

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

Application no. 143803/FH/2025
Date registered valid: 5 September 2025
Proposal: Proposed detached garage
Address: 50 Spinney Road, Manchester, M23 1AB
Ward(s): Baguley Ward

Applicant: Mr Kris Trybus
Agent (if any): Mr Stephen Nicholls, Richmond Consultants
Case officer: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 13 October 2025

APPLICATION DETAILS

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 September 2025

Standard consultations: Printed: 15 September 2025 Expired: 6 October 2025

Neighbour notifications: Printed: 15 September 2025 Expired: 6 October 2025

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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

The proposal relates to a single storey semidetached dwellinghouse on Spinney Road. The property features an existing single storey side extension and single storey rear extension along with a rendered front porch feature. The property features hardstanding to the front for off street vehicle parking and a garden to the rear.

Description of area

The property is in a mostly residential part of the Baguley ward of Manchester. The property borders a National Rail line to the rear and is close to Baguley Brook (but not within the Environment Agency 20m buffer). The site is in Flood Zones plus Climate Change area.

Description of development

Proposed detached garage

The proposed detached garage is a 37m² irregular pentagonal structure designed to sit within the constraints of the site. It is finished in cement render and concrete tile to match the main property. The detached garage sits away from the boundary to meet the constraints of the adjacent Network Rail land.

PLANNING HISTORY

141215/FH/2024

Description: Erection of a single storey detached garage

Decision: Approved 13/11/2024

138341/JO/2023

Description: Variation of condition number 2 (approved plans) attached to planning permission 136463/FH/2023 to allow alterations to the design of the roof to the single storey rear extension

Decision: Approved 08/12/2023

136463/FH/2023

Description: Installation of rear dormer, together with the erection of a single storey rear extension and creation of a basement.

Decision: 23/08/2023

049063/FH/SOUTH3/95

Description: Retrospective application for single storey kitchen extension to side of bungalow.

Decision: 22/02/1996

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

Consultations

Manchester City Council Flood Risk Management

Manchester City Council Flood Risk Management were consulted on this application and had no objection to the proposed application.

Network Rail

Network Rail were consulted on this application and noted the plans submitted for this proposal. NR notes the 3m gap between the proposed structure and the railway boundary. However, the proposal will still require an initial assessment and potential interface with NR's asset protection team as the works are being undertaken within 10m of the railway boundary – note this is the measurement to be used not 10m from the railway tracks themselves (and all responses to the LPA has reflected this). An informative has been added to this effect.

Notifications

Local Residents

No representations received.

RELEVANT POLICIES & THE PRINCIPLE OF DEVELOPMENT

Relevant Policies

Section 38 (6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the adopted development plan unless material considerations indicate otherwise.

The following policies are considered relevant.

- [The Manchester Core Strategy Development Plan Document 2012-2027](#)
 - o Development Management and Planning Obligations
 - DM 1 - Development Management
 - o Objective 1 - Spatial Principles
 - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
 - o Objective 6 Environment
 - EN 1 - Design Principles and Strategic Character Areas
 - EN 14 – Flood Risk (partially replaced by PfE Policy JP-S 4)
- [Extant Unitary Development Plan \(UDP\)](#) –
 - o Citywide Development Control Policies
 - DC1 - Residential extensions
 - DC26 - Development and Noise
- [Places for Everyone Plan Joint Development Plan Document 2022-2039-](#)
 - o Strategy
 - JP-Strat9: Southern Areas
 - o Sustainable and Resilient Places
 - JP-S1: Sustainable Development
 - JP-S4: Flood Risk and the Water Environment
 - o Places for People
 - JP-P1 Sustainable Places
- [The National Planning Policy Framework \(The NPPF\)](#) –
 - o Section 2 - Achieving sustainable development
 - o Section 4 – Decision-making

- o Section 12 – Achieving well-designed places
- o Section 14 - Meeting the challenge of climate change, flooding and coastal change

Principle

The City Council recognises many people want to extend and develop their existing homes to provide more space and/or better living accommodation. The principle of a residential extension is accepted.

It is noted that a single storey detached garage was previously approved (141215/FH/2024) and this application makes the proposed garage slightly smaller to ensure compliance with Network Rail rules (maintaining a 3m easement to Network Rail land)

ISSUES

Appropriate siting, layout, scale, form, massing, materials, and detail

The new addition is designed to match the style and features of the current building. This includes the windows.

The proposal uses cement render to match the existing front porch features and concrete tiles for the roof.

The proposal is designed to be subservient to the original dwelling house sitting entirely at ground floor and behind the principal elevation line.

It is noted that the eaves height is permitted development, and it requires permission at the ridge height is above 2500mm within 2000mm of a boundary.

It is noted that this scheme is smaller than the previously approved scheme (to abide by Network Rail easements)

Due to its, size, position and location in relation to neighbours, the proposal would not create and over-dominant or overbearing feature.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development.

The proposal can be seen from the street however its size and use of materials help minimise the effect on the street scene.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby, notably a large garage at the adjoining No.53. Therefore, it can fit on the property site and won't disrupt the area's existing features.

The proposal's design would match the nearby properties. It would use the specified render and tile materials.

Effects on amenity

Privacy

The proposal includes adding doors and windows to however given these are at ground floor the impact to privacy is minimal.

Light

Given the proposal is entirely at ground floor level and the location to the side of the site the impact to light from the added massing is minimal.

Noise

The proposed garage is not expected to generate any noise beyond what would be reasonably expected of a residential dwelling.

Accessibility

The proposal does not change how people can get in and out of the building.

Adequacy of internal accommodation and external amenity space.

The proposal adds space inside the property with minimal effect to the outdoor area and maintains a good level of external amenity space post development.

Refuse storage and collection.

The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site and maintains external access to the rear of the property.

Vehicular access and car parking

The proposal would add a new vehicle garage but doesn't change how vehicles access and park at the property.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden beyond the siting of the proposed development and maintains a good amount of private green space post development.

Flood risk and drainage.

The proposed detached garage is approximately 37m², is within Flood Zone 1, with no flood risk originating from surface water. There is only a negligible amount of surface water as a result of the development due to the impermeable area of 37 m², and no drainage or below ground works are proposed.

Existing or proposed hazardous installations.

Network Rail were consulted on this application and had and noted the plans submitted for this proposal. NR notes the 3m gap between the proposed structure and the railway boundary. However, the proposal will still require an initial assessment and potential interface with NR's asset protection team as the works are being undertaken within 10m of the railway boundary – note this is the measurement to be used not 10m from the railway tracks themselves (and all responses to the LPA has reflected this). An informative has been added to this effect.

OTHER LEGISLATIVE REQUIREMENTS

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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.

CONCLUSION

The proposed detached garage at 50 Spinney Road is considered acceptable in principle and in detail. It is appropriately designed to complement the host dwelling, respects the character of the surrounding area, and does not result in any undue harm to residential amenity or local infrastructure. The proposal complies with relevant local and national planning policies and guidance, and no objections have been received. Subject to the recommended conditions, the application is therefore approved.

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. The proposal is considered to be acceptable and therefore determined within a timely manner.

CONDITIONS TO BE ATTACHED TO DECISION FOR APPROVAL

1. 3-year time limit

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. Specified plans

The development hereby approved shall be carried out in accordance with the following drawings and documents:

- | | | |
|------------------------|-------------|--|
| a. Application Form | 05 Sep 2025 | APPLICATION FORM |
| b. Drawing - Proposed | 22 Aug 2025 | 34.24.SR200 PLANS AND ELEVATIONS |
| c. Drawing - Site Plan | 22 Aug 2025 | 34.24.SR201 EXISTING AND PROPOSED INC. LOCATION PLAN |
| d. Drawing - Proposed | 22 Aug 2025 | 34.24.SR202 NETWORK RAIL REQUIREMENTS |

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-P1 & of Places for Everyone.

3. Specified materials

The materials to be used on the external surfaces of the garage hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

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 structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy and JP-S1 and JP-P1 of Places for Everyone.

4. Incidental use

The development hereby approved is for incidental garage space for the main dwellinghouse. The proposed outbuilding is not to be used as an additional dwelling at the location or for short term lettings and is explicitly for the private enjoyment of the occupants of the main dwellinghouse unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In the exceptional circumstances of a proliferation of HMOs and short term lets restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through the provision of accommodation that is suitable for people living as families pursuant to paragraph 7.4 of the Guide to Development in Manchester: Supplementary Planning Document

and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Core Strategy for the City of Manchester.

INFORMATIVE(S)

1. No works are to commence until agreed with Network Rail

Please note that whilst Network Rail (NR) is submitting responses via the planning application process, it should be born in mind by the developer that the operational railway presents risks/issues that are different/unique to the risks posed by works taking place adjacent to non-railway undertaker land. Works on this site therefore must be undertaken with the supervision of NR via the ASPRO (asset protection) team to ensure that the works on site do not impact the safe operation, stability, integrity of the railway & its boundary. The developer are advised that unauthorised works adjacent to the railway boundary could impact the operation of nationally significant infrastructure & the applicant would be liable for any and all damages & costs caused by any works undertaken in this scenario. Therefore, the developer is requested to ensure that the development meets with NR requirements for works/developments adjacent to the railway boundary which include planning material considerations as well as obligations specific to the railway undertaker. The interface is via a NR BAPA (basic asset protection agreement) – the developer is advised that the works must not commence on site (even if planning permission is granted) until agreed with NR. The applicant will be liable for all costs incurred by NR in facilitating, reviewing this proposal.

For future reference, it is imperative developers/applicants consult neighbouring/affected statutory undertakers in advance of any construction work, to identify and mitigate potential risks to both sites including people using or working on the sites, in line with CDM 2015 and HSW 1974 legislation. Network Rail's ASPRO (Asset Protection) team's role is to support external parties in identifying risks associated with construction near the railway and mitigating these in advance of work starting. Most insurance policies include clauses relating to consultation with statutory undertakers, and external parties who do not consult appropriately in advance may find their insurance policy becomes invalid.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

Network Rail

MCC Flood Risk

48 Spinney Road, Manchester, M23 1AB

53 Spinney Road, Manchester, M23 1AD

51 Spinney Road, Manchester, M23 1AD

APPENDIX 2 – PLANNING CONSTRAINTS

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Area Team Boundary - Name: SOUTH AREA