Planning

Growth & Development

Delegated officer report for planning application

Application no.	142394/FH/2025
Date registered valid:	25 March 2025
Proposal:	Erection of a single storey outbuilding in rear garden
Address:	49 White Moss Avenue, Manchester, M21 0XS
Ward(s):	Chorlton Park Ward
Applicant:	Mr N Ahmed
Agent (if any):	Mr D King NK Architectural
Case officer:	Katie Raw Tel: 0161 234 4164 Email: katie.raw@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: 30 April 2025

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 9 April 2025 Expired: 2 May 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 49 White Moss Avenue within the south Manchester ward of Chorlton Park. The application site relates to a semi-detached, two storey, red brick dwellinghouse with a hipped roof and in built porch area, and a previous part single, part two storey rear extension (see planning ref: 092975/FH/2010/S1). Amenity space to the front of the property consists of hardstanding which extends along the side of the property. Amenity space to the front is characterised by a grassed garden. At the time of the site visit, a detached garage previously at the site had been demolished.

Description of area

The immediate area is residential in context.

Description of development

The application seeks consent for erection of a single storey outbuilding in rear garden.

The outbuilding would be sited in the position of the cleared garage. At the largest point, the outbuilding would have approximate dimensions of Height: 3.5 x Length: 6.8 x Width: 5 metres. The outbuilding is marked on the plans as an outhouse with a toilet and as confirmed by the agent via email on 12 May 2025, the outbuilding would be used for a store and home gym. The

proposal would involve the insertion of double doors and surrounding windows within the primary elevation, a personnel door in the side elevation and an obscure glazed window within the rear elevation.

Materials to be used would include:
-Brickwork to match existing
-Concrete roof tiles to match existing
-Proposed anthracite PVCu double glazed windows
-Anthracite external door

Negotiations during the Course of the Application

During the course of the application, concern was raised that the position of windows within the outbuilding would give rise to inappropriate relationships against shared boundaries and to the detriment of the adjoining neighbour. A revised scheme with re-positioned windows were provided for review and are considered to overcome the concerns raised.

The agent also confirmed the proposed use of the outbuilding.

Planning History

092975/FH/2010/S1- Erection of part single, part two storey rear extension to form additional living accommodation.
Approved 19 May 2010.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one response was received. Concern was raised that the outbuilding would be used as a separate dwelling and create the potential for the main dwellinghouse to be used as an HMO. This would negatively harm the character of the surrounding neighbourhood.

Issues

POLICY

The National Planning Policy Framework (December 2024)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
a) an economic objective
b) a social objective and

c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed places.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

The Core Strategy is the key document in Manchester's Local Development Framework. It replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. Of relevance are:
Policy DM1 (Development Management),
Policy SP1 (Spatial Principles) and
Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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.
d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods. Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. 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 full weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey outbuilding in the rear garden. This is considered acceptable in principle as many people prefer to alter and adapt homes rather than move, to meet the changing residential needs of families. This includes the installation of outbuildings to create further living accommodation incidental to the enjoyment of the main dwellinghouse. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwelling house, it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Visual/ Residential Amenity

Potential impact to adjoining property no.47 White Moss Avenue:
The outbuilding would sit against the western boundary of the site. As such, the outbuilding would be sited approximately 4 metres from the common boundary. At the site visit, the boundary treatment separating the two properties was low. Given the proposal would be sited off the shared boundary it would not give rise to an overbearing feature when the neighbours utilise the rear garden. The window arrangement was amended along this elevation so that the neighbour would not feel the perception of overlooking and so the personnel door to be inserted in the outbuilding would not give rise to any adverse privacy implications. Due to the location of the proposal and distance from the shared boundary, no impacts to loss of light would occur for this neighbour.

Potential impact to non-adjoining neighbour no.51 White Moss Avenue:
The outbuilding would be sited against the common boundary between the applicant site and no.51 White Moss Avenue. At the largest point, the proposal would have a height of 3.5 metres. The applicant and neighbouring properties benefit from south facing gardens. Although the neighbour may experience loss of light in the mornings from the outbuilding, as the proposal has a maximum height of 3.5 metres and is only single storey, any loss of light would not be considered significant. Further, the roof has been designed so that at the point closest to the neighbour, the height would be reduced to 2.5 metres. A window was initially proposed along the common boundary but was considered to create a poor design form so has been relocated. As such, no adverse privacy implications would occur for this neighbour. Given the neighbour was previously used to a similar garage structure, the proposal is not considered to create an overbearing feature to the detriment of the neighbour's use of their private amenity space.

Potential impact to neighbours to the rear:
The outbuilding would be single storey and so would not create an overbearing feature to the detriment of properties to the rear.

A bathroom window would be inserted in the rear elevation of the proposal and would be conditioned to be obscure glazed to protect the privacy of the applicant.

The outbuilding would be visible from the streetscene. As it would be set back significantly from the primary elevation of the proposal and would represent a standard outbuilding, it would not create any adverse visual and residential amenity implications.

Proposed use:
Neighbour comments raised concerns that the outbuilding would be used for purposes outside use class C3a, and that the outbuilding would not be used for incidental purposes. Whilst the agent has confirmed via email exchange the outbuilding would be used for a store/ home gym, a condition would be attached to any approval granted to ensure the outbuilding is not used in a manner not incidental to the main dwellinghouse now or any time in the future. It is hoped that with the inclusion of such conditions, no issues would occur in relation to residential amenity on the grounds of increased comings and goings or noise disturbance.

Overall, it is not considered that the proposal would have a significant adverse impact upon residential or visual amenity, and any harm has been mitigated within the revised drawings received. The condition restricting the further insertion of windows or doors would ensure no adverse privacy implications could occur as a result of the proposal. A further condition would ensure the proposed bathroom is adequately screened to ensure the privacy of the applicant and any surrounding neighbours. A restrictive use condition would ensure the proposal is used by the intended family residing at the property and be conditioned in this manner in the future. In short, the proposal is therefore considered pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

The outbuilding is not considered excessively large or bulky and would be similar to other outbuildings that can be seen in similar positions along White Moss Avenue.

It is noted that similar outbuildings could be erected through the route of Permitted Development, however in this case the height would not comply with the stipulations of

permitted development. In this case, the site is considered to accommodate the additional height without harming the surrounding properties.

The materials to be used throughout the proposal have been listed previously within the report and are considered acceptable. A condition to this effect would be attached to any approval granted.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Car Parking

As existing, the detached garage has been cleared on the site prior to the application or site visit being undertaken. As such, whilst there is a reduction in the amount of the hardstanding for off street parking, the property would still retain a large driveway which runs alongside the side of the property. No adverse implications in relation to car parking occur as a result of the proposal.

Bin Storage

Adequate space remain for bins to be retained within the private side and rear amenity space. This is considered acceptable.

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 polices 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner and a revised scheme considered to overcome issues raised has been provided in a timely manner. Appropriate conditions have been attached to any approval granted.

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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 12 March 2025.
-Drawing- Proposed- Proposed GF and Elevations and 3D Visuals, numbered A111 REV A, stamped as received by the City Council as Local Planning Authority on 12 May 2025.
-Drawing- Location Plan- Site and Location Plan, numbered A105 REV A, stamped as received by the City Council as Local Planning Authority on 12 May 2025.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) 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 openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

4) Before first occupation, the bathroom window within the outbuilding as shown on the approved ‘Drawing- Proposed- Proposed GF and Elevations and 3D Visuals, numbered A111 REV A’, stamped as received by the City Council as Local Planning Authority on 12 May 2025, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

5) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and ‘Drawing- Proposed- Proposed GF and Elevations and 3D Visuals, numbered A111 REV A’, specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

6) The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 49 White Moss Avenue, M21 0XS. 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.

Reason - To ensure the proposed use remains incidental to the principle use on the site. In the interest of residential amenity, in accordance with policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

264 Kings Road, Manchester, M21 0XQ
258 Kings Road, Manchester, M21 0XQ
51 White Moss Avenue, Manchester, M21 0XS
47 White Moss Avenue, Manchester, M21 0XS
262 Kings Road, Manchester, M21 0XQ
260 Kings Road, Manchester, M21 0XQ

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