

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133570/FH/2022

Date registered valid: 21 April 2022

Proposal: Erection of single-storey outbuilding in rear garden

Address: 49 Rowarth Road, Manchester, M23 2UL

Ward(s): Baguley Ward

Applicant: Alma Hampson, 49 Rowarth Road, Manchester, M23 2UL

Agent (if any): Matthew Hampson, 49 Rowarth Road, Wythenshawe, Manchester, M23 2UL

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 June 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19 May 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 5 May 2022 Expired: 26 May 2022

Site notice

No site notice has been produced

Press advert

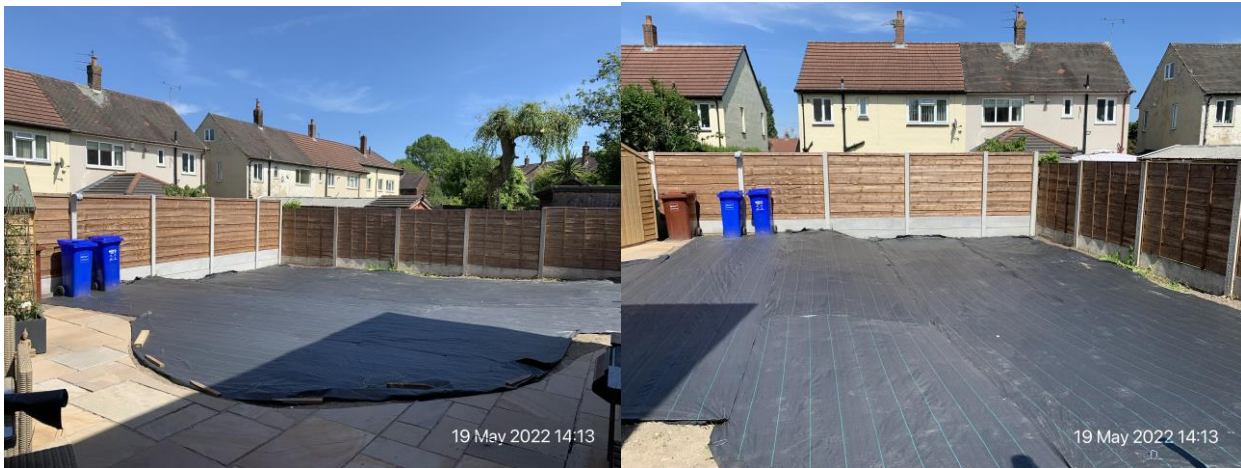
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to the rear garden of a corner, of a two storey residential terraced dwelling house arranged in a U shape with a communal green space at the front that has been converted into an area of hardstanding for vehicles. The property benefits from its corner location with a slightly larger rear garden.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is an area of residential properties located at the southern most part of the city and separated by a motorway to Manchester Airport.

Description of development

Consultations & Notification Responses

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

Issues

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

The relevant **UDP** policies for this application are:

DC 1.1 – 1.6 – Residential Extensions

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 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.

And,

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;
- 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.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- 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.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Planning History Summary – There have been no previous planning applications at this address.

The Principle – Policies SP1 and DM1 of the Manchester Core Strategy 2012 (Core Strategy) seek to ensure that new development enhances or creates character, protects and enhances the built environment; and that the design, scale and appearance of the proposed development is appropriate to its context. National Planning Policy Framework (NPPF) seeks a high standard of design in new developments which provides a good standard of amenity of all existing and future occupiers.

The proposal relates to an outbuilding that is proposed to be used as a hobby workshop. Further consideration will be given as to whether the proposal has any impact on surrounding visual amenity in particular the effect upon the amenity of neighbouring occupiers.

Residential and Visual Amenity – The proposed outbuilding if approved would be located in the north east corner of the garden next to the shared boundary with no. 17 and 18 Spalding Drive (to the rear of the application site). The outbuilding would have a height of 3.33 metres a width of 4.31 metres and a length of 7.45 metres. In terms of materials the outbuilding fibre cement board cladding, anthracite uPVC double glazing and composite door.

Under the provisions of the Town and Country Planning (General Permitted Development) Order 2015, the applicant could be a similar outbuilding with a maximum height of 2.5 metres. This would be considered the fall back position, the fallback is a material consideration in the decision making process, of which the PD rights given by the Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted development rights would in fact be resorted to.

Whilst the proposal is located close to the shared boundary, the additional 0.8 metres in height above PD rights is not considered to give rise to any disamenity to either of the neighbouring properties which would be some 12 metres away from the shed if approved and built.

A condition is recommended to ensure that a condition is attached to ensure that the proposed outbuilding is ancillary to the use of the main dwellinghouse.

Car Parking and Refuse Storage – The proposal will not have any impact on the current parking or refuse storage arrangements.

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the

end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan and to policies SP1 and DM1 of the Core Strategy.

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:

Drawing Number 1 and "Proposed Site Plan" received by the City Council as Local Planning Authority, on the 21st April 2022.

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 outbuilding as shown on Drawing Number 1 and "Proposed Site Plan" received by the City Council as Local Planning Authority, on the 21st April 2022, shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 49 Rowarth Road, Manchester, M23 2UL.

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.

4) The development hereby approved shall be carried out in accordance with the materials as set out in drawings:

Drawing Number 1 received by the City Council as Local Planning Authority, on the 21st April 2022.

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, as specified in policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

17 Spalding Drive, Manchester, M23 2UJ
18 Spalding Drive, Manchester, M23 2UJ
57 Rowarth Road, Manchester, M23 2UL
51 Rowarth Road, Manchester, M23 2UL
47 Rowarth Road, Manchester, M23 2UL
16 Spalding Drive, Manchester, M23 2UJ

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 15M
Area Team Boundary - Name: SOUTH