

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142023/FH/2025
Date registered valid: 30 January 2025
Proposal: Erection of ancillary outbuilding adjacent to existing garage
Address: 1A Kingston Grove, Manchester, M9 6HD
Ward(s): Charlestown Ward

Applicant: Mr Vikas Patel
Agent (if any): Mr R Anwar, RA Design & Project Management Ltd
Case officer: Ellie Knowles
Tel: 0161 219 6633
Email: ellie.knowles@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **9th May 2025**

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 3 February 2025 Expired: 24 February 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 relates to a larger 3 bedroom detached house located at the junction of Victoria Avenue East and Kingston Grove, with a detached garage in the rear garden, accessed from Kingston Grove. There are mature hedges to the Kingston Grove frontage screening the rear garden area.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area comprises a mix of uses, with a large retail store and petrol filling station, and other retail and commercial uses at the junction of Victoria Avenue East and Rochdale Road, with the locality being predominantly residential in nature to the east along Victoria Avenue East.

Description of development

Consent is sought to erect a single storey ancillary outbuilding adjacent to the existing garage. The outbuilding would have a pitched roof, which on the frontage on Kingston Grove would be continued across the existing garage. Patio doors are proposed to the Kingston Grove frontages, with a window serving a wc to the south elevation facing the rear facade of the existing house. Two roof lights would also be incorporated within the eastern facing roof slope.

Consultations & Notification Responses

Local residents - No comments received.

Local Planning Policies

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

The relevant Places for Everyone policies for this application are as follows: JP-P1 – Sustainable Places

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The relevant Core Strategy policies for this application are as follows: DM 1 – Development Management SP 1 – Spatial Principles (partially superseded by PfE) H 3 – North Manchester EN 19 – Waste

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant saved UDP policies for this application are: DC1– Residential Extensions

The relevant supplementary planning guidance documents for this application are:

- The Guide to Development in Manchester SPD A relevant material consideration is also:
 - Manchester Residential Quality Guidance March 2017 (Manchester's Emerging Space Standards)

National Planning Policy Framework

The NPPF (December 2024) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed places

Issues

Principle of development:

The principle of erecting a single, outbuilding to provide additional accommodation for a family dwellinghouse is acceptable given that many individuals prefer to extend and alter their homes to meet changing household needs rather than move. However, consideration must be given to the proposal's impact upon visual amenity and residential amenity, waste storage, and parking.

Impact on visual amenity and the streetscene:

The proposed outbuilding would be sited at the rear of the property, directly adjacent to the existing single storey garage in the rear garden. The proposed outbuilding would have a pitched roof which on the frontage on Kingston Grove would be continued across the existing garage. Patio doors are proposed to the Kingston Grove frontages, with a window serving a wc to the south elevation facing the rear facade of the existing house. Two roof lights would also be

incorporated within the eastern facing roof slope. Materials to form the building would be brick and tiles. The proposed outbuilding would not project forward of the building line of the existing house on Kingston Grove.

The proposal is relatively standard in terms of its design and scale for developments of this type and would be in-keeping with the design of built form in the local area. The rear garden area is partly screened by hedging; however, elements of the proposal would be visible within the street scene. Provided that the proposed development comprises materials of similar colouration to the existing dwellinghouse it is not considered to form a prominent visual feature.

On this basis, the overall character of the property and its surrounding area should not be significantly harmed by these works. The design and appearance of the outbuilding therefore accords with saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and chapter 12 of the National Planning Policy Framework. A condition to require the submission of materials prior to above ground works to any approval is proposed to be attached to any approval.

Impact on residential amenity:

The proposed outbuilding would not unduly detrimentally affect the amenities of the occupiers of neighbouring residential properties, no. 55 Victoria Avenue East, and no.1 Kingston Grove, pursuant to policies DC1 and DM1, due to the design of the outbuilding, including nature and location of openings, in relation to the location, design and detail of neighbouring properties. Whilst the proposal would lead to a length of built form along the boundary with no. 55 Victoria Avenue East, no. 55 Victoria Avenue East has an existing single storey rear extension along the boundary.

Furthermore, the proposed outbuilding due to the siting, single storey nature and roof design is not considered to give rise to any significantly adverse issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. No fenestration is proposed in the western side elevation facing the neighbouring property; therefore, it is considered that overlooking impacts are negated. A condition removing the permitted development rights in regard to the insertion of openings in the development will be applied to ensure privacy is maintained, together with an obscure glazing condition related to the window to serve the proposed wc.

On this basis it is considered that the proposal accords with saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

The proposed development would lead to the loss of private usable amenity space for the occupiers. However, it is noted that the hedging around the perimeter of the property at the back of pavement enables the green garden space within the curtilage to the Victoria Avenue East and Kingston Grove frontages to function as usable amenity space. As such, on balance the loss of the rear hard surface garden area is not considered to be so significant as to warrant the refusal of permission.

Impact on Highway Safety:

The development would retain the existing garage to the side, the existing front driveway would be retained facilitating one car within the site curtilage, which is considered acceptable.

Waste:

Space would be retained in the rear garden which could accommodate the storage of bins.

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

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 no matters were raised with the agent and 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:

- Existing and proposed plan ref: RAD/3230/25/1

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 (2012), and policy JP-P1 of Places for Everyone.

3. Before first occupation of the accommodation hereby approved, the wc room window within the outbuilding as shown on the Existing and proposed plan ref: RAD/3230/25/1, 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 Manchester Core Strategy (2012).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring residences, pursuant to policy DM 1 of the Manchester Core Strategy (2012) and saved policy DC1 of the Unitary Development Plan.

5. Prior to above ground works, samples of materials shall be submitted and approved by the City Council as local planning authority. The development shall be implemented in accordance with the approved scheme.

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 (2012), the requirements of the National Planning Policy Framework and policies JP-S1 and JP-P1 of Places for Everyone

6. The detached outbuilding hereby approved shall only be used as incidental accommodation in connection with the existing residential property 1A Kingston Grove and for no other purpose.

Reason - In the interests of visual and residential amenity, pursuant to policy SP1 and DM1 of the Manchester Core Strategy (2012) .

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMOs 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 Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

58 Victoria Avenue East, Manchester, M9 6HB
57 Victoria Avenue East, Manchester, M9 6HP
53 Victoria Avenue East, Manchester, M9 6HP
56 Victoria Avenue East, Manchester, M9 6HB
2 Kingston Grove, Manchester, M9 6HD
1 Kingston Grove, Manchester, M9 6HD
55 Victoria Avenue East, Manchester, M9 6HP

Appendix 2 – Planning constraints

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