



**Detached outbuilding in rear garden area
(part retrospective application to retain
existing outbuilding but with a reduced
height.)**

Planning and Design and Access Statement

Application Site

The site relates to 15 Raja Ahmed Street, Manchester, M40 7RY located within a predominantly residential area. The site is located within an urban location and contains a mixture of dwellinghouses with various outbuildings already visible in the vicinity. The property forms part of a residential development which was constructed and approved during 2018-2020. As part of the original consents for the dwellings permitted development rights for minor alterations, extensions and outbuildings was removed and as a result require planning approval from the Council. It is a red brick property that is a relative new build as part of the Miles Platting Regeneration Area. The property has a small garden area and parking to the frontage, with garden area to the rear. The property faces onto the Rochdale Canal. The pedestrian and vehicular access is taken off Raja Ahmed Street. The area is predominantly residential in nature with the houses being a combination of the existing housing primarily social housing and the new development that is emerging as part of the PFI regeneration throughout the Miles Platting area. The proposal site is one of the new build properties.

The property is not listed or within a conservation area. The surrounding street scene has predominantly two storey properties of brick built, with different scales, forms and designs.

The outbuilding has already been constructed and currently has a tall, pitched roof design. A previous application was submitted which sought to retain the outbuilding as constructed but this was refused due to concerns over its height and design. The outbuilding now being proposed in this revised application seeks to reduce the height and alter the design of the outbuilding on site to change the pitched roof to a flat roof. This results in a redesigned outbuilding which is only just over the height requirements and tolerances of what would normally constitute permitted development.

Figure 1: Site photos of existing outbuilding to be altered:





The Proposal

The proposal is seeking planning consent for a single storey outbuilding in the location as shown in the images above. It is currently a wooden garden gazebo structure with dual pitched roof, sat on 60x60 concrete slabs (50mm thick) secured by brackets and screws.

The gazebo has grey rectangle slate style shingle, to match the roof of local properties. The gazebo has 6 x 6" wooden posts holding up the structure. An application to retain the building as constructed was recently refused as detailed below. Concerns were raised in relation to its height being visually prominent and harmful to the character of the area. This latest application seeks to overcome those reasons for refusal by significantly reducing the height of the building to a maximum of 2.3 metres to a flat roof.

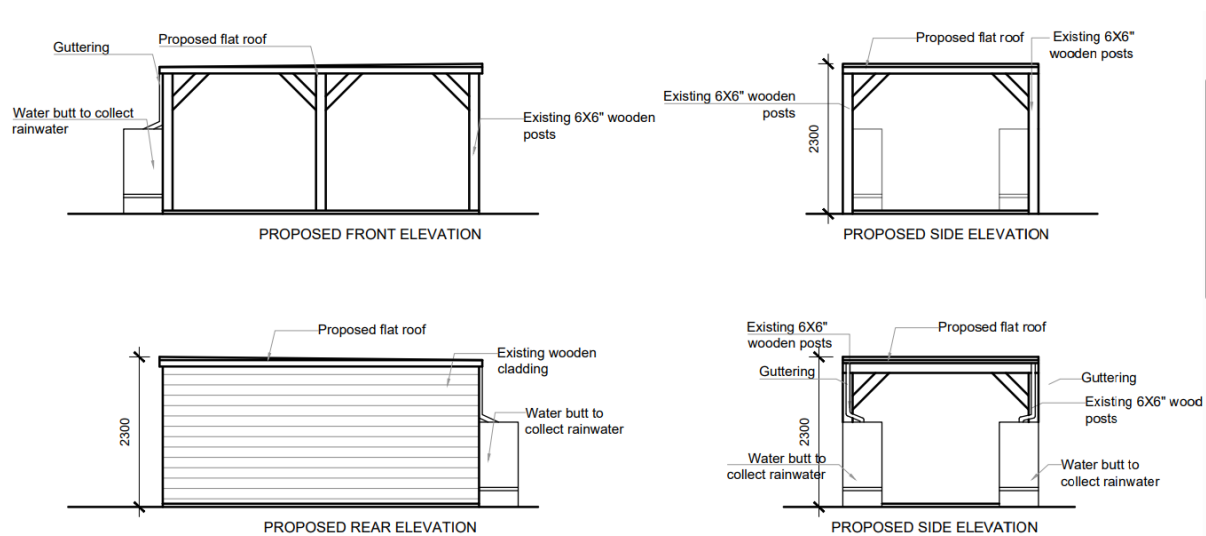
The structure is used for sitting and has a 2m x 2m 13a jacuzzi inside. The power for this is run from an outside IP 13a wall socket at the house, 2.5mm 3 core armoured cable laid under the slabs directly into the jacuzzi. The gazebo structure has no direct power feed itself. All lighting is solar power. The gazebo structure sits next to the left side boundary wall, half way down the garden. From the threshold of the back door to the rear of the garden fence the distance is 16m. From far right to left the width of garden is an average of 6.14m.

The slabbed area of gazebo measures 3m x 4.8m with a leading slab pathway from the house to the gazebo 0.6m wide and 5.1m long. The left side of the patio is an established flower bed

housing a marigold tree, 4 varieties of roses, bedding plants and a wisteria trained to grow around the structure of the gazebo over time. The distance from the patio door to the start of the gazebo structure is 8.4m.

The building is incidental to the enjoyment of the dwelling house, as defined by Class E of the permitted developments guidelines, albeit due to the restrictions on permitted development here, it requires permission.

As explained above this latest application is part retrospective as it does seek to retain the building in the same location. However, this application now proposes to reduce the height of the outbuilding and remove any overhanging guttering by a redesigned flat roof. The proposal is now for a detached outbuilding with a flat roof to a maximum height of 2.3 metres as shown in the image below:



Note for full detailed scaled drawings please refer to the application submission drawings provided.

Planning History

121401/FO/2018- Residential development approved- condition 30 removed all permitted development rights for any outbuildings, extensions or boundary walls.

141023/FH/2024 - Retention of detached outbuilding in rear garden – REFUSED by decision notice dated 8 November 2024 for the following reason:

The outbuilding to be retained by reason of its scale, massing, design and its relationship along the common shared boundary with nos.3 and 5 Raja Ahmed Street and shared access would form an overly dominant and visually overbearing feature to the detriment of the current and future occupiers of neighbouring properties, and as such is contrary to The National Planning Policy Framework (2021) chapter 12; policies DM1, EN1 and SP1 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the

Planning Policies

The following policy and guidance documents are recognised as primary considerations for the decision of the associated application at the site location:

National Planning Policy Framework (NPPF December 2024)

National Planning Practice Guidance

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management

- Policy SP1 – Spatial Principles

- Policy EN19 – Waste

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and came into effect from 21 March 2024.

The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007: • Chapter 2: Design

Assessment

Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has 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):

i) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity; and by identifying and coordinating the provision of infrastructure;

ii) a social objective – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

iii) an environmental objective – to protect and enhance our natural, built, and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The proposal is now seeking to partly retain the existing single storey gazebo style detached outbuilding. Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC1.1, DC1.2, DC1.3 and DC1.4 of the Unitary Development Plan for the City of Manchester relate specifically to residential extensions and set out a number of criteria against which proposals for extensions will be assessed. Although these latter policies are now of some age, they are consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments to ensure a good standard of amenity for all existing and future occupiers.

The principle of extending one's home is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property, or upon the visual and residential amenity of neighbouring occupiers. In the case of this application, the outbuilding which is in the style and design of a gazebo structure is now proposed to be reduced significantly in its height and is of small scale, height and bulk. It is proportionate to the host dwelling and subservient to it.

In many cases this type of development could be considered permitted development subject to the limitations and conditions set by Part 1, Schedule 2, Class E of the Town and Country (General Permitted Development) (England) Order 2015 (as amended). The previously refused application for the outbuilding that is currently in situ at the site had a maximum height of 2.9 metres to a pitched roof and an eaves height of 2.250 metres. This latest application although it seeks to retain the majority of the structure does now include

a significantly reduced maximum height. The building, once the height has been reduced to a flat roof structure will only have a maximum height of 2.3 metres. This height would fall well within the tolerances of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Class E - the construction of buildings etc incidental to the enjoyment of a dwellinghouse.

As discussed within the previously refused application submission and explained above, unfortunately, in this case due to the removal of permitted development rights for this property it requires planning approval. Within the previously refused application, the Case Officers delegated report pointed out that due to its height and distance to the boundary it also exceeded the current permitted development tolerances which was a further reason why it was thought to be excessive. The Case Officer stated that *"Had permitted development rights not been removed; in this case, due to its location within 2 metres of the boundary and the maximum height at approximately 2.9 metres the structure would still not constitute permitted development."* It should be noted that now in this latest application it is proposed to reduce the maximum height of the building to a mere 2.3 metres with a flat roof. This is in fact a further 0.2 metres lower than the tolerances that would normally be allowed for an outbuilding in this location (2.5m max) should this property have benefited from permitted development rights.

It should be noted that the above limitations under permitted development would normally be considered the fallback position. The building is not an unexpected feature within a predominantly residential location and is in keeping in terms of its use of materials, its footprint, height and design. Moreover, for the nature of the property as a dwellinghouse, and due to the fact that the property is not within a designated area of special control such as a Conservation Area, or is it a Listed Building, or near a listed asset, it is considered that the nature of this minor development is acceptable.

The development is considered to be acceptable in design terms as it would be broadly informed by the host dwellinghouse in terms of the proposed materials. It would therefore comply with The Manchester Core Strategy Development Plan Document Policies SP1 and DM1 and saved Policies DC1 of the Unitary Development Plan.

There is no increase in the number of bedrooms as a result of this building and no changes to current parking arrangements. Therefore the development does not impact highway safety, parking, and layouts or cause any traffic issues.

The National Planning Policy Framework (2024) requires that development contributes towards creating visually attractive, distinctive places to live, work and visit, whilst also being sympathetic to the local character. Innovation should not be prevented but development should respond and respect the quality of an area whilst providing a high stand of amenities for existing and future users.

In context, to the curtilage of the dwelling, the outbuilding and the changes now being proposed to it to overcome the previous refused application does now have appropriate size, height and scale. The timber material is familiar to the surroundings. It includes a flat roof ensuring that the development appears visually cohesive with the host dwelling and surrounding environment. Overall, the scale form and design of the building is in our view



considered to be appropriate and in-keeping with the existing dwelling, street scene and wider area.

The building itself is not an unexpected feature within a garden area and is should be viewed in the context and backdrop of the existing dwellings. The existing landscaping and planting has been retained and when this matures it will improve and enhance the garden area and partly obscure any views of this building.

There was a misunderstanding that it did not require the benefit of planning permission. This application seeks to rectify that error.

In terms of residential amenity, the structure is only accessible through the house and rear garden area. It is relatively small in size and scale and does not result in any loss of light, outlook or amenity. The structure is some distance away from any neighbouring windows and would not cause any significant loss of privacy or amenity.

The application proposals comprise a sustainable form of development that is entirely consistent with the policy aims at national and local levels. The benefits of the scheme, therefore, meet the principle in the NPPF to improve the economic, social, and environmental conditions of an area through sustainable development.

In summary, the development constitutes appropriate development in the location and conforms to all applicable planning policies.

Conclusion

Following a review of the applicable policy for this application and all material considerations, it is our professional view that the development is in compliance with all applicable policies above. The development is appropriate development that is not harmful to the character or appearance of the surroundings.

We see no reason for the council to refuse our request for planning approval and kindly request for a timely decision to be made in line with the applicable guidelines of the NPPF.

Should any further information be requested to assist in the council's assessment of the proposal, please do not hesitate to contact me directly.

Thank you,

Kind regards,

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