

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132408/FH/2021
Date registered valid: 22 December 2021
Proposal: Installation of garden shed within rear garden
Address: 7 Bempton Drive, Manchester, M20 2WD
Ward(s): Didsbury East Ward

Applicant: Mr Stewart and Bronwen Rapley 7 Bempton Drive, Manchester, M20 2WD

Agent (if any):

Case officer: Tracie Simpson
Tel: 0161 234 4537
Email: tracie.simpson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 15th February 2022

Application details

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	18 January 2022
Standard consultations:	No consultations have been printed and sent.
Neighbour notifications	Printed: 30 December 2021 Expired: 20 January 2022
Site notice	Posted: 18 January 2022 Expired: 8 February 2022
Press advert	Published: 11 January 2022 Expired: 1 February 2022
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building

The site relates to a three storey flat roof modern semi detached new build property located within a new estate constructed approximately 2018. The properties have gardens to the front and rear and off road car parking.



Listed building:	Not applicable
Conservation area:	Didsbury St James Conservation Area 1970
Tree Preservation Order:	Not applicable

Description of area

The area is predominantly residential in nature close to Didsbury District Centre

Description of development

The applicant is seeking planning consent for the Installation of garden shed within rear garden

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. There has been one letter of representation in respect of this application, summary of comments as follow:

- The shed will be on our boundary.
- We have no objection to the construction of the shed or to the position however we are concerned about potential noise from music or power tools as this property boundary is directly next to the lounge used by recently bereaved families.
- We also note that the fire pit is sited below a mature tree on the boundary between our properties.
- I do not have any objections to this shed being erected as long as the shed height doesn't exceed the height of my garden fence and block sunlight or any views from my garden. Also, the shed should not damage/move any part of my garden fence.

Policy and Issues

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

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
- o DC18 for Conservation Areas
- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 - Design Principles
- o Policy EN 3 Heritage
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

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

Principle

Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of The Unitary Development Plan for the City of Manchester 1995 (UDP) relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework (NPPF) which seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon

either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

History

Although there are no previous planning applications relating to the individual property. There are several applications in relation to the erection of houses on the estate the main application as follows:

Reference number 119242/FO/2018- for the erection of 22 No. (2 x 3 bed, 18 x 4 bed, 2 x 5 bed) houses (C3), conversion of Parklands (use class B1a) to 39 No. (16 x 1 bed, 20 x 2 bed, 3 x 3 bed) apartments (C3), conversion of and extensions to The Cedars (use class B1a) to 21 No (8 x 1 bed, 10 x 2 bed, 3 x 3 bed) apartments (C3), conversion of The Coach House into 2 No. (1 x 1 bed, 1 x 2 bed) houses (C3) and conversion of The Lodge into 1 No. (1 x 2 bed) house (C3), totalling 85 units, including demolition works, works to highways, provision of parking, landscaping and other associated works. This application was approved on 30th November 2018.

Residential Amenity

A resident although not objecting to the proposal would not like the shed to exceed the height of the boundary fence. The applicant proposes a single storey timber shed which would be located north of the site to the far end of the rear garden. The shed measures 1.83m in width, 1.83m in height and 0.9m in depth. The roof would be sloping and would have double doors and no windows

It is considered that the garden can accommodate a shed of this size and although has a close relationship to the rear boundaries, given the distance to back of properties together with height and size, it is not anticipated that the proposal would provide a visual impact on the occupiers surrounding properties.

In terms of residential amenity, it is not considered that there will be any significant impact and the proposed development therefore accords with Core Strategy Policy DM1 and saved policy DC1 of the UDP.

Scale and Massing

In context to the existing rear garden, the timber shed is acceptable. The scale and massing of the shed is considered would not cause undue harm to the current levels of amenity being enjoyed by the occupiers of surrounding properties. The extension would not present an unusual feature in the immediate area and is considered acceptable within the surrounding environmental context and is not believed to provide an overbearing impact upon the residential amenities of surrounding properties.

It is therefore considered that the design, scale and appearance of the proposed extension is satisfactory and is considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Impact on the Didsbury St James Conservation Area

The proposal would be located in a suitable position and although can be viewed from the main road would not interfere with the existing characteristics of the conservation area. Material choice would be an acceptable selection for the conservation area.

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.

Design

The design of the proposal would be in keeping with the existing and surrounding properties in the area and in terms of the proposed materials it is intended to use timber as specified in the application form. The design is detailed as what is normally expected of such a structure and would not unduly impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Other matters

Although there are no objections to the proposal, Francis House Children's Hospice had concerns in relation to the construction noise associated with the shed. The applicants have been notified of the comments especially given the sensitive nature of the building located within close proximity to the application site.

Refuse Storage

The proposed development does not impact on the refuse storage arrangements for the property.

Parking

The existing car parking arrangements are unaffected by this proposal.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

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

Positive and proactive working 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 a timely manner and in accordance with the policies within the Development Plan.

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:

Received on 7th December 2021 annotated Proposed Site Plan

Received on 7th December 2021 annotated Garden Layout Plan

Received on 7th December 2021 annotated Proposed Location Plan

Received on 22nd December 2021 Manufacturers details

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 hereby permitted shall match those as specified on the application form/drawings in type, size, colour and texture.

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 structure, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

8 Bempton Drive, Manchester, M20 2WD

6 Bempton Drive, Manchester, M20 2WD

Francis House Children's Hospice, 390 Parrs Wood Road, Manchester, M20 5NA

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 - Didsbury St James Conservation Area 1970

Area Team Boundary - Name: SOUTH