



CAROLINE TAMWORTH PLANNING

Planning and Development

HOUSEHOLDER PLANNING APPLICATION

PROPOSED GARDEN ROOM

24 AMHERST ROAD, MANCHESTER, M20 4NS

PLANNING STATEMENT

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On Behalf Of

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CT:1232

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1.0 The Site

1.1 The application relates to the rear garden area of a two storey semi-detached dwelling situated towards the southern end of Amherst Road, close to its junction with Mauldeth Road.

1.2 The dwelling is faced with brick and render and has a double storey bay window with a pitched roof above to the front elevation.



Front elevation of No. 24 Amherst Road



Rear elevation

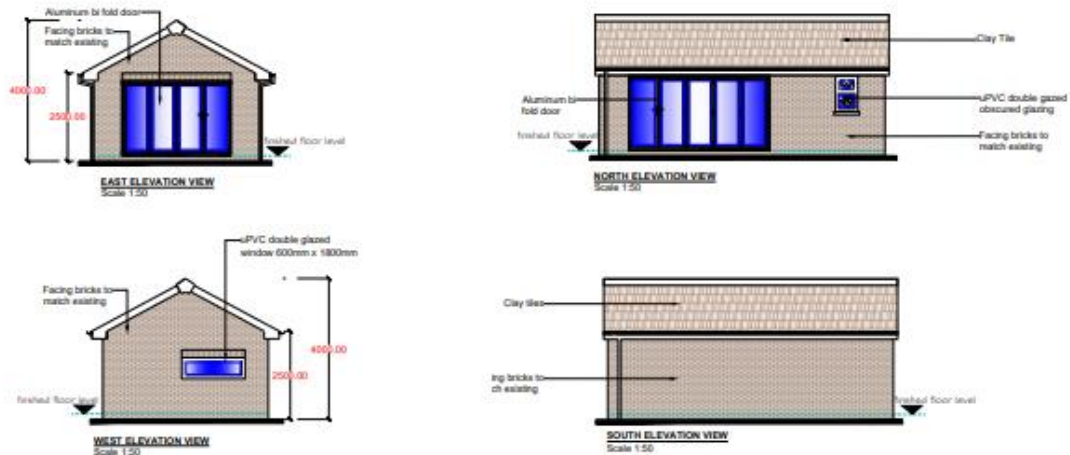
1.3 There is a paved driveway to the front and a large, enclosed garden to the rear. Much of the rear garden area is surrounded by mature trees and vegetation. The rear garden areas of No's 36 – 40 Mauldeth Road bound the site to the north, the rear garden of No. 34 Mauldeth Road to the west and the rear garden area of the adjoining dwelling No. 26 Amherst Road to the south. The application site is set lower than the land and dwellings to the north.

2.0 The Proposal

2.1 Householder planning permission is sought for the erection of a garden room within the rear garden.

2.2 The outbuilding will provide ancillary domestic living space to be used by the applicant and his family for recreational activities and domestic storage. The building will be faced in brick and have a tiled pitched roof. The northern and eastern elevations will contain aluminium bi-fold doors, a slimline horizontal upvc window to the western elevation and a small obscure glazed window to the northern elevation.

2.3 The remaining garden area will be soft landscaped with grass and planting. The trees and vegetation around the site will not be affected as a result of the proposal.



Extract taken from plan PP171-1/23 prepared by AT A. Design (Not to Scale)

3.0 Background

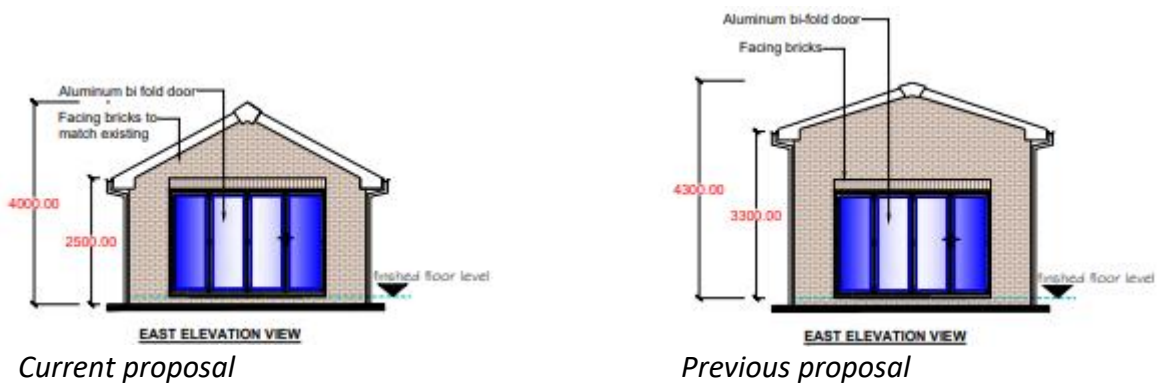
3.1 The applicant originally designed an outbuilding to meet the criteria of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order as amended. At a later date, an alternative design was considered by the applicant and work commenced but during the building process it became apparent that the height of the building under construction was too great to meet the criteria of permitted development. A retrospective householder planning application for the partially constructed building was submitted to the Council in June 2024 (140290/FH/2024). The application was refused in August 2024 and an appeal against the refusal was dismissed in January 2025.



Partially constructed outbuilding

3.2 The reasons for refusal related to the height of the proposed building and the perceived negative impact that this may have on the amenity of the occupants of adjacent dwellings and the visual amenity of the area. Whilst the Planning Inspector concurred with the Council on these matters, the Inspector agreed that the proposed development would not lead to an increase risk of flooding or drainage problems which were cited in a third reason for refusal.

3.3 Following the dismissal of the appeal a revised scheme has been prepared for an outbuilding of a lesser height, which is the subject of this application.



4.0 Planning Policy Context & Compliance

4.1 The site is located within South Manchester and is unallocated for any primary purpose on the Core Strategy Development Plan Proposals Map.

4.2 The following policies of the Manchester Core Strategy are relevant:

- Policy SP1 - Spatial Principles
- Policy EN1 - Design Principles & Strategic Character Areas
- Policy EN14 - Flood Risk
- Policy DM1 - Development Management

4.3 Core Strategy Policy SP1 promotes the creation of neighbourhoods of choice where high quality and diverse housing is provided around district centres to meet local needs. There is an emphasis on accessibility, in particular walking, cycling and public transport and improving sustainable access to jobs, services and education.

4.4 Core Strategy Policy EN1 focuses on tackling climate change by reducing carbon emissions from new developments. The policy sets out requirements for energy efficiency, renewable and low-carbon energy, sustainable construction and adaptation to climate change.

4.5 Core Strategy Policy EN14 aims to minimise flood risks by guiding the location of new developments and promoting flood resilience through sustainable design and water management practices.

4.6 Core Strategy Policy DM1 addresses aspects such as, but not limited to, the design of development, impacts upon amenity, the adequacy of internal accommodation and outdoor space, vehicular access and parking.

4.7 The Council has also referred to Extant Unitary Development Plan Policy DC1 – Residential Extensions – within the first and second reasons for refusal. This policy allow extensions that complement the character of homes and neighbourhoods while safeguarding the amenities of both existing and future residents.

4.8 Advice contained within Places for Everyone (PfE) and the National Planning Policy Framework (NPPF) is also relevant.

4.9 The Places for Everyone Plan aims to create sustainable, inclusive communities by providing housing, jobs, and infrastructure whilst protecting the environment. The plan prioritises public transport, affordable housing, and green spaces to enhance quality of life for residents.

4.10 The following PfE policies are relevant:

- Policy JP-S1 - Sustainable Development
- Policy JP-S4 - Flood Risk and the Water Environment

4.11 The NPPF emphasises sustainable development, promoting economic growth while safeguarding the environment and protecting communities. The NPPF aims to streamline the planning process, encourage local decision-making, and ensure development meets the needs of present and future generations.

4.12 No. 24 Amherst Road has the benefit of being eligible for development to be carried out to, and within the curtilage of, the dwelling under the provisions of the relevant classes of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order as amended.

Class E allows:

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or***
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas***

4.13 With the exception of its height, the building meets all other relevant criteria of the conditions set out at E.1.

4.14 The rear garden area of No. 24 is very large, extending from the rear of the dwelling by approximately 25m at its furthest point. The garden previously extended further, in line with that of No. 26 but a previous owner sold the western most section to No. 34 Mauldeth Road in order to extend their own garden plot. The width of the rear garden is approximately 10m. The footprint of the proposed outbuilding is 38.07m² and therefore ample garden area will remain following the proposed development.

4.15 With regard to the criteria relating to height, under Class E the maximum height allowed for a building with a dual pitched roof is 4 metres with an eaves height of no more than 2.5m. However, guidance states that if the building is to be located within 2m of the boundary of the curtilage of the dwelling, which the western and southern elevations of the outbuilding are, then the maximum overall height of an outbuilding is limited to 2.5m.

4.16 There is a feasible fallback position whereby the applicant can build an outbuilding of the same footprint in the same position with a maximum height of 2.5m. If the outbuilding were to be reduced in footprint slightly to move it more than 2m away from the boundaries, then an outbuilding with a maximum height of 4m using householder permitted development rights could be constructed.

4.17 Due to the advanced nature of the building works it is not feasible to move the building 2 metres away from the boundaries without substantial cost.

4.18 In response to the Council's and Inspector's concerns regarding the height of the proposed outbuilding it is proposed to reduce the eaves height of the current building to 2.5 metres and the ridge height to 4 metres. The overall height of the ridge will be 30cm less than that previously proposed. The most apparent difference will be the reduction in the height to the eaves following the removal of 0.8 metres of brickwork which will serve to significantly reduce the scale and massing of the proposed building as a whole and in turn its visual impact. The proposed building will appear as subservient to the main dwelling and in line with generally accepted dimensions for outbuildings when assessed against permitted development criteria.

4.19 With regard to the Council's and Inspector's concerns regarding the potential adverse impact on the amenity of surrounding residents, the northern elevation of the proposed building is located more than 2m away from the boundary with the rear garden areas of No's 36, 38 and 40 Mauldeth Road. Set within the large garden, heavily screened by mature trees and vegetation and at a lower ground level than the dwellings on Mauldeth Road the reduced height of the building is considered acceptable and highly unlikely to lead to harm.

4.20 The western elevation of the proposed outbuilding is set away from the fence separating the application site with the end of the garden of No. 34 Mauldeth Road by 650mm at its

south western corner and by 1.665 metres at its north western corner. As the fence is not uniform at one point the proposed building is set 1.895 metres away from the boundary fence to No. 34 Mauldeth Road. The rear garden of No. 34 Mauldeth Road is an exception in comparison to the length of the other rear gardens along this section of Mauldeth Road. The southern most part of the garden is bounded by very tall mature trees contained within the rear gardens of No's 1 and 3 Alan Road. At present the southern-most part of the garden at No. 34 Mauldeth Road contains a raised trampoline which sits behind the boundary fence shared with the application site. Due to the inevitable overshadowing of the mature trees, it is argued that the southern end of the garden is less likely to be frequently used, with the main activities such as children's play, sitting out, etc. more likely to take place within the original part of the garden immediately outside the rear entrance to the dwelling. Whilst of course different occupants may choose to use their garden spaces differently, it is maintained that the proposed outbuilding will be located far enough away from the rear elevation of No. 34 Mauldeth Road and the majority of its rear garden, which aligns with the size of other gardens along Mauldeth Road, to safeguard against any adverse impact in terms of privacy or perceived overbearing impact.

4.21 The reduction in the height of the walls and ridge, together with the separation from the boundary, will further protect the amenity of the occupants and the applicant is willing to plant a hedge to the western end of the garden behind the proposed outbuilding to increase privacy levels if the Council considers this necessary.



Existing boundary fence between the application site and southern most part of the rear garden to No. 34 Mauldeth Road. Partially built outbuilding visible to the left and mature trees within rear garden of No. 1 Alan Road visible in the centre

4.22 The southern elevation of the proposed outbuilding is set away from the fence separating the application site with No. 26 Amherst Road by 1.07 metres at its south western corner of the building and by 760mm at its south eastern corner. The southern garden boundary is lined with established vegetation which will adequately screen the proposed building from the rear garden of No. 26 Amherst Road. The established vegetation will mean that only a small portion of the pitched roof of the outbuilding will be visible from within the rear garden of No. 26 Amherst Road or from the ground floor habitable room windows. As such, the proposed outbuilding will not be seen as an overbearing feature or have an adverse impact on the amenity of occupants when using their garden space. As such, the reduced height is considered acceptable.



View of the partially constructed outbuilding from second floor rear elevation window – established vegetation to boundary with No. 26 Amherst to the left

4.23 In view of the above, the proposed development is compliant with the provisions of Core Strategy Policies DM1, SP1 & EN1 of the Manchester Core Strategy and advice contained within the PFE Development Plan Document and the NPPF.

Flooding

4.24 The third reason for refusal refers to insufficient information having been submitted to demonstrate that the proposed development itself would not be adversely impacted by its location within flood zone 3 and that the proposed development would not lead to an increase in flooding elsewhere.

4.25 A Flood Risk Assessment along with a further supporting letter from RIDA with regard to undefended flood levels is provided with the application.



Drainage channels installed

4.26 The report concludes at paragraphs 9.1 and 9.2 that:

“...subject to the proposed mitigation measures, the site can be developed in accordance with the provisions of the NPPF and the requirements of the Environment Agency and the local planning authority.

This report demonstrates that the proposal will be safe, in terms of flood risk, for its design life and will not increase the flood risk elsewhere”.

4.27 In view of the above, the proposed development is compliant with the provisions of Core Strategy Policies DM1 & EN14 of the Manchester Core Strategy and advice contained within the PfE Development Plan Document and the NPPF. This was confirmed by the Planning Inspector and a condition relating to a detailed drainage scheme is acceptable to the applicant.

5.0 Conclusion

5.1 The proposed outbuilding will provide additional accommodation for use by the appellant and his family in connection with the existing dwelling. The outbuilding is well screened from surrounding properties by trees and vegetation which will assist in safeguarding the privacy and visual amenity of the occupants of neighbouring dwellings. The scale, massing, design and reduced height of the building is appropriate to the site and will not appear intrusive or overbearing when viewed from the surrounding area. The rear garden area of the application site is large in size and is able to accommodate the proposed building comfortably whilst retaining ample amenity space.

5.2 The submitted Flood Risk Assessment report concludes that the development can be carried out without increased risk of flooding.

5.3 For the reasons stated above, the proposed development is compliant with local and national planning policy and should be approved.

January 2025