

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 129655/LP/2021

**Date registered valid:** 15 March 2021

**Proposal:** Certificate of lawful proposed development for the erection of a single storey outbuilding

**Address:** 22 Garthorp Road, Manchester, M23 0AS

**Ward(s):** Brooklands Ward

**Applicant:** Samantha Gardiner, 22 Garthorp Road, Manchester, M23 0AS

**Agent (if any):** Mr Umayr Azam, Northedge Architecture, 10 Jasmine Close, Manchester, M23 9EY

**Case officer:** Constance Phillips  
Tel: 0161 234 5792  
Email: [constance.phillips@manchester.gov.uk](mailto:constance.phillips@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 10 May 2021

## **Application details**

**Type of application:** Certificate Lawful Development Proposed

**Development type:** Notifications

**Date of site visit:** Not required

**Standard consultations:** No consultations have been printed and sent.

**Neighbour notifications:** No neighbour notifications have been printed and sent.

**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 brown render with a red gable roof. The property sits on an inside corner plot with an usually large garden, which already contains two outbuildings.

## **Description of area**

Garthorp Road is residential in nature and characterised by small rendered semi detached and terraced family dwellinghouses with gardens, located within Brooklands, close to Wythenshawe Park and the metrolink station of the same name.

## **Description of development**

The applicant wishes to build a single storey outbuilding in the garden to provide additional living accommodation in the form of a pool room/gym, home office, shower and w/c.

## **Consultations & Notification Responses**

None required for this type of application.

## **Policy**

**Schedule 2, Part 1** of the Town and Country Planning (General Permitted Development) (England) Order 2015:

- **Class E** – Permitted development – Buildings etc incidental to the enjoyment of a dwellinghouse.

## **Assessment**

An existing single storey outbuilding would be replaced with a larger annexe, sited at the side of the dwellinghouse within the large side and rear garden, housing a pool/gym room, a home office, shower and w/c. The proposed outbuilding would measure 8.3m in depth and 6.8m in width, with a maximum height of just 2.5m, due to its siting along the boundary shared with No.24 Garthorp Road. It would feature a flat roof, with two doors within the elevation facing the dwellinghouse, a window in the front elevation, a door in the side elevation facing No.24 and a large area of glazing on the rear elevation facing into the applicant's garden. The footprint, at <56 square metres, would not occupy over 50% of the original curtilage (approx. 370 square metres). The building is to be rendered to match the existing dwellinghouse, with a brick course. It is not located within a conservation area, nor the curtilage of a listed building, and will not be readily visible from the road.

The proposal complies with the criteria set out in the General Permitted Development Order (2015) for class E, and it is not thought that the outbuilding would cause significant disamenity to the surrounding occupiers nor significant harm to the visual amenity of the area due to its siting north of the nearest neighbour within a large garden and its low height, therefore the City Council considers it permitted development.

## **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

## **Condition(s) to be attached to decision for approval**

Approve on the basis that the proposed outbuilding shown on the drawings numbered '20-001' stamped as received by the City Council as Local Planning Authority on the 10th March 2021 and '20-002 Rev 2' stamped as received by the City Council as Local Planning Authority on the 15th March 2021, constitutes permitted development in accordance with Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

## **Appendix 1 – List of consultees & neighbours notified**

None

## **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) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH