

Planning

Growth & Development

Delegated officer report for planning application

Application no. 127553/LP/2020

Date registered valid: 11 August 2020

Proposal: Certificate of Lawful Proposed Development - Erection of single storey outbuilding

Address: 6 Bentley Road, Manchester, M21 9WD

Ward(s): Chorlton Ward

Applicant: Mr Ed Jones, 6 Bentley Road, Manchester, M21 9WD

Agent (if any): Mr Peter Walker, 1 Ivy House, Halifax, HX4 0DH

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

Recommendation: Approve

Date of recommendation: 5 October 2020

Application details

Type of application: Certificate Lawful Development Proposed

Development type: Certificates of lawfulness

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 demi-detached dwellinghouse of red brick and white render, with a red pantile hipped roof, front facing bay windows and a single storey kitchen outrigger. The property sits on a regular oblong plot which includes front and rear gardens.

Description of area

Bentley Road is a short residential cul-de-sac within the Chorlton ward, which benefits from its proximity to the district centre, tram stop and both Longford Park and Turn Moss.

Description of development

The applicant wishes to build a single storey outbuilding in the rear garden to form a garden annexe, providing additional living accommodation in the form of a playroom, office 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

The existing single storey outbuilding would be replaced with a larger annexe, sited at the far end of the rear garden, housing a playroom, office and toilet. The proposed outbuilding would measure 8.1m in depth and 6.5m in width, with a maximum height of just 2.5m, due to its siting within 0.5m of the boundaries shared with No's 4 and 6 Bentley Road and 13 and 15 Sibson Road. It would feature a single and double set of doors within the elevation(s) facing the dwellinghouse and a window to each room, all sited within the side elevation(s). The footprint, at around 38.5 square metres, would not occupy over 50% of the original curtilage (180 square metres). The materials include uPVC cladding, uPVC windows/doors and an EPDM membrane roof.

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 at the rear, 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 titled 'Proposed garden annexe for ancillary use with main dwelling', stamped as received by the City Council as Local Planning Authority on the 23rd July 2020, 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

Susceptible to Surf Water Flood (Less)

Susceptible to Surf Water Flood (Middle)

Area Team Boundary - Name: SOUTH