

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142402/FH/2025
Date registered valid: 12 March 2025
Proposal: Proposed detached garage and garden room
Address: 40 Varley Street, Manchester, M40 8BW
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Pavan Koppula
Agent (if any): Tomislav Vuletic, Flocc Studio Ltd
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 15 May 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 8th May 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 1 April 2025 Expired: 24 April 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

Description of site/building

The application site relates to 40 Varley Street which is located within the Miles Platting Neighbourhood Area, in the North area of Manchester. The application site is a two storey brick built dwellinghouse. It has only been built a few years, being part of the Miles Platting PFI regeneration scheme. It has garden area to the front and rear, with a driveway that runs alongside the property leading to the rear garden. The boundaries between the properties are of a 1.8m timber close boarded fence, with the front elevation partially enclosed by low brick wall with railings and brick piers.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

PLANNING HISTORY

117055/FO/2017 - Proposed residential development of 129 properties with a mix of two and three storey semi-detached / terraced properties and eight apartments in one block with associated road access, parking and landscaping APPROVED 03/2018

080520/FO/2006/N1 - Full Application for the re-development of the Miles Platting Neighbourhood area, comprising the erection of 11 new dwellinghouses (4 on Sawley Road, 2 on Bradford Road and 5 on Chippenham Road (following demolition)), part 2/3 storey extension to Butler Court to provide 20 additional apartments for the elderly, external alterations to 7 existing high rise blocks (Alburn, Nelson, Queensbury, Butler, Landos, Gunson and Naylor Courts), new boundary treatments to all domestic properties, physical upgrading of 1548 houses and apartments, conversion of 22 apartments at Millhead Avenue and Manstead Walk to form 11 family houses, and removal of 65 apartments from existing high rise blocks to form larger residential units, environmental and public realm works including the provision of 6 pocket

parks (following demolition); and the carrying out of associated highway improvements throughout the area APPROVED 26/10/06

079633/00/2006/N1 - OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq. metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking APPROVED 05/09/2006.

Description of area

The site lies within a predominantly residential area with a mix of residential properties comprising of two and three storey terraced, semi-detached and detached houses. The residential properties within the area are a combination of new build and historical social housing.

Description of development

The submitted application is for the erection of a detached outbuilding within the rear garden to create a garage and garden room. Irrespective of the size of the proposed free standing unit, consent is required as the Permitted Development Rights were removed by the consent ref-117055/FO/2017 to ensure that the new properties still retained a reasonable amount of external amenity space for future occupants, and that garden areas were not dominated by built form.

The principle of development of this land for housing, formed part of the Neighbourhood Plan for Miles Platting approved as part of an outline application approved 5th September 2006 (ref: 079633/00/2006/N1) for the re-development of the Miles Platting Neighbourhood area. This permission established the guiding principles for the regeneration of the area, including a parameters plan indicating the areas where new development will come forward and where existing properties will be refurbished. It included the opportunity to create a new east west link

Consultations & Notification Responses

Local residents were informed- no representations have been received

Issues

POLICIES

UNITARY DEVELOPMENT PLAN SAVED POLICIES

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);
- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

Core Strategy Development Plan (Adopted 11th July 2012)

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.

City Councils Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

'A high-quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages.

National Planning Policy Framework

Chapter 12. Achieving well-designed places

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.

Places for Everyone Greater Manchester Joint Development Plan (March 2024) Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

ISSUES

Residential Amenity.

The proposal is for the erection of a detached outbuilding to rear garden to create additional accommodation in the form of a garage and garden room for use by the occupants of the host property.

The application site relates to a rectangular plot front to back, with the property being at the end of a run of two storey semi- detached properties. The next pair of semis are of a three storey height, mews design properties. The driveways between the properties are side by side retaining a good- sized gap between the buildings. The application site benefits from adequate garden area to front and rear, off street car parking space on a driveway situated along the side of the house and boundary screening in the form of 1.8m high timber fencing along common boundaries and a low-level wall with railings on top to the property frontage.

The residential development that this property sits within has had its permitted development rights removed through condition 22 of planning approval 1117055/FO/2017; which states no extensions are to be erected without the consent of the Local Planning Authority. The permitted development rights have been removed in order to ensure the control of extensions, garages and outbuilding within this residential development.

The proposed garage / garden room would be located towards the bottom of the rear garden to the south- western boundary. It is proposed with a dual pitched roof which would reduce the impact on the neighbouring properties with the height being at the maximum at the central point of the building and at the lowest point with the eaves being along the common boundary with number 42 Varley Street. The proposed unit would measure 9.9m length by 3.5 m width. There are no windows along the common boundary with number 42 Varley street, with one Velux rooflight and a pair of French doors that open out onto the applicants own garden. There is no additional fenestration beyond the electric garage door. As such there would be no views into or out of the free-standing unit that would impact the privacy or result in the overlooking of the neighbouring properties.

The properties either side of the property at number 40 Varley Street each have structures within the rear gardens along the common boundaries, albeit they are not as long as that proposed at number 40.

At single storey the proposal would not impact the light to the neighbouring properties. There would be sufficient external amenity space retained post development for the occupants of number 40 Varley Street. In light of the above, it is not considered that the proposal would have

a detrimental impact upon the level of residential amenity currently enjoyed by the neighbouring properties.

Visual Amenity- The Permitted Development Rights were removed at the time of the original application for the construction of this phase of development of the PFI Regeneration Area. This was to enable the assessment of the impacts of additional development on the properties themselves and the area within which they are located. The proposal would be constructed on a vertical line against the common boundary with number 42 Varley Street which is set on an angle to the host property at number 40 Varley Street. It cannot be seen readily from within the street scene, only being visible from down the side of the driveway, and then it is set back behind solid timber gates and fencing so not viewed within the context of the street scene. The materials proposed will match those of the host property and a condition to that effect will be attached to any consent granted. The free-standing unit is typical of this type of unit found in rear gardens all across the City and, having assessed the proposal against both local and national policies it is not considered that the proposal would have a detrimental impact upon the levels of residential or visual amenity of the neighbouring properties or within the vicinity of the site.

A condition will be attached to any consent granted controlling the installation of any additional fenestration to the unit beyond that which is granted by this planning permission.

Had Permitted Development Rights not been removed, the fallback position, would be that a freestanding structure could be constructed subject to the following:
Outbuildings must not exceed 50% of the total area of land around the original house as it was first built or as it stood on 1st July 1948 (if it was built before that date), other outbuildings must be considered when calculating the 50% limit. It must not be self-contained living accommodation. Outbuildings must be single storey with a maximum eaves height of 2.5m and a maximum overall height of 4m with a dual pitched roof, or 3m in any other case. If the outbuilding is within 2 metres of the property boundary it should not exceed 2.5 m in height.

Design and Siting.

The free-standing building is typical of this type of unit, the massing has been reduced through the proposal of a dual pitched roof which reduces the height at the closest point to the neighbouring properties. The materials will match those of the host property being in brick and tile, from the front, the unit has the design of a standard garage.

The proposed development does not pose a significant impact upon the adjacent properties or garden areas. Overall, the proposed size, design and siting of the outbuilding is considered acceptable.

It is considered that the proposed development is subservient and sympathetic when viewed in the context of the host property.

Car Parking

Off street car parking is provided at the property to the front of the 2 metre high timber gates and this space would be unaffected by the proposal. An additional space would be created by the garage.

Bin Storage

The bins can be stored along the side or rear of the property, with the current situation being unaffected by the proposal.

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.

Recommendation: Approve

Article 35 Declaration

Positive and proactive working - 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. No significant problems have arisen during the consideration of this application, and it has been determined in accordance with both local and national policies and deemed acceptable.

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:

WD2.1- Location Plan 12th March 2025

WD2.2- Proposed Site Plan 12th March 2025

WD3.1-Proposed Ground Floor Plan 12th March 2025

WD3.2- Proposed Roof Plan 12th March 2025

WD5.1- Proposed Front and Rear Elevations 12th March 2025

WD5.2 Proposed Side Elevations 12th March 2025

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 materials to be used on the external surfaces of the extension hereby permitted, including patching in and mortar, shall match those of the existing building 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 extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The detached outbuilding hereby approved shall only be used as ancillary accommodation (garage/ garden room purposes) in connection with the existing residential property no. 40 Varley Street Manchester M40 8BW and for no other purpose.

Reason - In the interests of visual and residential amenity, pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

5) 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 windows or doors shall be inserted into the elevations of the detached outbuilding hereby approved other than those shown on the approved drawings.

Reason - In the interests of residential amenity pursuant to policy SP1 and DM1 Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

25 John Hogan Vc Road, Manchester, M40 7QU
21 John Hogan Vc Road, Manchester, M40 7QU
19 John Hogan Vc Road, Manchester, M40 7QU
23 John Hogan Vc Road, Manchester, M40 7QU
42 Varley Street, Manchester, M40 8BW
38 Varley Street, Manchester, M40 8BW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH AREA