

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130603/FH/2021

Date registered valid: 14 June 2021

Proposal: Erection of single storey outbuilding in rear garden

Address: 23 Lakenheath Close, Manchester, M20 2WP

Ward(s): Didsbury East Ward

Applicant: Mr K Short, Former 825 Wilmslow Road, 23 Lakenheath Close, Manchester, M20 2WP

Agent (if any): Mr Andrew Chapman, Synergy Energy Designs Ltd, Flat 5 Whinslee Court, Bolton, BL6 4BN

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: **04.08.2021**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 05.07.2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 23 June 2021 Expired: 14 July 2021

Site notice

Posted: 5 July 2021 Expired: 26 July 2021

Press advert

Published: 29 June 2021 Expired: 20 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

The application site is part of a development site under construction granted consent under application reference 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 21No (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. There was also a partner Listed Building Application.

The application for development of the site has been varied by application 122334/JO/2019 to replace the approved Arboricultural Impact Assessment. There is currently another application submitted reference 128655/JO/2020 for the variation of specified plans and bin storage condition. This application was lodged separately by the purchaser of one of the nearly completed units. A condition of approval saw the removal of permitted development rights as follows: 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 garages, outbuildings or extensions shall be erected other than those expressly authorised by this permission.

Reason - To ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Core Strategy.

The application site is part of a residential development within the grounds of the Grade II listed 825 Wilmslow Road and within Didsbury St James Conservation Area. The site lies within Didsbury East Ward.

Application 129819/FH/2021 for the installation of outbuilding in the rear garden was refused on the 21st May 2021.

Listed building: Not applicable

Conservation area: Didsbury St James Conservation Area 1970

Tree Preservation Order: Not applicable

Description of development

Erection of single storey outbuilding in rear garden

Consultations & Notification Responses

Local residents, as per Appendix 1 – No comments have been received in respect of this application.

Policies

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 – Spatial Principles

DM1 – Development Management 1

EN3 – Heritage

The relevant UDP policies for this application are:

DC 18.1 – Conservation Areas

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. In particular NPPF states that in terms of design:

126. 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. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

130. 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 visually 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;

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 users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

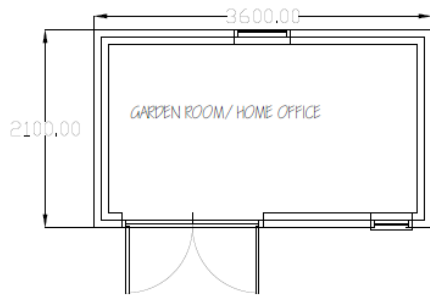
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

The Principle – The principle of an outbuilding to accommodate ancillary amenities for a residential property within a residential area would normally be acceptable. For the most part outbuildings could be constructed utilising permitted development rights, however, permitted development rights were removed at the time of consent for this development site to ensure the satisfactory development of the site and in the interest of residential and visual amenity, pursuant to policy DM1 of the Core Strategy.

Design and Massing - The previous scheme refused was as follows:



PROPOSED GARDEN ROOM / HOME OFFICE



GROUND FLOOR PLAN 1/20

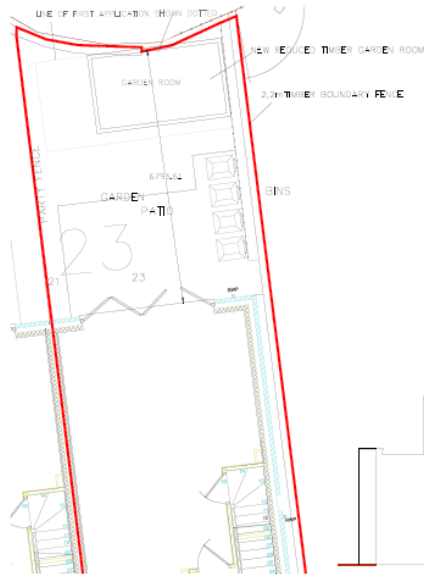
SECTION 1: 3600.00 x 2100.00

Supply and install a complete style garden room with a 2.315m high flat roof with a 2.315m high pressure treated timber frame with base plates and 2.315m high pressure treated timber frame with base plates and 2.315m high pressure treated timber frame with base plates.

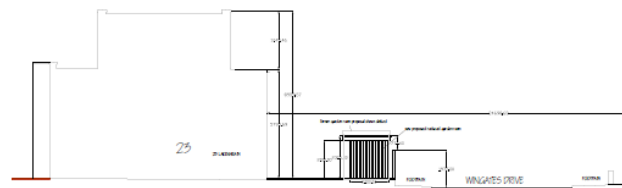
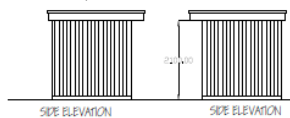
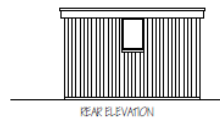
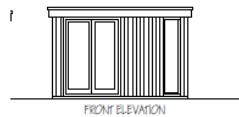
A set of sliding patio doors 2000x2400 with 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high.

Roof constructed of 304 stainless steel sheets with a 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high.

External walls of the garden room/home office are constructed of 304 stainless steel sheets with a 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high and 2.315m high.



SITE PLAN 1/50



CROSS SECTION 1/100

The width of the outbuilding has been reduced by 1.4m width and 0.3m reduction in depth at a height reduced by c. 27cm.

The outbuilding proposed to be constructed utilising timber, is proposed to accommodate a garden room / home office (both which are considered to be ancillary to the use of the dwelling house), measuring 3.6m in width by 2.1m depth to a height of 2.315m to the flat roof.

The outbuilding proposed sits at the northmost extent of the rear garden. It would occupy 2.1m depth of the c.6.8 – 7.7 (variable length garden due to the position of the head of the Wingate Drive culs-de-sac). Sufficient amenity space would be retained, however, looking at the size of gardens in the wider area, the gardens to the development site are smaller than those gardens to immediately surrounding property, hence part of the reason that permitted development rights were removed from the site.

The property is unusual in that it takes access from and fronts onto an internal courtyard associated with the development of the site, 825 Wilmslow Road, however, it sits at the furthest extent of the development site presenting an elevation to Wingate Drive. Moreover this property sits nearer to the roadside of Wingate Drive due to the position of the head of the Wingate Drive culs-de-sac).

The original intention of the proposed development of the site (granted by application reference 119242/FO/2018) was that at this interface, the closest interface with neighbouring residential property, the built form was to replicate the existing relationship of properties to Wingate Drive to continue the pattern of development, which was housing setback behind a landscaped buffer with significant street trees maintained, however, access into the properties was taken from within the

development site to minimise any disruption associated with comings and goings to residents on Wingate Drive.

The committee report included these paragraphs describing development in this part of the site: "In housing design terms it is always encouraged to access housing from established road networks. However, to turn the development to face Wingate Drive in this instance provided difficulties having regard to the retention of the mature tree to the western boundary. The provision of vehicular accesses to Wingate Drive was also problematic.

The properties therefore face into the site, providing large rear gardens to the boundary with Wingate Drive, without any access from Wingate Drive."

It is considered that the design, scale and massing of the outbuilding proposed would be unduly prominent and incongruous within the street scene and as such would be harmful to the visual amenity of Wingate Drive.

Impact on Didsbury St. James Conservation Area - The development site forms the northernmost part of the Didsbury St. James Conservation Area, Wingate Drive itself is not within the Didsbury St James Conservation Area. The development site is the last site within the Conservation Area. It is described above how the outbuilding proposed is considered to provide a prominent and incongruous feature that causes harm the visual amenity of the Wingate Drive street scene and it is considered that the proposal would also cause less than substantial harm to the Didsbury St. James Conservation Area.

Residential Amenity – It is not considered that the proposal would directly impact on the amenities of any neighbouring property by virtue of loss of privacy/overlooking, loss of light or overbearing impact. The reason for refusal relates solely to the impact of the development on the visual amenity of the street scene and the Conservation Area.

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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

Reasons for recommendation to refuse

1. The proposed outbuilding by reason of its scale, bulk, massing, size, design would form an overly dominant and visually obtrusive feature within the street scene, and would be incongruous with the character of the area in general and within the Didsbury St. James Conservation Area, which would also have an overbearing appearance to neighbouring occupiers to the detriment of visual amenity and as such is contrary to saved policies DC1.1, DC1.2, DC1.3, and DC1.4 and DC18 of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 DM1 of Manchester's Core Strategy Development Plan Document and the NPPF.

Appendix 1 – List of consultees & neighbours notified

37 Wingate Drive, Manchester, M20 2RT

35 Wingate Drive, Manchester, M20 2RT

39 Wingate Drive, Manchester, M20 2RT

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