MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 132022/FH/2021 |
| **Date registered valid:** | 25 October 2021 |
| **Proposal:** | Erection of a single-storey outbuilding garage to the rear of the site |
| **Address:** | 270 Kings Road, Manchester, M21 0XQ |
| **Ward(s):** | Chorlton Park Ward |
| **Applicant:** | Mr Qais Ahmed, 270 Kings Road, Manchester, M21 0XQ |
| **Agent (if any):** | Mr Saghir Hussain, Create It Studio Architects, Universal Square, Devonshire Street North, Manchester, M12 6JH |
| **Case officer:** | Janet Lawless<br>Tel: 0161 234 4535<br>Email: janet.lawless@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | 21 December 2021 |

**Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** December 2021

**Standard consultations:**
Printed: 27 October 2021 Expired: 17 November 2021

**Neighbour notifications**
Printed: 27 October 2021 Expired: 17 November 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**
The property that is the subject of this householder application is a 2 storey brick built semi-detached property in use as a single family dwelling house. It is located within the Chorlton Park ward of the City. It is a corner property and sits at the junction of Kings Road and Chatburn Road. As a corner property it has the benefit of garden area to three sides.

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

**Description of area**
The remainder of the area is predominantly residential in nature with properties of a similar age and design to the proposal site.

**Description of development**
The proposal is for the erection of a free standing single storey outbuilding to be located at the bottom of the garden of 270 Kings Road, it will provide storage and garage space to the existing property. It would sit up tight to the boundary with number 16 Chatburn Road. It is the gable end of the property on Chatburn that faces onto the proposed extension.
The garage of the property on Chatburn separates the 2 properties, and there are no windows in the gable end that would be impacted by the single storey building. The unit would be of dual pitched construction and with tiled roof and render finish to match the original dwellinghouse. It would have a garage door on the frontage facing onto Chatburn Road and would have a single door on the return, facing onto the applicants own garden. There are no windows or doors proposed on the other 2 elevations. The unit would sit on the same building line as the side extension on the existing property.
The works on the main house have not yet been completed, and there will be elements of rendering on the host property once finished.

There has been a recent consent for a retrospective application 131221/FH/2021-Part retrospective application for the erection of a two storey side extension and part-single/ part two storey rear extension, hip to gable roof conversion and insertion of photovoltaic panels to the front and side roof together with the installation of a rear dormer to form additional living accommodation

## Consultations & Notification Responses

Local residents were informed- one letter in support of the proposal has been received- support the owner of the property as he is a great pillar of the community and the garage would be as stunning as the house and would make it look like it had always been there as the house does now you couldn't find a better builder that appreciates something like this in the community and to give us our architectural heritage back.

Highways- no objections subject to the attachment of an informative.

## Issues

### Policy

Relevant policy to this application is contained in the NPPF (2021) and Core Strategy policies DM1 and SP1 and saved UDP policy DC1.

**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.
Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

**Core Strategy policy DM1** indicates 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.
Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment.

**The Unitary Development Plan** (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

Unitary Development Plan
**Policy DC1** of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:
a. The general character of the property
b. The effect upon the amenity of neighbouring occupiers
c. The overall appearance of the proposal in the street scene;
d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:
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 the original buildings)
b. They do not create a loss of sunlight/daylight or privacy
c. They are not out of character with the style of development in the area
d. They would not result in the loss of off-street parking

**Issues**

**The principle** of householders extending their properties to provide additional living accommodation is generally acceptable subject to further consideration of the impacts of proposals on residential and visual amenity, and the character of the area.

**Residential Amenity** - The proposal is located to the rear garden along the boundary with the neighbouring property on Chatburn Road.

The positioning of the outbuilding alongside the boundary with the neighbouring property is not considered to give rise to unacceptable impacts on the neighbouring property. It would be sited immediately adjacent to the garage and driveway already in situ at number 16 Chatburn Road.

**Character of the Area** - The outbuilding is considered to be an acceptable response to the properties layout and siting. Given the design of the property and the fact that many of the properties within the area have had the benefit of similar free -standing units, it is not considered that the proposal would give rise to unacceptable impacts on the character of the area.

**Waste Management**- The bin storage requirements for the property are unaffected by the application, there is sufficient space around the property to bring the bins kerbside on collection day.

**Parking**- The new building would be a combination of garage and storage, and a new vehicular access point is created off Chatwood Road. The proposal would retain vehicular parking space.

**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 polices 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. The application has been determined in accordance with the guidance contained within saved policy DC1 'Residential Extensions' of the Manchester Unitary Development Plan and to policy DM1 of the Core Strategy and the National Planning Policy Framework.

**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 drawings and documents:
A131 (02) 001 Proposed Site Plan and 3D View.
A131 (02) 002 Proposed outbuilding floor plan and elevations.

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 extension hereby permitted shall be in accordance with those as stated on the application forms. The render to be applied shall be a white colour through render.

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

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending or replacing the same, no windows or doors shall be inserted in the extensions hereby approved, other than those expressly authorised by the granting of this planning permission.

Reason - In the interests of residential and visual amenity since any additions to the approved dwelling may adversely impact upon the neighbouring occupiers, pursuant to saved policy DC1 of the Unitary Development for the City of Manchester Policies DM1 and SP1 of the Manchester Core Strategy.

**Informatives**

1) Should a dropped kerb be required to facilitate vehicle access, the applicant will be required to enter into a Section 184 agreement. This will need discussion and agreement with the council's Highways Maintenance Team via Contact Manchester (Tel. 0161 234 5004), further information can be found on the MCC internet pages: https://secure.manchester.gov.uk/info/474/parking_at_your_home/8170/apply_for_a_dropped_kerb
- Any gates should open inwards
- Any boundary treatment at the point of vehicle egress should be visually permeable from 600mm upwards.

## Appendix 1 – List of consultees & neighbours notified

Highway Services

273 Kings Road, Manchester, M21 0XG
16 Chatburn Road, Manchester, M21 0XE
271 Kings Road, Manchester, M21 0XG
274 Kings Road, Manchester, M21 0XQ
272 Kings Road, Manchester, M21 0XQ
268 Kings Road, Manchester, M21 0XQ

## 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
Area Team Boundary - Name: SOUTH