

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130675/FH/2021

Date registered valid: 25 July 2021

Proposal: Erection of single storey outbuilding in rear garden

Address: 482 Parrs Wood Road, Manchester, M20 5QQ

Ward(s): Didsbury East Ward

Applicant: Mr & Mrs Ganley, 482 Parrs Wood Road, Manchester, M20 5QQ

Agent (if any): Mr Simon Miles, S R Miles Ltd, 28 Parrs Wood Avenue, Manchester, M20 5ND

Case officer: Linda Marciniak
Tel: 0161 234 4636
Email: linda.marciniak@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4 October 2021



Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 06.09.2021

Standard consultations:

Printed: 3 August 2021 Expired: 24 August 2021

Neighbour notifications

Printed: 3 August 2021 Expired: 24 August 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 application site concerns the rear garden boundary of the site which is 35 metres from the rear elevation of the semi-detached dwelling house.

The rear boundary is shared with the boundary of the Didsbury St. James Conservation Area and supports a number of mature trees.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: N/A

Description of area

The site is within a residential area on the western side of Parrs Wood Road, close to the junction with Millgate Lane. The exception to this is The Towers Business Park which is at the rear of the property.

Description of development

Erection of single storey outbuilding in rear garden

The L-shaped building provides a home office, gym, shower room and a store.

The application is accompanied by an Arboricultural Method Statement which was revised following the first round of notifications including the City Arborist.

An outbuilding in the same location has previously been approved in a similar location on the rear boundary under application 092957/FH/2010/S2.

Consultations & Notification Responses

Neighbour notification - 1 objection (with agent's response in italics):

The new building is about 58 Square metres which is approximately the same footprint as the original main dwelling house at 482 Parrs Wood Rd prior to the rear extension.

The rear garden is extensive, and more than adequately supports the size of building proposed. Sited to the rear of the garden it results in significant garden area remaining.

My neighbour proposes to build the 10-metre long gym 60 cms from my boundary fence and the height indicated will be over 2.5 metre at the lowest point and 3.863 cm at its apex.

As well as being intrusive this will block the daylight particularly since the property at 482 has already had a loft extension (dormer style window) which blocks light coming in my rear garden in the morning till early afternoon and this outbuilding would now block the light from the west in the later afternoon.

The outbuilding would potentially offer more daylight than the current screen of 4m high coniferous and deciduous trees and shrubs present along the boundary.

The dormer to the main house previously consented has no bearing on this application.

I would also like the plans to confirm suitable rainwater drainage as there will be considerable run off on the gym roof which totals 37.86 square metres on the gym side of the extension alone. This should be considered in line with forecast weather irregularities caused by climate change. The run-off will damage my fence and also result in pools of water and damage to the flower beds.

I assume that the shower and toilet shall be linked to the main sewer system but this is not clear in the plan.

Both the surface water drainage (rainwater) and foul water drainage will be designed to connect to the existing below ground drainage system or an approved alternative under building regulations approval.

Finally having a gap of 60cms between the new building and the side fence means there will be an unmaintainable void leading to a build-up of weeds on the neighbour's side and no access to maintain the wall of the property which will be facing me.

0.6m is adequate to maintain the side elevation, and ensure no weed growth (which can be enhanced by the introduction of a weed barrier mat).

Please also note there is a significant large void behind the proposed building and the 900mm railing indicated in the plans with no access to maintain it which will lead to a build-up of weeds, brambles and the like. It would make more sense to make use of this void in the plans.

There is adequate access to maintain the rear of the outbuilding using the 0.6m wide gap to boundary.

I would like to propose the following compromises:

- the gym extension to run for 7m from the back of the neighbours garden rather than 10m from the back of the garden
- the roof to be lowered to a maximum of 2.4 metres in height at its highest point. This could be achieved by excavating downwards before building the outbuilding.

- 1 meter gap between the building and my fence to enable maintenance at the side and rear of the new building.
- confirmation all drainage (shower toilet and rainwater) to be connected to mains drainage.

The above suggestions are not necessary or practical for the reasons stated above.

City Arborist - 1st comments:

I have reviewed the associated documents relating to this planning application and I do not consider the method statement adequate, there is no detail of the proposed structure foundation type or depth. The generic detail provided is not adequate and due consideration has not been given to the presence of mature trees which will be negatively impacted within the land to the rear of the building.

A thorough method statement and description of footings will be required which details how the trees will be protected if permission is granted for development. In reality the proposed development is too close to the trees and will be under constant shade leading to continued requests to prune the trees which I believe are protected by TPO status.

To conclude, we would not support this development due to lack of detail and proximity to protected trees.

City Arborist - 2nd comments:

Happy with the method statement apart from authorising root severance with sharp saw. This could be misinterpreted by ground worker and should be supervised by arb consultant.

Issues

Saved UDP policies DC1 – Residential Extensions and DC18.1 – Conservation Areas
Core Strategy policies SP1, DM1, EN3, EN9 and EN15 relate to this application.

Principle

The application proposes a single storey outbuilding 2.5 metres high to eaves and 3.86 metres maximum to the asymmetrical apex. It has a maximum overall width of 8 metres and overall length of 11.2 metres. It would be sited just off the rear boundary and set in 0.6 metres off the adjoining neighbour's boundary at No.480 to the east and between 1.2 and 6 metres off the boundary with No.484 to the west.

Outbuildings of this footprint and larger are permitted under Class E of the Town and Country Planning (General Permitted Development) Order. The proposal cannot be erected under the Order on account of the height of the roof in relation to the boundary, and the presence of protected trees.

The building is considered to provide an ancillary use to the main dwelling and to have acceptable impacts on residential amenity and, following submission of a revised Arboricultural Method Statement, protected trees which fall within the Conservation Area designation.

Saved UDP policy DC1 makes provision for people to extend their homes to provide additional living accommodation. The proposal is acceptable in principle subject to satisfactory compliance with the above policies in the interests of residential and visual amenity.

The matter of retained trees is material to the application and so is considered in the final section below.

Residential amenity

The proposal is considered to have acceptable impacts on residential amenity. The building would be sited approximately 23 metres away from the main dwelling and further again from the rears of Nos.480 and 484 either side. Being single storey only and with a maximum height just



under 4 metres, it would not lead to any overshadowing of dwellings. Concern has been raised in this regard by a neighbour that part of his garden will suffer a loss of light in the afternoon. In considering the height, 0.6 metre gap to the boundary and the length of rear gardens, a small area, less than 10% of the total garden area would incur a loss of light.

The 10-metre length section that would be seen over the intervening fence also

represents a relatively small section of boundary as to mitigate any effects of being intrusive. Furthermore, the agent has confirmed that 4-5-metre high trees (a self-seeded conifer and cherry) which are outside of the designated land, will be removed to facilitate the build. The effect of this will be to permit more light into the neighbours' garden. Notwithstanding that a loss of light into a rear garden carries little material weight, the area of garden that could potentially be shaded (shown in pink above) relative to the remainder of garden, and the level of harm that would result, is considered to be overstated.

Glazing for the west-facing gym windows would be set back 6 metres off the boundary with No.484 to the west which, together with the intervening fencing, will be adequate to avoid any perceptions of being overlooked. Other windows face the rear of the dwelling, and high-level windows to admit light; one in the office facing west and another at the rear. There are no privacy concerns arising from these windows.

The building is proposed to be used as a home office and gym, with a shower and store. None of these uses are considered will give rise to undue noise and disturbance to such an extent to warrant a refusal of the application. A condition is appended to ensure that the use remains ancillary to the main dwelling, for the avoidance of doubt.

Visual amenity

Visually, the extension is designed to provide a contemporary but functional space which meets the needs of the applicant. It has a simple L-shaped plan form and asymmetric roof with a combination of vertical cedar cladding and glazed elevations to the front and left-hand walls and grey composite cladding to the right-hand and rear walls that will sit well within the wooded rear setting at the end of the garden.

The timber material is also carbon neutral with a relatively small carbon footprint in the manufacturing process and has enhanced thermal regulation properties which reduces energy demand for heating and cooling. It also offers biodiversity gains. Use of the material therefore contributes towards the Council's zero carbon reduction objectives as set out in the Zero Carbon Framework 2020-2038. The materials are required to be implemented as per the proposed elevation drawings.

The amount and density of tree and shrub cover at the rear effectively screens the building from the conservation area. It is nonetheless visually acceptable within the context of the residential garden.

Trees

The rear boundary supports several mature trees which are protected under the Conservation Area designation. Following concerns raised by the City Arborist in relation to works around protected tree roots, a revised Arboricultural Method Statement was submitted which has removed the City Arborist's objection.

None of the trees are protected by a Tree Preservation Order. Nonetheless, the City Arborist has advised that an Arboricultural Consultant is present whilst works around the trees is ongoing and that any use of a saw to sever tree roots is supervised. A condition to this effect is appended to safeguard the trees. Conditions are also appended for retained trees and for works to be carried out under the relevant British Standard BS 3998 "Recommendations for Tree Work".

Other matters

A neighbour has written on notification of the application concerned that any approval of the outbuilding will give rise to a loss of light from the west, problems with drainage and weed growth. He has also referenced the loss of light experienced by a previous approval of a rear dormer. As this development is not under consideration, it has no bearing on assessment of the proposal.

The impact on residential amenity has been discussed above and the other matters are civil issues. The agent has nonetheless responded that drainage will be confined to services under the proposed outbuilding and that weed growth can be managed around the 0.6 metre gap to the boundary with No.480, or through use of a weed control barrier membrane.

On the basis of the above, and with the recommended conditions applied, the proposal accords with saved UDP policies DC1 and DC18.1 and Core Strategy policies SP1, DM1, EN3, EN9 and EN15.

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

The local planning authority in making its decision has had due regard to paragraph 47 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in this delegated report. The consultation process resulted in an objection from one resident and concern raised by the City Arborist. The Arborist's concerns were overcome with the recommendations for tree protection as appended in the Conditions attached to this Decision Notice and following further consultation with the City Arborist on a revised Arboricultural Method Statement.

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 the 9th of June 2021 or as stated:

Application Form

Location Plan PL000

Proposed Floor Plans and Elevations PL100

Proposed Plan and Location Plan PL101

Arboricultural Method Statement provided by Mulberry, dated: 14 September 2021. Report Ref: TRE/482PR/Rev A, received by email on the 22nd of September 2021

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 in the construction of the outbuilding hereby approved, shall be implemented in accordance with the details as set out in the application form and on the drawing numbered PL100.

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 policies SP1 and DM1 of the Core Strategy.

4) Any works to trees to implement the permission hereby granted, shall be carried out under the supervision of a suitably qualified Arboricultural Consultant. This includes, and notwithstanding the details within the revised Arboricultural Method Statement (Dated 14 September 2021, Report Ref: 482PR Rev A), the use of a sharp saw for the severance of any tree roots.

Reason - To avoid damage to the roots of trees protected under the Conservation Area designation and to safeguard the root protection zones of retained trees on the site in the interests of residential and visual amenity pursuant to policies DC1, DC18.1 DM1, EN3, EN9 and EN15 of the Development Plan for Manchester.

5) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below

shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to 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.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS 3998 "Recommendations for Tree Work".

Reason - In order avoid damage to 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

Neighbourhood Team Leader (Arboriculture)

489 Parrs Wood Road, Manchester, M20 5QG

491 Parrs Wood Road, Manchester, M20 5QG

493 Parrs Wood Road, Manchester, M20 5QG

484 Parrs Wood Road, Manchester, M20 5QQ

480 Parrs Wood Road, Manchester, M20 5QQ

Pioneer House British Airways Plc, Towers Business Park, Wilmslow Road, Manchester, M20 2BA

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

Flood Zones Type 2 (low to medium risk) -

Historic Landfill Site 250m Buffer -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH