

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132082/FH/2021
Date registered valid: 29 October 2021
Proposal: Retention of covered store to side
Address: 14 Hewlett Road, Manchester, M21 9WH
Ward(s): Chorlton Ward
Applicant: Mr Nipuna Bogoda, 14 Hewlett Road, Manchester, M21 9WH
Agent (if any): N/a
Case officer: Constance Phillips
Tel: 0161 234 5792
Email: constance.phillips@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 23 December 2021

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 20 December 2021

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 1 November 2021 Expired: 22 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

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 and cream render, with a pantile gable roof and bay windows. The property features an existing part single part two storey side and single storey rear extension, approved in 2019 under ref 124285/FH/2019. The plot includes a driveway to the front and garden to the rear.

Description of area

Hewlett Road is a residential street within the Chorlton ward, running off Wilbraham Road close to the shops, amenities and transport links within Chorlton District Centre plus plenty of green space.

Description of development

The applicant is seeking permission for the retention of a single storey lean-to store, which provides a covered store for bins etc. Originally it was constructed of corrugated metal sheeting, which prompted an enforcement case (ENF/14846/20) and following this timber replacement another case is currently underway (ENF/15246/21).

Consultations & Notification Responses

Local residents, as per appendix 1 – One letter of objection received:

We object to this and have been communicating with Enforcement about the work No.14 has been undertaking without any communication and in breach of regulations. I will send you a

number of emails outlining that initially No.14 erected a metal structure which was unsightly, blocked our light and had workmen cutting our hedge, trampling our garden without permission. We wrote to you and they were told it had to be removed by August 8th. They did not comply. It was not removed. They removed only the metal and replaced the metal with a very poorly constructed replacement. It looks ramshackle and is an eyesore from our windows and again involved workmen standing on our fence, cutting our plants and invading our private property. This construction which has been up for over 18 months is less than 4 inches from the boundary fence and overlooks our main garden area creating an unpleasant eyesore drawing comment from all of our visitors.

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), particularly:

- 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 principle of building a single storey store/side extension to provide covered outdoor storage space for a family dwellinghouse is acceptable, however consideration must be given to the proposals siting, scale and massing, appearance and impact upon existing levels of residential and visual amenity.

Siting, scale and massing – The single storey structure projects 1.55m from the side elevation of the two storey side extension, with a depth of 7.4m and a maximum height of 2.34m. It sits flush with the front of the side extension and is sited along the boundary shared with No.16 Hewlett Road. The works are considered subservient to the main house and sited appropriately, pursuant to policies DC1, DM1 and SP1.

Appearance and visual amenity – The store is constructed of timber with a clear corrugated polycarbonate roof and a timber gate on the front, with a similar appearance to a garden shed and is used to store bins and garden tools. An objection was received from a local resident raising concerns with the appearance of the structure and use of non-matching materials. Although the store is not built of brickwork to match the dwellinghouse, it's low profile and siting behind a side gate ensure its prominence within the street scene is minimal. Under permitted development a detached outbuilding could be built in this gap with no limits on the choice of materials. Many properties in this area of Chorlton feature polycarbonate car ports and flat roofed garages with a similar siting, therefore the appearance of the development is considered

acceptable and is not thought to significantly harm the visual amenity of the house nor wider area to warrant refusal in this instance.

Residential amenity – The objector raised concerns with the impacts upon the neighbouring property, citing proximity, overlooking and overshadowing issues. Under permitted development a 2.5m high outbuilding could be erected along the shared boundary, or a 3m high flat roofed extension. The current fence is 1.45m high but under PD a 2m high fence or wall could be built in this location, therefore on balance, the 2.34m high flat roofed store is not considered to cause an undue loss of light for the neighbouring property, or form an overbearing feature as viewed from the neighbouring garden or window. There are no windows or openings in the side elevation, therefore a loss of residential privacy is also not deemed an issue. Due to the scale and siting of the store, it is not considered that the proposal would cause undue harm to residential amenity.

Conclusion – The applicant is currently using the store for housing their refuse bins and this may continue, therefore the refuse storage arrangement accords with policy DM1. The proposal also complies with policies DC1 of the UDP, SP1 of the Core Strategy and the NPPF. Although it received an objection, 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, in accordance with the approved drawings and the following conditions.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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 revised drawings numbered '2' and '5', stamped as received by the City Council as Local Planning Authority on the 29th October 2021.

Reason - To ensure 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/store hereby permitted shall match those specified on the submitted application form.

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, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

19 Hewlett Road, Manchester, M21 9WB
16 Hewlett Road, Manchester, M21 9WH
3 Bentley Road, Manchester, M21 9WD
21 Hewlett Road, Manchester, M21 9WB
12 Hewlett Road, Manchester, M21 9WH
23 Hewlett Road, Manchester, M21 9WB
8 Maidstone Avenue, Manchester, M21 9ND
10 Maidstone Avenue, Manchester, M21 9ND

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