



MANCHESTER CITY COUNCIL

PLANNING

GROWTH & DEVELOPMENT

DELEGATED OFFICER REPORT FOR PLANNING APPLICATION

APPLICATION NO. 141943/FH/2025

DATE REGISTERED VALID: 3 February 2025

PROPOSAL: Erection of a single storey detached outbuilding to rear garden

ADDRESS: 24 Amherst Road, Manchester, M20 4NS

WARD(S): Withington Ward

APPLICANT: Mr and Mrs Miah

AGENT (IF ANY): Mrs Caroline Tamworth, Caroline Tamworth Planning

CASE OFFICER: Joshua Lee
Tel: 0161 219 2851
Email: joshua.lee@manchester.gov.uk

RECOMMENDATION: Approve

DATE OF RECOMMENDATION: 31 March 2025

APPLICATION DETAILS

Type of application:	Full Householder Application
Development type:	Householder
Date of site visit:	26 February 2025
Standard consultations:	Printed: 12 February 2025 Expired: 5 March 2025
Neighbour notifications:	Printed: 12 February 2025 Expired: 5 March 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

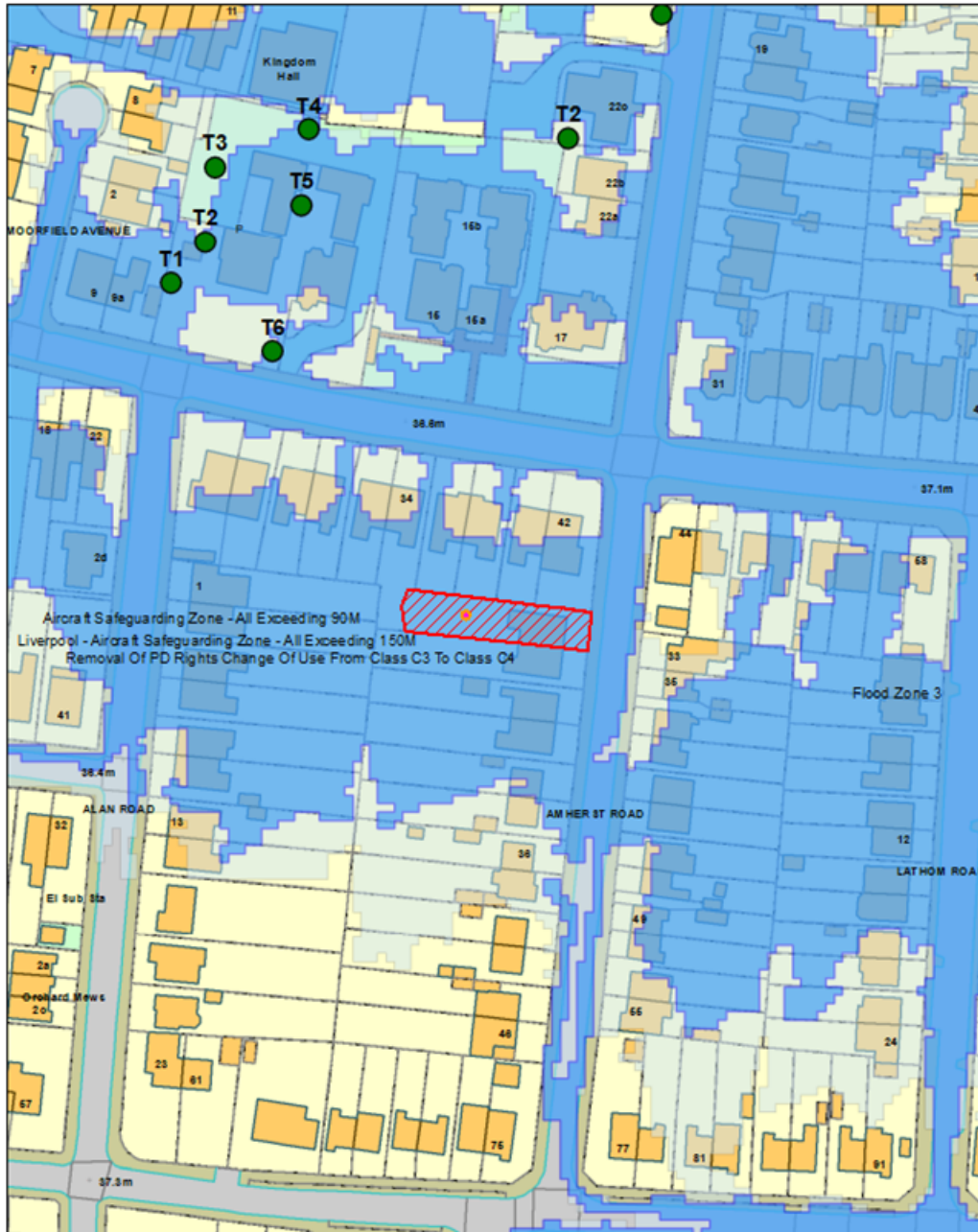
The proposal is related to a two storey semi detached dwellinghouse on Amherst Road. The property features an existing single storey rear outrigger extension and hardstanding to the front for off street vehicle parking.



Figure 1. Street scene

DESCRIPTION OF AREA

The property is in a mostly residential part of the Withington ward of Manchester. The development is in Flood Zone 3 with a vulnerability classification of 'More vulnerable' and MCC records highlight that the underground Ley Brook is located within proximity to the site (approximately 8m to the North of the site).



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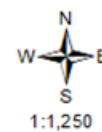


Figure 2. Location plan

DESCRIPTION OF DEVELOPMENT

Erection of a single storey detached outbuilding to rear garden

The proposed outbuilding measures 4700mm x 8100mm with an eave height of 2500 and a maximum ridge height of 4000mm. The proposed outbuilding is located close to the rear boundary and is oriented parallel with the curtilage of the property. The proposal is finished in brick to match existing with a pitched gable roof with clay tiles. The outbuilding features glazing to the front side and rear.

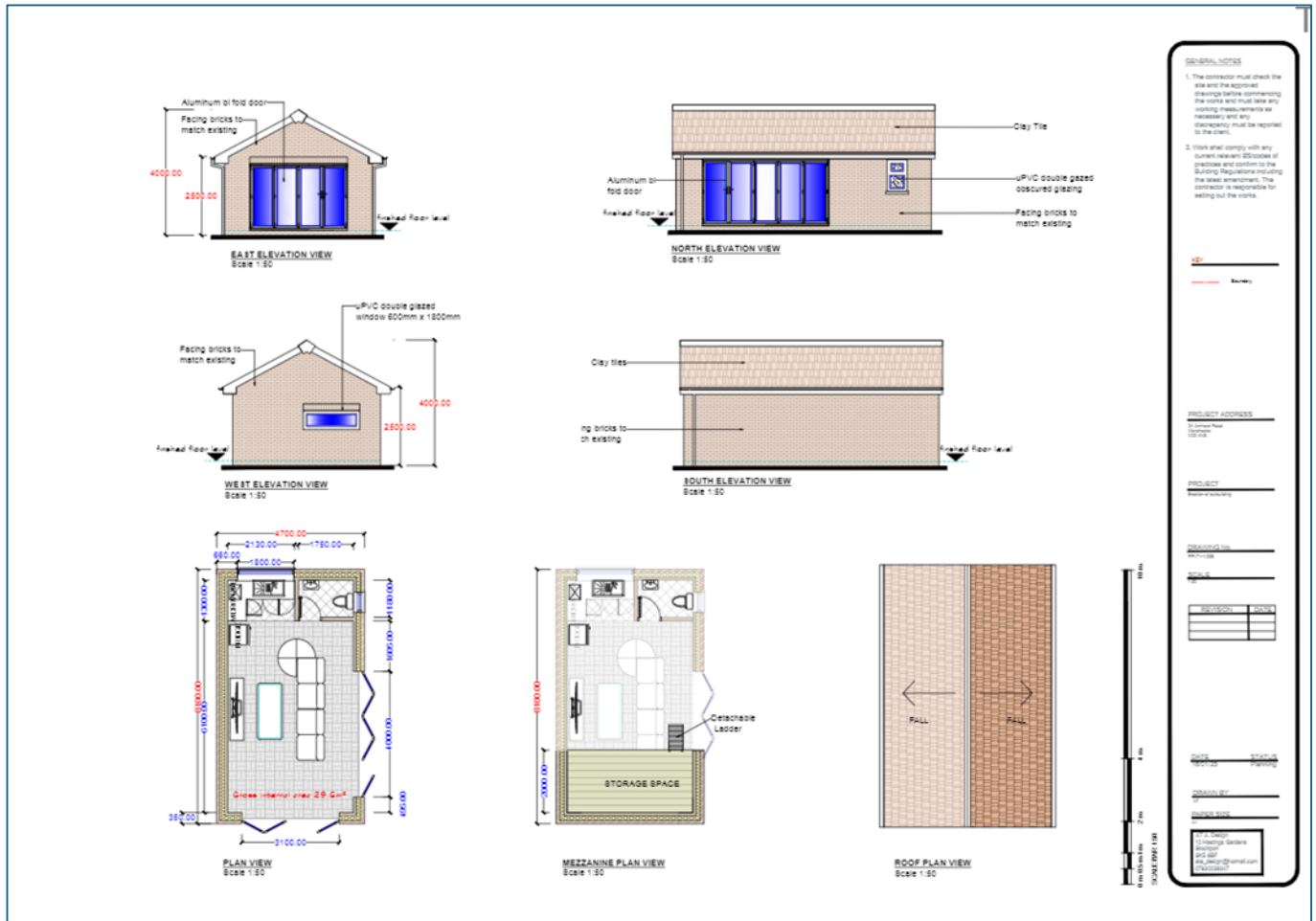


Figure 3. Proposed plans and elevations

PLANNING HISTORY

24/02841/REF

Description: Appeal - Erection of out building

Decision: Dismissed 15/01/2025

140290/FH/2024

Description: Erection of out building

Decision: Refuse 23/08/2024

CONSULTATION, NOTIFICATION & PUBLICITY RESPONSES

CONSULTATIONS

MANCHESTER CITY COUNCIL FLOOD RISK MANAGEMENT

Manchester City Council Flood Risk Management were consulted on this application and asked for Environment Agency Product 4 Flood Data. The applicant provided the data and Flood Risk had no further comments

ENVIRONMENT AGENCY

The Environment Agency were consulted on this application due to the Flood Zone and Culvert. They did not provide a response and Flood Risk Management provided the Flood Risk analysis.

NOTIFICATIONS

LOCAL RESIDENTS

2no representations received in objection to the proposed development with concerns regarding

- Imposing presence and shadowing of the existing unauthorised outbuilding and how the reduction in height does not solve the original issues.

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](#)
 - Development Management and Planning Obligations
 - DM 1 - Development Management
 - 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 \(UDP\) –](#)
 - Citywide Development Control Policies
 - DC1 - Residential extensions
 - DC26 - Development and Noise
- [Places for Everyone Plan Joint Development Plan Document 2022-2039-](#)
 - Strategy
 - JP-Strat9: Southern Areas
 - Sustainable and Resilient Places
 - JP-S1: Sustainable Development
 - JP-S4: Flood Risk and the Water Environment
 - Places for People
 - JP-P1 Sustainable Places
- [The National Planning Policy Framework \(The NPPF\) –](#)
 - Section 2 - Achieving sustainable development
 - Section 4 – Decision-making
 - Section 12 – Achieving well-designed places
 - 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 an outbuilding for incidental use of the residents of the main dwelling house is accepted.

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 by using matching brick and tile to the existing dwellinghouse and matching window fenestrations.

The proposal is designed to be subservient to the original dwelling house by being entirely at ground level and within the rear garden.

The height of the outbuilding is acceptable with the eaves height at the permitted development height of 2500mm and the ridge height of 4000mm (which is permitted when 2000mm from a boundary). With the minimum boundary distance at 650mm the height is not expected to create overbearing to neighbours.

It is noted that the outbuilding as built is at an unauthorised height which was deemed unacceptable, refused and dismissed at appeal. The applicant has reduced the height to mitigate the original issues.

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

IMPACT ON THE SURROUNDING AREAS IN TERMS OF THE DESIGN, SCALE, AND APPEARANCE OF THE PROPOSED DEVELOPMENT.

Only minimal views of the main proposed works are capable of being seen from the street. Given the position of the extension and the limited massing, together with the use of proposed materials, the character of the street would not be unduly affected.

The proposal is similar in size and scale to other buildings nearby, notably a similar size detached garage at No.44 Mauldeth Road and would not therefore disrupt the area's existing features.

To minimise further amenity effects the outbuilding is conditioned to be for the incidental use of the residents of the main dwelling.

EFFECTS ON AMENITY

PRIVACY

The proposal includes adding bifold doors to the new side and rear elevation however given these are at ground floor (below 2500mm) the impact to privacy is minimal. (Especially considering the permitted development fallback)

LIGHT

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

NOISE

The proposed outbuilding is not expected to generate any noise beyond what would be reasonably expected of a residential dwelling. A condition is attached to ensure the use is incidental to the main dwelling house.

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.

VEHICULAR ACCESS AND CAR PARKING

The proposal 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 development is in Flood Zone 3 with a vulnerability classification of 'More vulnerable' and MCC records highlight that the underground Ley Brook is located within close proximity to the site (approximately 8 m to the North of the site).

The applicant provided the required information and, Flood Risk as the LLFA, accepted that the proposal was 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 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 erection of a single storey detached outbuilding at 24 Amherst Road has been carefully reviewed. The design, scale, and materials of the outbuilding are in keeping with the existing property and the character of the surrounding area. The proposal addresses previous concerns regarding height and massing, ensuring minimal impact on neighbouring properties in terms of privacy, light, and noise. Flood risk considerations have been adequately addressed, and the development is deemed acceptable within the context of local planning policies. Therefore, the recommendation is to approve the application, subject to the specified conditions.

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.

CONDITION(S) 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	20 Jan 2025	APPLICATION FORM
b.	Drawing - Site Plan	20 Jan 2025	SITE AND LOCATION PLAN
c.	Drawing - Site Plan	20 Jan 2025	PROPOSED
d.	Drawing - Proposed	20 Jan 2025	PP171-1/23B PLANS AND ELEVATIONS
e.	Flood Risk Assessment or Drainage	03 Feb 2025	FLOOD LEVELS LETTER
f.	Flood Risk Assessment or Drainage	03 Feb 2025	FLOOD RISK ASSESSMENT
g.	Flood Risk Assessment or Drainage	27 Mar 2025	EA PRODUCT 4 DATA
h.	Supporting Information	20 Jan 2025	PLANNING STATEMENT

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 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. ANCILLARY LIVING ACCOMMODATION

The development hereby approved is for ancillary living accommodation 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.

APPENDIX 1 – LIST OF CONSULTEES & NEIGHBOURS NOTIFIED

MCC Flood Risk Management

Environment Agency

42 Mauldeth Road, Manchester, M20 4WD

36 Mauldeth Road, Manchester, M20 4WD

40 Mauldeth Road, Manchester, M20 4WD

26 Amherst Road, Manchester, M20 4NS

33 Amherst Road, Manchester, M20 4WS

38 Mauldeth Road, Manchester, M20 4WD

34 Mauldeth Road, Manchester, M20 4WD

APPENDIX 2 – PLANNING CONSTRAINTS

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

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA