MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130452/FH/2021
Date registered valid:	4 November 2021
Proposal:	Erection of a single storey building to form ancillary living accommodation for occupiers of existing property
Address:	185 Slade Lane, Manchester, M19 2AE
Ward(s):	Levenshulme Ward
Applicant:	Mr Justin Keleghan JK Technical Services (NW) Ltd 21 Campbell Road, Manchester, M27 5QG
Agent (if any):	Mr Justin Keleghan JK Technical Services (NW) Ltd 21 Campbell Road, Manchester, M27 5QG
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	APPROVE
Date of recommendation:	22 December 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:
Printed: 10 November 2021 Expired: 1 December 2021

Neighbour notifications
Printed: 14 December 2021 Expired: 21 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:

Tree Preservation Order:

This application relates to a two-storey semi-detached property in a predominantly residential area. There is no record of any previous permissions for any extensions to the property.

The property has a long rear garden, with the rear boundary approximately 20 metres from the rear of the main house. Ordnance Survey plans show an outbuilding along the rear boundary but the submitted site photographs indicate that this building has been demolished. At the bottom of the garden it is now proposed to erect a detached single storey building to form a garden room with an associated storage area and WC. The proposed structure would be 8.5 metres wide, running along the entire rear boundary of the property. It would be approximately 4.85 metres long. The structure would have a pitched roof with an eaves height of 2.5 metres and a height to the apex of 3.5 metres.

The proposed materials would be common brickwork and concrete interlocking tiles.

Consultations & Notification Responses

Local residents - The application originally showed a higher structure with additional accommodation in the roofspace, and the following comments were received from one resident:

They live adjacent to the above property where their rear garden adjoins this property and they would like to express concerns and objections to the outbuilding proposed.

The existing outbuilding was demolished in the summer and, during the demolition works they spoke with the builder who said that they intend to create a separate 2-storey flat to the rear of the property. This would be achieved by getting planning approval for a tall single-storey and after planning the ground would be lowered and the roof space used for bedrooms.

This has caused great concerns as this will create windows at high level that will overlook their garden spaces and have a detrimental impact on their private amenity space. Additionally, a self-contained flat will create issues relating to noise and parking.

In principle, they have no problems with a single-storey outbuilding that is used for storage or a garden room, but they do object on the basis of the outbuilding being converted into a 2-storey flat after planning has been granted.

They do not see why an outbuilding needs to be as large as the proposed scheme, which is shown as 8.5m wide, 4.8m deep and 4.3m high.

To help mitigate the possibility of the outbuilding being converted into a 2-storey flat can they suggested the following changes to the proposal:

Height: The height should be reduced to 2.5m. This can be achieved with a flat roof design or a mono-pitched roof. The 2.5m should be from the external ground level so if the builder lowered the ground then the building should also be lowered.

Width: The width is reduced to 6m to allow some space around the outbuilding and not affect the foundations of the two existing outbuildings on either side.

Depth: The depth should be reduced to 4m.

Following the submission of the reduced scheme, residents were re-consulted and no further comments were received.

Highway Services - Makes the following comments:

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway. Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise.

The current on-site parking offering is to be retained and as such, Highways have no concerns regarding vehicular build up on- street. It should be noted that all individual driveway parking spaces should be a minimum of 3.0m x 6.0m to ensure that vehicles /pedestrians do not impact on the adopted highway. An existing dropped kerb is in place on Slade Lane to provide access to the driveway at the property.

The existing bin store at the side of the property is to be retained. Bins will be taken to/from the collection point on Slade Lane by residents on collection day. This is considered to be appropriate in ensuring no obstruction on the adjacent highway.

Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

Strategic Area and Citywide Support Manager - No objections.

Flood Risk Management Unit - Makes the following comments:

Based on submitted drawings illustrating the proposed building connecting to the existing private drainage network at the property, on the basis that a gravity connection is feasible, they approve of the proposed drainage and we have the following recommendation:
The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system. This has been provided to the applicant by way of an informative.

Greater Manchester Police - No comments received.

GM Ecology Unit - Makes the following comments:

Summary
There are unlikely to be any ecological issues associated with this development.

Protected Species
There are unlikely to be any protected species issues with this development, the building shown on OS maps appears to have already been removed, so there will be no bat issues. No further information or measures are required.

Nesting Birds
There appear to be no trees or shrubs impacted upon by the development. I note there is a tree in the neighbouring property however that would need pruning back in order to build the annexe. I therefore recommend an informative along the following lines.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Contributing to and Enhancing the Natural Environment
Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment.

The development appears to have negligible impacts on habitats or any particular species. No mitigation appears to be required. Any form of soft landscaping, bird or bat box provision would enhance the site. The details can be conditioned.

These suggestions have been provided to the applicant as informatives.

West Point Residents Association -No comments received.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;

b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 127).

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.

Policy SP1 identifies the City Council's Core Development Principles and states that 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
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 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 and 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.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is presently unallocated within the Manchester Unitary Development Plan.

Saved Policy DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the street scene;
e. The effect of the loss of any on-site car parking.

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 States that, 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
e) extensions which conflict with the councils guidelines on privacy distances (which are published as supplementary guidance).

Impact of works - The structure is located at the rear of the site and would not be visible from the street. There would be some potential impact upon the occupiers of properties at the rear, but the proposed building has been sufficiently reduced in scale, compared to the original submission, so that it is now of a standard single storey height with a 2.5 metre eaves level and sloping roof up to a maximum height of 3.5 metres. Also no windows are proposed in the side or rear elevations, so there will be no overlooking of adjoining properties and only a small amount of brickwork and a pitched roof would be viewable from the properties to the rear, which themselves have long gardens. The unit does have a large footprint, but regard also has to be given to permitted development allowances, which would allow a 2.5 metre high structure of the footprint shown, in this location. In effect, it is therefore only the provision of the pitched roof element which has triggered the requirement for the submission of a planning application.

Generally, in terms of design, scale and appearance it is not considered that the proposal would have an adverse impact upon the amenities of local residents or the visual amenity of the surrounding area.

Use - The applicant originally indicated that their desire was to build a separate residential unit in the rear garden. Whilst the residents' concerns are noted these are based on a conversation some months ago, and the applicant has confirmed that this would be ancillary accommodation for occupiers of the main house only. Also the height of the proposed structure has been reduced to 2.5 metre eaves and 3.5 metre apex height, which would prohibit any kind of liveable upper floor accommodation. A condition is nevertheless proposed that would prevent the structure from being used as separate living accommodation.

Residential Amenity – The scheme under consideration would only have windows in the northern elevation facing onto the rear garden of no.185 Slade Lane. It is , however , recommended that a condition be attached to any approval to prevent any additional windows and doors being installed without the need for planning permission.

Car parking - The proposal is at the rear of the site and car parking is unaffected, which is provided at the front of the site.

Bin storage -This will be unaffected by this proposal.

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. In this case, negotiations were entered into, which resulted in a reduction in the height and scale of the structure.

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 Proposed Floor plan ref: 01, Proposed elevations and sections plan ref: 02 and site layout plan ref: 04, stamped as received by the City Council, as Local Planning Authority, on 6 December 2021.

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) No above ground works, in relation to the development that is hereby approved, shall commence unless and until samples and specifications of all materials to be used on all external elevations of the outbuilding have been submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented using the approved materials.

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, pursuant to policy DC1 of the saved 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 order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the outbuilding , other than those shown on Proposed Floor plan ref: 01, Proposed

elevations and sections plan ref: 02 received by the City Council, as Local Planning Authority, on 6 December 2021, unless planning permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouses, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The development hereby permitted shall not be used as a self-contained living unit and shall not be occupied at any time other than for purposes ancillary to the Class C3(a) residential use of the dwelling known as 185 Slade Lane, Manchester M19 2AE.

Reason- To ensure the use of the proposed outbuilding remains ancillary to the principle use on the site, as a single dwellinghouse, in the interest of residential amenity, pursuant to policies DM1 and SP1 of the Manchester Core Strategy .

Informatives

1) The applicant should design and construct a drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

2) The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a birds nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

3) Any form of soft landscaping, bird or bat box provision would enhance the site and should be considered.

4) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via
Contact Manchester (Tel. 0161 234 5004)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit
West Point Residents

189 Slade Lane, Manchester, M19 2AE
187 Slade Lane, Manchester, M19 2AE
181 Slade Lane, Manchester, M19 2AE
183 Slade Lane, Manchester, M19 2AE
56 Osborne Road, Levenshulme, Manchester, M19 2DY
Flat 1, 64 Osborne Road, Levenshulme, Manchester, M19 2DY
64A Osborne Road, Levenshulme, Manchester, M19 2DY
Flat 3, 64 Osborne Road, Levenshulme, Manchester, M19 2DY
Flat 2, 64 Osborne Road, Levenshulme, Manchester, M19 2DY
Flat C, 193 Slade Lane, Manchester, M19 2AE
60A Osborne Road, Levenshulme, Manchester, M19 2DY
Flat B, 193 Slade Lane, Manchester, M19 2AE
Flat A, 193 Slade Lane, Manchester, M19 2AE
Flat A, 191 Slade Lane, Manchester, M19 2AE
Flat D, 191 Slade Lane, Manchester, M19 2AE
Flat C, 191 Slade Lane, Manchester, M19 2AE
Flat B, 191 Slade Lane, Manchester, M19 2AE
54 Osborne Road, Levenshulme, Manchester, M19 2DY
60 Osborne Road, Levenshulme, Manchester, M19 2DY
62 Osborne Road, Levenshulme, Manchester, M19 2DY
197 Slade Lane, Manchester, M19 2AE
179 Slade Lane, Manchester, M19 2AE
58 Osborne Road, Levenshulme, Manchester, M19 2DY
199 Slade Lane, Manchester, M19 2AE
195 Slade Lane, Manchester, M19 2AE
177 Slade Lane, Manchester, M19 2AE

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH2