

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132889/FH/2022
Date registered valid: 18 February 2022
Proposal: Erection of outbuilding in rear garden to be used as an office
Address: 61 Carlton Road, Manchester, M16 8BZ
Ward(s): Whalley Range Ward

Applicant: Mr Yong Zhang, 61 Carlton Road, Manchester, M16 8BZ
Agent (if any): Dr Kanadi Jagafa, Mason and Marlowe Ltd Colony, 5 Piccadilly Place, Manchester, M1 3BR
Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: Approval
Date of recommendation: 06.05.2022

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

Printed: 24 February 2022 Expired: 17 March 2022

Neighbour notifications

Printed: 24 February 2022 Expired: 17 March 2022

Site notice

Posted: 24 March 2022 Expired: 14 April 2022

Press advert

Published: 1 March 2022 Expired: 22 March 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/area

Listed building: Not applicable

Conservation area: Whalley Range Conservation Area 1992

Tree Preservation Order: Not applicable

The application site relates to a three storey brick built semi-detached property situated within a residential area of Whalley Range in South Manchester. The property benefits from amenity space to the front with off street car parking space and a long rectangular rear garden. Boundary treatment in the form of timber fencing occupy the shared and rear boundaries along the rear garden, with a small vegetation hedge and a brick wall along the front and side elevation situated at the front of the property.

The remaining of the area is residential in nature and Y.W.C.A Hostel is directly south of the application site.

Description of development

The application seeks consent for the erection of a single storey outbuilding to be utilised as an office including a set of sliding French Doors overlooking the rear garden and the rear of the property and a small, narrow window along the rear elevation. The proposed outbuilding would have a footprint of approx. Height 2.5m x Width 5.7m x Depth 4.7m. The proposed outbuilding would maintain a gap of 0.285m from both neighbouring boundaries.

Planning History

Erection of 4 No. semi detached houses and change of use of former children's home to family house involving demolition of existing side extension and new porch to front with associated parking, gardens and boundary treatment. APPROVED 117508/FO/2017 09.02.2018

Consultations & Notification Responses

Local residents were notified however none responded.

Neighbourhood Team (Arboriculture) were asked for their comments on this application given the location of a T1 tree on the neighbouring property's boundary. They responded with the following comments:

As you can see from the screenshot below, T1 exceeds the recommended tolerance levels of T1, however, as the margins are small and the 20% is a guideline, I would suggest that this work would not have an adverse effect on the trees overall health and therefore we would have no objection.

As the margins are tight, we would expect the developer to take extreme care when developing the site and work closely with the Arboricultural Method Statement provided.

7.0 Mitigation Proposals

7.1 Construction of concrete slab within RPA of T1#, T2# & T3#.

7.1.1 As shown above, the Impact Table raises concern of the proximity of the outbuildings basal concrete slab to T1# T2#, & T3# and the effect the proposals would have on the Safe Useful Life Expectancy of the trees.

7.1.2 Section 7.5.3 of BS 5837:2012 advises that where new hardstanding or concrete slabs is to be formed within the RPA it should not exceed 20% of any existing unsurfaced ground. The table below details the amount of encroachment within the RPA.

Tree No	Total Area m2 of RPA	Total m2 of Structure within the RPA	Percentage of Hardstanding within the RPA
T1#	91	19.1	20.98
T2#	65	10.30	15.8
T3#	651	31.80	4.88

7.1.3 As you can see from the table above the proposed structure does not exceed 20% of the RPA for T2# & T3#, however, T1# exceeds the recommended amount by less than 1%. It is felt that this small amount over the recommended guidance will not adversely affect this tree and therefore the concrete slab used as a foundation for this project would be a suitable solution.

7.1.4 The construction of the concrete pad will be at ground level and there will be no excavation into the existing soil layer other than a small scrape by hand to uplift the grass

Policy

Property in Conservation area

The following policies are considered relevant to provide guidance and consideration to this application:

- National Planning Policy Framework (NPPF)
- Saved policy DC1 of the UDP
- DM1, SP1, EN19 of the Manchester Core Strategy

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-

prepared plans for housing and other development can be produced. The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 8: Promoting health and safe communities

91. Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: promote social inclusion, are safe and accessible and enable and support healthy lifestyles.

Chapter 12: Achieving well-designed places

124: The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Unitary Development Plan Saved Policies

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

DC1.3 Notwithstanding the generality of the above policies, the council will not normally approve:

- a) rearward extensions greater than 3.65m (12ft) in length
- b) 2 storey extensions with a flat roof, particularly those which would be visible from the public highway
- c) 2 storey extensions to terraced properties which occupy the full width of the house
- d) flat roofed extensions to bungalows

DC18.1 The council will give particularly careful consideration to development proposals within Conservation Areas.

- a) the council will seek to preserve and enhance the character of its designated Conservation Areas by carefully considering the following issues:
 - I) the relationship of new structures to neighbouring buildings and spaces
 - II) the effect of major changes to the appearance of existing buildings
 - III) the desirability of retaining existing features such as boundary walls, gardens, trees (including street trees)
 - IV) the effect of signs and advertisements
 - V) any further guidance on specific areas which has been approved by the council
- b) the council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a Conservation Area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area

- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the council has been furnished with evidence that the development will be undertaken
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas

Core Strategy

Manchester's Core Strategy was adopted on 11th July 2012 and is the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents,
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;

Policy DM 1 Development Management- 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.

Policy EN 3 Heritage- Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy EN14- Flood Risk- All new development should minimise surface water run-off, including through Sustainable Drainage Systems (SUDS) and the appropriate use of Green Infrastructure.

Principle

The proposal is for the erection of an outbuilding, in the rear garden for an office space, which is considered acceptable. Notwithstanding this, consideration must be given to the proposed development's appearance, and to the impact upon existing levels of residential and visual amenity.

Issues

Residential and Visual Amenity

It is not considered that the proposed development would give rise to any significant adverse impacts on residential or visual amenity currently experienced by neighbouring properties. The

adjoining properties that have the most potential to be affected by this proposal are 59 and 63 Carlton Road.

Due to the positioning of the outbuilding located at the edge of the rear garden only 0.5metres from the rear boundary with Sycamore Court, the neighbouring properties along Carlton Road are far from the proposed extension with any visual amenity limited in impact. Additionally there is a mature vegetation screening between the application property and Sycamore Court preventing any significant visual amenity impacts.

The outbuilding would not give rise to any loss of light or overshadowing implications. The insertion of French sliding doors within the front elevation would not give rise to any overlooking implications, as most of the views from the doors would look into the applicant's garden. Additionally, there is a small, narrow window is situated along the rear elevation facing Sycamore Court, due to the boundary screening and the size of the window there would be limited overlooking. A condition shall be attached to any approval granted restricting the further insertion of windows or doors beyond those approved by this consent.

The property still benefits from a substantial amount of amenity space to the rear and front of the property.

On the original planning application for the 4 semi-detached dwellings along Carlton Road (117508/FO/2017) Permitted Development restrictions were applied to this approval, therefore the applicant is now seeking consent for this outbuilding. It is considered the proposal complies with the NPPF, Core Strategy policies SP1, DM1 and Saved Policies DC1 and DC18 of the Unitary Development Plan.

Design and Appearance

Whilst the materials used in the outbuilding do not match the existing dwelling, the outbuilding is typical of a shed type structure found in many gardens in the area. The use of wooden timber cladding for the elevations is typical of outbuildings within local gardens, with the roof material offering a more contemporary feel. A materials condition will be attached to any approval granted to ensure the materials listed are used.

Car parking

Off-street car parking would be unaffected by this proposal.

Bin storage

At the time of the site visit, bins were stored close to the gate leading into the main amenity space and so would be unaffected by this proposal.

Impact on the Whalley Range Conservation Area

The proposal would be located in a suitable position with the proposed outbuilding not visible from the streetscene. The proposal would not interfere with the existing characteristics of the conservation area. Material choice would be an acceptable selection for the conservation area.

Furthermore, the Neighbourhood Team (Arboriculture) have commented that they have no objection to the proposal and the development does not have an adverse effect on the neighbouring T1 tree. However, a condition will be applied to any condition that work will be completed in accordance with the Arboriculture Method Statement.

On balance, it is believed that the proposal would enhance the character of the Conservation Area which is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Conclusion

On balance given the outbuildings that can be achieved through the route of Permitted Development and the amenity space to be retained as a result of the application, the application is said to be appropriate in its appearance. It does not create any significant impact in terms of visual or residential amenity.

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: Approval

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the local planning authority had no issues to raise the applicant/agent but have attached appropriate conditions to the approval.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 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 documents and drawings:

Householder Application for Planning Permission for works or extension to a dwelling, stamped as received by the City Council, as Local Planning Authority, on 10 February 2022.

Drawing- Elevations, stamped as received by the City Council as the Local Planning Authority on 15 February 2022.

Drawing- Floor Plan and Elevations, stamped as received by the City Council as the Local Planning Authority on 5 April 2022.

Drawing- Location Plan, stamped as received by the City Council as the Local Planning Authority on 10 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 Manchester Core Strategy.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall be implemented in accordance with the approved details as set out in the documents and drawings specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

- 4) The detached outbuilding hereby approved shall only be used as ancillary accommodation in connection with the existing residential property 61 Carlton Road and for no other purpose.

Reason- In the interest of visual and residential amenity, pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

- 5) 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 windows or doors shall be inserted into the elevations of the outbuilding hereby approved other than those shown on the approved drawings Floor Plan and Elevations, stamped as received by the City Council as the Local Planning Authority on 5 April 2022.

Reason- In the interest of residential amenity pursuant to policy SP1 and DM1 Core Strategy for City of Manchester.

- 6) The development hereby approved shall be carried out in accordance with the Method Statement and Arboricultural Impact Assessment, stamped as received by the City Council, as Local Planning Authority on 03.05.2022.

Reason- In order avoid damage 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.

Appendix 1 – List of consultees & neighbours notified

Whalley Range Forum

Whalley Range Conservation Area Group

Flat 6, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 4, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 2, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 1, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

59 Carlton Road, Manchester, M16 8BZ

63 Carlton Road, Manchester, M16 8BZ

Flat 12, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 10, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 8, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 5, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 3, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 15, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 14, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 13, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 11, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 9, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

Flat 7, Sycamore Court, 58 Dudley Road, Manchester, M16 8FL

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

Conservation Area - Whalley Range Conservation Area 1992

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH