elevation would lead to overlooking of those dwellings on the opposite side of Oaker Avenue.
- The proposed security lights would illuminate front bedrooms at night. There would also be increased illumination from the headlights of cars exiting a new driveway located directly opposite to existing dwellings on Oaker Avenue.
- The creation of the new vehicular accesses would reduce the levels of available on-street parking for residents.
- Oaker Avenue is a narrow road and there are already regularly issues with parking. On occasions the road has been blocked due to the positioning of parked cars. The proposed houses have inadequate parking provision which will exacerbate the current problems.
- There are already problems with surface water drainage in the road and to increase the area of roofing and hard surfacing on the plot would exacerbate this problem.
- The proposed plan does not appear to provide adequate off-street parking for what potential additional vehicle parking would be required for this type and size of property.
- The proposal does not adhere to paragraphs 2.14 and 2.15 of the Council's Guide to Development in Manchester SPD and consequently the northern most dwellings will have an overbearing presence on the neighbouring property resulting in a loss of amenity, including outlook and light levels.
- There is concern about the future conversion of the houses to multiple occupancy or to flats. Such a change would undoubtedly cause even greater problems with parking so it is essential that any planning approval specifies single family occupancy.
- The development should be amended so that the single storey side elements are located on the opposite side of their current locations to limit the overbearing impact of the proposal upon adjoining residents.

Ward Councillors – Cllr Leech has stated that he has no objection to two houses, though three storeys is too high and will be overbearing on the next door bungalow and church.

Highway Services – Have made the following comments:

- The proposed development is considered unlikely to generate any significant impact on the adjacent Highway network given the minimal scale of works proposed and as such, the capacity of network is considered sufficient.

- New vehicular access points are proposed from Oaker Avenue; the location of which are considered appropriate given the location of street trees within the footway.

Environmental Health – Suggests the imposition of refuse storage and contaminated land conditions

Neighbourhood Team Leader (Arboriculture) – Have confirmed that they have no objection to the proposal and have made the following comments:

- The important trees are to be retained and incorporated within the new development. The majority of the removals are actually self-set and have no long term potential to develop into significant trees.
- The current garden areas have not been maintained for a long period and the site appears unkempt and detracts from the overall appearance of the streetscape. Considering this, it is felt that the development will be a positive outcome for the remaining tree stock as they will be maintained for the long term.
- It will be necessary to ensure that arboricultural supervision is included in the planning permission to ensure that the method statement is adhered to during the demolition and construction phases.

MCC Flood Risk Management – No objections to the proposal and recommend the inclusion of an informative regarding the design of the drainage system.

West Didsbury Residents Association – The residents association have stated that they are encouraged by the fact apartments are not proposed and understand the need to make a sustainable use of the site. However, they have also made the following comments:

- The massing and height of these two houses (original scheme) is not appropriate.
- The proposal will lead to overshadowing.
- Inadequate car parking facilities have been provided given the size of the dwellings and number of bedrooms proposed.
- The extent of mature tree removal is severe and proposes to strip out all trees on the front and side of the property and most at the back. Wholesale felling proposed would irrevocably alter the character of the garden.
- The mature green frontage and street scene on Oaker Avenue would be stripped out and negatively impact on public amenity, especially as the proposed new build houses are so close to the highway.
- Views, amenity and screening of neighbouring properties on Rowsley and Oaker Avenues would be negatively impacted.
- The extent of tree and vegetation removal would greatly increase water run-off from the site due to the vital role that trees play in intercepting and absorbing rainfall. This increase in run off so close to the Mersey would increase flood risk.

- The proposal has the potential to impact upon protected species, such as bats, as well as nesting birds and hedgehogs.
- If the development is approved then it is suggested that conditions to prevent HMO conversion and loss of the integral garages be attached.

Greater Manchester Ecology Unit – There are more suitable properties within the locality than the bungalow to support roosting bats and the surrounding habitat also looks good for foraging and commuting bats. It is therefore recommended that as a precautionary measure the roof coverings and soffits, if present, be removed by hand with care, prior to demolition. If bats are found during works then works should cease immediately and advice sought from a suitably qualified bat worker. It is recommended that a condition to this effect, be placed on any permission if granted. The biodiversity enhancements, such as bat bricks and bird boxes should also be conditioned.

Policies

The National Planning Policy Framework (NPPF) – The NPPF was published on the 27th March 2012 and replaces and revokes a number of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

Within paragraph 17 of the NPPF, core land use planning principles are identified. The most relevant principles to this proposal are:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 1, *Design Principles and Strategic Character Areas* – This policy states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy EN 9, *Green Infrastructure* – This policy states that new development will be expected to maintain existing green infrastructure in terms of its quantity, quality and multiple function. Where the opportunity arises and in accordance with current Green Infrastructure Strategies the Council will encourage developers to enhance the quality and quantity of green infrastructure, improve the performance of its functions and create and improve linkages to and between areas of green infrastructure. Where the benefits of a proposed development are considered to outweigh the loss of an existing element of green infrastructure, the developer will be required to demonstrate how this loss will be mitigated in terms of quantity, quality, function and future management.

Policy H6, *South Manchester* – South Manchester will accommodate around 5% of new residential development over the lifetime of the Core Strategy. High density development in South Manchester will generally only be appropriate within the district centres of Chorlton, Didsbury, Fallowfield, Levenshulme, and Withington, as part of mixed-use schemes. Outside the district centres priorities will be for housing which meets identified shortfalls, including family housing and provision that meets the needs of elderly people, with schemes adding to the stock of affordable housing.

Policy DM1, *Development Management* – This policy states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;
Year 2013 - Code Level 4;
Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Manchester Residential Quality Guidance 2016 – Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses.

Guide to Development in Manchester Supplementary Planning Guidance –

Adopted in 2007, the guidance states in paragraph 2.13 that 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. Projections and setbacks from this line, such as bays, foyers and entrance halls, can help to create visual emphasis; they should not, however, reduce safety by creating hidden areas, or accessibility by making obstructions, nor detract from the visual continuity of the frontage.

Paragraph 2.14 states that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.15 states that although a street can successfully accommodate buildings of differing heights, extremes should be avoided unless they provide landmarks of the highest quality and are in appropriate locations. In established residential areas, significant variation in height may not be appropriate.

Issues

Principle of the Proposal – The principle of the proposal is considered acceptable given the residential nature of the site. Notwithstanding this, consideration must be given to the proposal's impact upon the existing levels of residential and visual amenity enjoyed in the locality of the site, particularly by those residents who adjoin the site, and upon the levels of pedestrian and highway safety enjoyed along Oaker Avenue.

Space Standards – The City Council adopted the Manchester Residential Quality Guidance in December 2016 and within that document reference is made to the use of the London Housing Design Guide space standards (LSS) as interim space standards for residential developments.

As 445.10m² of floor space is proposed in this instance and the interim space standards for a 3 storey 6 bed dwelling ranges from 129m² to 138m², it is considered that sufficient living space for the future residents of this dwelling will be provided.

Design – The design of the proposed dwellings is traditional in nature and comprises of brick elevations topped by tiled roofs and accompanying chimneys stacks. The front elevations feature gables either side of a portico entrance and each will contain bays running from ground to first floor, all of which are features seen elsewhere on Oaker Avenue and the surrounding neighbourhood. Windows will feature stone cills and headers, picking up on features seen elsewhere along the street. This design approach is welcomed.

Residential Amenity – The northern most elevation of the proposal is located approximately 1 metre away from the boundary with no. 11 Oaker Avenue and 9 metres from the property itself. Located within this northern elevation are two non-habitable windows (ground and first floor), a high level window in the garden room and a rooflight, all of which will be obscurely glazed. The elevation facing the church to the south of the site is 1.4 metres from the common boundary and 6.4 metres from the church itself and would consist of the same window arrangement. Given the nature of the proposed windows and that fact they will be obscurely glazed, it is not considered that they will lead to a reduction in the levels of amenity enjoyed by neighbouring residents or the church's congregation.

The front elevation of both dwellings will be sited 28 metres away from the dwellings on the opposite side of Oaker Avenue. These elevations consist of a mix of habitable and non-habitable rooms. Given the distance between the proposed and existing dwellings, the prevalence of mature landscaping on either side of the street and the fact that both elevations overlook over the public realm, it is not considered that the windows in the front elevations will lead to a reduction in privacy and subsequently existing levels of residential amenity. This relationship across a highway is similar to many others within this area of West Didsbury.

The rear elevations of the two dwellings consist of a mix of habitable and non-habitable room windows, along with a narrow balcony at first floor level off the master bedroom. These proposed elevations will be 8.6 and 14.4 metres away from the common boundaries with 8 and 10-12 Rowsley Avenue respectively and 23.5 and 30 to 32 metres from the properties themselves. Given the distances between the existing and proposed dwellings and the landscaping that exists between them, it is not considered that the proposal will have an unacceptable impact upon the levels of privacy and residential enjoyed by the residents of Rowsley Avenue

It is considered that the siting of the dwellings in the location proposed, along with the type and number of windows in all of the elevations, will ensure that there is no undue loss to the levels of privacy enjoyed by the residents of properties that adjoin the site.

Local residents have raised concerns about overshadowing from the proposed dwelling. It is acknowledged that during the times of the year when the sun is at its lowest point there will be some level of overshadowing of no. 11 Oaker Avenue. However, as the level of overshadowing will be similar to that experienced by other residents of Oaker Avenue, due to the height of dwellings and their proximity to each other, it is considered that the level of overshadowing will be at an acceptable level.

In terms of the overshadowing of the rear gardens on Rowsley Avenue, given the existing tree coverage that is present along the common boundary and the orientation of the proposed dwellings to nos. 8-12 Rowsley Avenue, it is not considered that the proposal will lead to an unacceptable rise in the level of overshadowing that currently exists.

Scale and Massing – The reduction in the height of the two dwellings (the ridge height has been reduced from 9.5 to 8.6 metres and the eaves height reduced from 7.3 to 6.4 metres) and redesign of the roof has reduced the overall massing of the proposal to be comparable with dwellings located elsewhere along Oaker Avenue and results in a development that is appropriate for this location.

Concerns have been raised about the three storey nature of the proposal and how this is at odds with the scale of dwellings in the area. It should be noted that while the presence of small windows at second floor level give the appearance that the proposed dwellings are three storeys in height, the accommodation at this level is contained within the roofspace. Examples of accommodation within the roofspace exist on the opposite side of Oaker Avenue and on Rowsley Avenue at the rear. Given this and the fact that the height of the proposed dwellings is comparable with the majority of the properties on Oaker Avenue (the bungalows on Oaker Avenue being the exception), the size and massing of the proposal is considered acceptable.

Character of the Area – While there are a number of bungalows on Oaker Avenue, the predominant character of this part of West Didsbury is one of two storey detached and semi-detached dwellings of varying heights and footprints that sit on sites which again vary in size and density.

The dwellings on Rowsley Avenue (nos. 2 to 12) sit on spacious sites and this equates to a density of approximately 16 dwellings per hectare. The density of development on Oaker Avenue varies on either side. The density on the east side is approximately 13 dwellings per hectare, taking nos. 7 to 11 Oaker Avenue and the application site as an example. The density on the west side of Oaker Avenue (nos. 6 to 30 Oaker Avenue) equates to approximately 32 dwellings per hectare as these dwellings are sited much closer together. The demolition of no. 13 Oaker Avenue and its replacement with the two proposed dwellings will result in a density of approximately 16 dwellings per hectare, a density that is comparable with that seen at nos. 2 to 12 Rowsley Avenue.

As the size of the proposed dwellings and the proposed density of development are both representative of the area it is not considered that the proposal will have a detrimental impact upon the overall character of this part of West Didsbury.

Siting – As the proposed dwellings would respect the established building line that runs along the eastern side of Oaker Avenue it is considered that the siting of the proposal is acceptable.

Visual Amenity – Given the design and siting of the proposed dwellings and the fact that they have been reduced in size and massing to that originally submitted, it is not considered that they will have an unduly detrimental impact upon the levels of visual amenity enjoyed along Oaker Avenue and by residents of the adjoining properties.

Amenity Space – Sufficient private amenity space will be provided for the future occupants of the proposed dwelling.

Trees – Twelve individual trees and five groups of trees exist on the site. To facilitate the proposal ten individual trees and four groups of trees will be felled, they are categorised as follows:

- Four category B trees (moderate quality)
- Six category C trees and four category C tree groups (low quality)

To compensate for the loss of these trees, the majority of which are self-seeded and of poor quality, the applicant is proposing to plant eight replacements (mountain ash, birch, hawthorn, wild olive, and magnolia). Given these replacements and the standard of the existing trees, as noted in the comments of the Arboricultural Officer, the loss of the existing trees is considered acceptable.

A condition is recommended which relates to the protection of the trees to be retained.

Landscaping – The indicative landscaping scheme submitted with the application shows that hedging is proposed along the street frontage on top of the original brick wall, the majority of which is being retained, apart from that lost to provide the new driveways. The new hedging, which replaces the existing poorly managed hedge will be complemented by juniper, blackthorn and firethorn hedge and shrubs along the pathways and common boundaries. In addition, eight replacement trees are proposed throughout the site. As the existing gardens offer little to the levels of visual amenity experienced along Oaker Avenue and the proposed scheme will be managed and enable the retained trees to flourish, the proposed landscaping scheme is considered acceptable in principle. A condition requiring the submission of a detailed landscaping scheme is suggested in this instance.

Ecology – It is considered prudent to attach a condition limiting the clearance of vegetation to outside of the bird nesting season. In addition, a condition requiring the use of bat bricks and bird boxes within the dwellings and the site is also suggested.

Pedestrian and Highway Safety – It is not considered that the additional dwellings will generate such significant levels of traffic or concentrated traffic movements so as to prove detrimental to the levels of pedestrian and highway safety currently enjoyed along Oaker Avenue. In addition, vehicular access to the site will be improved as the proposed driveways will be sited further away from the existing mature street trees thereby increasing visibility for drivers entering and exiting the site.

Car Parking – The level of parking to be provided via the garage and the associated hardsurfacing, (two to three spaces depending upon vehicle size), is considered acceptable for each proposed dwelling.

Waste Storage – Environmental Health have confirmed that the waste management strategy within the submitted Design and Access Statement is acceptable and have requested that it be conditioned to ensure future compliance with it. The strategy states that four separate 240 litre recycling wheelie bins for each dwelling will be provided and will provide facilities for the recycling of garden/food waste, glass, metal, plastics, paper/cardboard and general household waste. In addition, internal facilities in the form of waste food caddies will be provided to aid further recycling.

Accessibility – The site is nominally flat and wheelchair access from Oaker Avenue is unobstructed. Notwithstanding this, it is noted that any necessary changes of level within the development will be negotiated by way of 1:20 gradient ramps including the main entrance approach which leads to a flush entrance threshold to a one metre wide doorway.

In addition to the level access, the interior layout of the proposed dwellings is considered acceptable. The level threshold leads to a generous hallway, off which stands a large toilet adjacent to a study, rooms which have been designed to be able to be converted into an accessible en-suite bedroom should the access requirements of the future residents change. The remainder of the ground floor is similarly accessible, with the kitchen, family and garden rooms being open plan, while the upper floors offer spacious circulation space.

Given the above and the fact that the development has been design in accordance with Part M of the Building Regulations and "Design for Access 2" the accommodation is considered acceptable in terms of accessibility.

Future Use of Garage – A condition, preventing the use of the proposed garages as living accommodation will be attached to any approval granted in order to prevent the increase in on-street parking.

Crime and Disorder – The standard Secured by Design condition is suggested in this instance.

It is acknowledged that concerns have been raised about the impact of proposed security lights on adjoining residents. However, given that these lights will only be domestic in scale it is not considered that any impact will be significant.

Air Quality – The erection a two dwellings in this location will not have an undue detrimental impact upon the air quality experienced in the vicinity of the site. A construction management plan condition will be attached to any consent granted to ensure that dust suppression measures are implemented while the development is being built.

In terms of the running of additional households in this location, it is not considered that the comings and goings associated with the dwellings will have an undue detrimental impact upon air quality.

Sufficient space exists within the curtilage of the site to allow for the storage of cycles while the garages will have an electrical connection, therefore allowing for the future connection of a vehicle electrical charging point. Both of these measures reduce reliance on the traditional motor vehicle.

Conclusion

The design, siting and massing of the two dwellings is comparable with that in existence on Oaker Avenue and the surrounding streets and the proposed density reflects that seen in the neighbourhood. As a result it is not considered that the proposal will have a detrimental impact upon the character of the area, nor will it

have a detrimental impact upon the levels of residential and visual amenity enjoyed within the vicinity of the site. In addition, as only two dwellings are proposed, the development will not result in a large increase in traffic movements to and from the site, as a result it is not considered that the proposal will reduce the levels of pedestrian and highway safety enjoyed along Oaker Avenue.

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 Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning, Building Control & Licensing 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. She 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

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner to resolve any matters arising in relation to dealing with the planning application.

Conditions to be attached to the decision

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) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- a. Drawing number 521/1, stamped as received on 24th November 2017
- b. Drawing number 521/2, stamped as received on 24th November 2017
- c. Drawing number 521/3, stamped as received on 24th November 2017
- d. Drawing number 521/4, stamped as received on 24th November 2017
- e. Drawing number 521/5, stamped as received on 24th November 2017
- f. Drawing number 521/6, stamped as received on 24th November 2017
- g. Drawing number 521/7a, stamped as received on 28th March 2018

- h. Drawing number 521/8a, stamped as received on 28th March 2018
- i. Drawing number 521/9a, stamped as received on 28th March 2018
- j. Drawing number 521/10a, stamped as received on 28th March 2018
- k. Drawing number 521/11a, stamped as received on 28th March 2018
- l. Drawing number 521/12a, stamped as received on 28th March 2018
- m. Drawing number 521/13a, stamped as received on 28th March 2018
- n. Drawing number 521/14a, stamped as received on 28th March 2018
- o. Drawing number 521/15a, stamped as received on 28th March 2018
- p. Drawing number 521/17, stamped as received on 24th November 2017

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The external facing materials to be used on all external elevations shall not be installed until samples and specifications of all materials, including roofing, have been submitted to and approved in writing by the City Council as local planning authority. Thereafter the development shall be carried out in accordance with those details.

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 policies SP1 and DM1 of the Core Strategy.

4) a) Before the development hereby approved commences, a report (the Preliminary Risk Assessment) 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).

In the event of the Preliminary Risk Assessment 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) 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 shall be carried out, before the development commences and 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 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, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is 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, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

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 policies DM1 and EN18 of the Core Strategy.

5) No development shall commence until details of the measures to be incorporated into the development (or phase thereof) to demonstrate how Secured 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 Secured by Design accreditation.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

6) No development shall commence until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Core Strategy.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

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

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and 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 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 and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

8) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

9) No part of the development hereby granted permission shall be commenced unless and until a survey of the site, in a form and carried out by a person previously approved in writing by the local planning authority, has been carried out and demonstrates to the local planning authority's written satisfaction that no bats inhabit the site. Should the survey reveal the presence of any bats, a method statement for the demolition of no. 13 Oaker Avenue and felling of trees shall be submitted to and agreed in writing by the City Council as local planning authority and implemented in full in accordance with the approved details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy.

10) Above grounds works shall not commence until details of biodiversity enhancements (bird boxes and bat bricks), including a timetable for their installation and maintenance regime, have been submitted to and been approved by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

Reason - To ensure the protection of habitat of species that are protected under the Wildlife and Countryside Act 1981 or as subsequently amended in order to comply with policy EN15 of the Core Strategy Development Plan Document

11) The approved scheme (Waste Management Strategy contained within the Design and Access Statement, stamped as received on stamped as received on 24th November 2017) for the storage and disposal of refuse shall be implemented as part of the development and shall remain in situ whilst the use is in operation.

Reason - In the interests of amenity and public health, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage.

Reason - The loss of garage parking space could result in an unacceptable increase in on-street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

13) Before first occupation the windows in the elevations facing no. 11 Oaker Avenue and the Welsh Presbyterian Church shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

14) Prior to the commencement of the development hereby approved or any phase thereof a Construction Environmental Management Plan must be submitted to and be approved by the City Council as local planning authority and thereafter implemented in accordance with those approved details. The Construction Environmental Management Plan must show how the main construction effects of the development are to be minimised, with include detailed mitigation measure such as:

1. details of construction and demolition waste management;
2. details of pollution prevention;
3. dust control measures;
4. details of any lighting scheme proposed during construction;
5. details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 in the Core Strategy Development Plan Document.

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: 118294/FO/2017 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:

United Utilities Water PLC
West Didsbury Residents Association



A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

Ward Councillors
West Didsbury Residents Association

Relevant Contact Officer : David Lawless
Telephone number : 0161 234 4543
Email : d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification
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