

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132220/FH/2021

Date registered valid: 16 November 2021

Proposal: Erection of outbuilding within rear garden following demolition of existing shed

Address: 45 Delacourt Road, Manchester, M14 6BU

Ward(s): Old Moat Ward

Applicant: Mr M Hasan, 45 Delacourt Road, Manchester, M14 6BU

Agent (if any): Mr David Ormesher, Holborrow and Ormesher Ltd, 15 Overton Close, CW10 0PZ

Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 19 January 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 November 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 22 November 2021 Expired: 13 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: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two storey semi-detached C3 dwellinghouse of red brick with a gable roof (originally hipped), featuring an existing part single part two storey side and single storey rear extension as well as a hip to gable alteration and rear box dormer, approved under ref 115378/FH/2017. The plot includes a paved front garden/driveway and a long rear garden.

Description of area

Delacourt Road, within Withington, and the surrounding area is predominantly residential in nature and comprises of similar red brick semi-detached family dwellinghouses with generous gardens.

Description of development

The applicant is seeking permission to build a single storey detached outbuilding at the far end of the rear garden, to provide additional living accommodation ancillary to the dwellinghouse.

Consultations & Notification Responses

Local residents, as per appendix 1 – No comments received.

Policies

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

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy

Development Plan but certain policies are still considered of relevance:

- Policy DC1 - Residential Extensions

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 - Development Management

- Policy SP1 - Spatial Principles

The National Planning Policy Framework (NPPF, 2021):

- Chapter 12 – Achieving well-designed places

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

Issues

Principle – The proposal is for the erection of an ancillary outbuilding in the rear garden, which is considered acceptable in principle. Notwithstanding this, consideration must be given to the proposed developments siting, design, appearance, scale and massing, and to the proposal's impact upon existing levels of residential amenity.

Siting, scale and massing – The outbuilding would be sited at the far end of the south-west-facing rear garden, approximately 0.5m from the boundaries shared with both adjacent properties, No's 43 and 47, and 2.7m from the rear neighbours along Mauldeth Road West. The proposed structure would be 7.1m in width, 4m in depth, with a height of 2.8m to eaves and a ridge height of 3.95m, creating approximately 28.4 square metres of additional living space. Although it could not be built under permitted development due to its height exceeding 2.5m within 2m of a boundary, it is not considered to be excessively large or bulky, particularly given the scale of other nearby outbuildings, which are a very common feature of the area. The development would not exceed 50% of the property's curtilage, meaning plenty of useable garden space would remain available within the plot, hence the proposal is deemed acceptable in terms of siting, scale and massing.

Design and appearance – The outbuilding would be constructed of materials to match the existing dwellinghouse, including facing red brickwork, red roof tiles and white uPVC windows and doors, which has been conditioned. The design is standard for such development, consisting of a dual-pitched gable roof to match the house. The rear elevation would contain a small w/c window and door, the side elevations would form blank walls and the front elevation, facing the dwellinghouse, would contain two small windows, one either side of a set of bi-fold doors. As outbuildings are commonplace in this residential area, the proposed development would not be out of keeping with the character of the area, nor harm it, particularly as the proposal would be sited at the far end of the rear garden and thus would not feature within the street scene of Delacourt Road. Therefore the proposal accords with policies DC1, DM1 and SP1 in terms of its appearance and impacts upon visual amenity.

Residential amenity – Due to its siting at the end of the garden, along the boundaries with other gardens, 16+ metres from surrounding dwellinghouses, it is not considered the proposal would cause a loss of amenity for those occupiers in terms of light or privacy, particularly as the established shrubbery and trees along the rear boundaries of No's 132-138 Mauldeth Road West provide a screen and already overshadow the gardens of Nos 39-47 Delacourt Road. In

addition to this, no objections have been received from the surrounding residents in regards to this application, hence the development is considered to accord with the principles for residential development set out in the Core Strategy.

Conclusion – The proposal complies with policies DM1, DC1, SP1 and the NPPF, it received no objections and it is not thought to significantly harm the existing levels of residential amenity enjoyed by neighbouring occupiers nor harm the visual amenity of the house or wider area. The proposal is deemed acceptable and development may commence in accordance with the following conditions and approved drawings.

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

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. Minor issues have arisen during the consideration of this application and the officer negotiated with the agent in order to reach a satisfactory solution.

Condition(s) to be attached to decision for approval

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 drawing titled 'Site plan as proposed', stamped as received by the City Council as Local Planning Authority with the application form on the 10th November 2021 and the revised drawing numbered '21/01 A', stamped as received by the City Council as Local Planning Authority on the 16th November.

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 outbuilding hereby permitted shall match those of the main dwellinghouse in type, size, colour and texture, as stated on the submitted application form.

Reason - To ensure the appearance of the dwellinghouse is not adversely affected by the materials to be used in the construction of the outbuilding, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 45 Delacourt Road, M14 6BU.

Reason: To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

41 Delacourt Road, Manchester, M14 6BU
49 Delacourt Road, Manchester, M14 6BU
138 Mauldeth Road West, Manchester, M20 1AD
43 Delacourt Road, Manchester, M14 6BU
136 Mauldeth Road West, Manchester, M20 1AD
47 Delacourt Road, Manchester, M14 6BU

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH