

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132286/FH/2021

Date registered valid: 29 November 2021

Proposal: Erection of a single storey outbuilding within rear garden

Address: 226 Brantingham Road, Manchester, M21 0TX

Ward(s): Chorlton Park Ward

Applicant: Mr Dominic Ball, 226 Brantingham Road, Manchester, M21 0TX

Agent (if any): Mr Nasar Ishfaq, JAAN Architects Ltd, 37 Sudbury Drive, Stockport, SK8 3BT

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 February 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 13th January 2022

Standard consultations: Printed: 2 December 2021 Expired: 23 December 2021

Neighbour notifications: Printed: 2 December 2021 Expired: 23 December 2021

Site notice: No site notice has been produced

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of red brick and white render, with a hipped roof, bay windows and single storey rear outrigger. The plot includes a driveway and front and rear gardens.

Description of area

Brantingham Road is a residential street running parallel to (north of) Wilbraham Road in Chorlton. It is characterised by similar interwar family dwellinghouses with gardens and benefits from its proximity to Chorlton District Centre and two metrolink stations.

Description of development

The applicant is seeking permission to build a single storey outbuilding within the rear garden.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

MCC Flood Risk Management – Originally FRM objected to the proposal due to its location over a suspected culvert beneath the rear garden. A survey to identify the location and depth of the culvert was requested, however the agent raised the issue of expense to the householder and instead suggested a raft slab foundation for the outbuilding, to spread the weight over a larger area, which would not require digging to a depth as to risk damaging the culvert. FRM accepted

this method and conditions relating to the use of a raft slab foundation a watching brief have been attached.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management
- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021):

- Chapter 12 – Achieving well-designed places

For reasons to be outlined below, it is considered the proposal accords with the principles of these policy documents.

Issues

Principle – The proposal is for the erection of an ancillary outbuilding in the rear garden, which is considered acceptable in principle. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Siting, scale and massing – The outbuilding would be sited at the far end of the north-facing rear garden, sitting along the boundaries shared with both adjacent properties, No's 224 and 228 Brantingham Road, and the rear neighbour No.11 St Werburgh's Road. The proposed structure would be 8.66m in width, 3.45m in depth, with a height of 2.5m, creating approximately 29.8 square metres of additional living/storage space. It could be built under permitted development, hence it is not considered to be excessively large or bulky, particularly given the scale of other nearby outbuildings, which are a very common feature of the area. The development would not exceed 50% of the property's curtilage, meaning plenty of useable garden space would remain available within the plot, thus the proposal is deemed acceptable in terms of siting, scale and massing.

Design and appearance – The outbuilding would be constructed of materials to match the existing dwellinghouse, including red brickwork and uPVC glazing, with a flat EPDM roof, which has been conditioned. The design is standard for such development, consisting of a flat roof with overhang, two sets of sliding doors within the elevation facing the house and blank side and rear elevations. As outbuildings are commonplace in this residential area (note similar structures in the 7 neighbouring plots) the proposed development would not be out of keeping with the character of the area, nor harm it, particularly as the proposal would be sited at the far end of the rear garden and thus would not feature within the street scene of Brantingham Road. Therefore the proposal accords with policies DC1, DM1 and SP1 in terms of its appearance and impacts upon visual amenity.

Residential amenity – Due to its siting at the end of the garden, along the boundaries with

other gardens containing outbuildings, it is not considered the proposal would cause an undue loss of amenity for those occupiers in terms of light, outlook or privacy, particularly considering its orientation and low height. In addition to this, no objections have been received from the surrounding residents in regards to this application, hence the development is considered to accord with the principles for residential development set out in the Core Strategy.

Conclusion – The proposal complies with policies DM1, DC1, SP1 and the NPPF, it received no objections and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the house or wider area. The proposal is deemed acceptable and could be built without permission, hence development may commence in accordance with the following conditions and approved drawings.

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 a right to a fair hearing and to this end the local planning authority 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 Director 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 recommendation given is proportionate to the wider benefits of 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 based on seeking solutions to problems arising in relation to dealing with the planning application. Issues have arisen during the consideration of this application and the officer negotiated with the agent in order to reach a satisfactory solution.

Condition(s) to be attached to decision for approval

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 revised drawing numbered '226BRAREVA', stamped as received by the City Council as Local Planning Authority with the application form on the 22nd February 2022.

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 materials to be used on the external surfaces of the outbuilding hereby permitted shall match those specified on the submitted application form.

Reason - To ensure the appearance of the dwellinghouse is not adversely affected by the materials to be used in the construction of the outbuilding, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 226 Brantingham Road, M21 0TX.

Reason: To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

5) A raft slab foundation shall be utilised in the construction of the outbuilding, as shown on the approved drawing '226BRAREVA'.

Reason - To safeguard the culvert which may be located beneath the development, pursuant to policy DC1, DM1 and EN14 of the Core Strategy Development Plan for Manchester.

Informatives

MCC records highlight that the underground Longford Brook is located within close proximity to the site (approximately onsite). We recommend that the applicant undertakes site investigations to determine whether the asset is in the location of the proposed development, and that embedded design to protect the asset is included. The applicant is advised that if a culverted ordinary watercourse is present on their site, they would be considered the riparian owner responsible for maintenance of the culvert. In the event that the culvert is damaged by the proposed development, development shall cease and the riparian owner would be responsible for fixing the damage to the asset prior to occupation of the development.

While our records are frequently updated to ensure the highest level of accuracy, the records cannot guarantee 100% accuracy for all MCC underground assets. Therefore, we would request that the applicant informs the onsite contractor to remain observant (utilise a watching brief) and to take the appropriate safety precautions during excavation works. If any major unknown drainage assets are found beneath the site, then further investigation works should take place to identify the asset and MCC should be contacted immediately.

Appendix 1 – List of consultees & neighbours notified

MCC Flood Risk Management

11 St Werburgh's Road, Manchester, M21 0TW

261 Brantingham Road, Manchester, M21 0TP
224 Brantingham Road, Manchester, M21 0TX
1 Lisburn Avenue, Manchester, M21 0TQ
228 Brantingham Road, Manchester, M21 0TX
263 Brantingham Road, Manchester, M21 0TP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Flood Zones Type 2 (low to medium risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH