

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141873/FH/2025
Date registered valid: 9 January 2025
Proposal: Retention of outbuilding for storage purpose
Address: 30 Annesley Road, Manchester, M40 3PB
Ward(s): Moston Ward

Applicant: Ms Isilamiyyat Temitope Bello
Agent (if any): Mr V Alyas Architek
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **6 March 2025**

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 January 2025

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 16 January 2025 Expired: 6 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The application site relates to 30 Annesley Road within the north Manchester ward of Moston. The application site relates to a pale pink rendered, semi-detached, two storey dwellinghouse with hipped roof dwellinghouse sitting to the south of the cul-de-sac of Annesley Road. Amenity space to the front of the property takes the form of an off street driveway and amenity space to the rear at the time of the site visit consists of an expansive rear garden covered in rubble and a composite cladded outbuilding sited to the rear of the garden.

Description of area

The immediate area is residential in context, with Broadway A-road sited to the west of the applicant site.

Description of development

The application seeks consent for the retention of outbuilding for storage purpose.

The proposal has been erected on the site and the application form states works commenced on 1 September 2024. Whilst the application form states the works have yet to be completed, when visiting the site it was clear the outbuilding as constructed could be used for its intended purpose.

The outbuilding has approximate dimensions of Height: 2.7 x Length: 7.5 x Width: 7.2 metres. The outbuilding is sited 0.9 metres from the rear boundary line of the site, 0.7 metres from both boundaries with the two immediate properties.

The outbuilding involves the insertion of two UPVC windows and a set of UPVC double doors. The outbuilding is constructed of composite cladding and has an EPDM flat roof.

The outbuilding is labelled as for storage purposes. When conducting the site visit, the applicant provided access to the outbuilding which appeared to be used for storage in relation to a party/wedding business.

The agent in writing on 28 February 2025 stated that *“the items stored in the outbuilding are not rented out, and there are no public collections of such equipment. The applicant organises events and parties, meaning only they use the outbuilding to support their business. This is a temporary arrangement until the applicant secures a suitable rental storage space, after which the outbuilding will serve as an ancillary structure to the main dwelling”*.

Negotiations during the Course of the Application

During the course of the application, the description of development was amended to ‘retention of outbuilding’ rather than ‘erection of outbuilding’ given the outbuilding was significantly built and was used for its intended purpose when the site visit for the application was conducted.

Further information in regard to the proposed use of the outbuilding was provided for review.

Planning History

140791/LP/2024- Erection of a single storey outbuilding for storage.
Refused 27.11.2024.

The application was refused on the basis of:

1) The proposed single storey outbuilding does not constitute permitted development as it would fail to meet the requirements of Part 1, Schedule 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in that the applicant has failed to demonstrate, on the balance of probability, that the storage use of the building, at such a significant scale and floor area, would be reasonably required for a purpose or purposes incidental to the enjoyment of the dwellinghouse.

Apart from the intended use, all other parts of Part 1, Schedule 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) were satisfied within the proposal.

Consultations & Notification Responses

Local Residents

Local residents were consulted and no responses were received.

Cadent Gas

Although not formally consulted, Cadent Gas made contact during the course of the application and provided the following response:

We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low pressure assets. We have no objection to this proposal from a planning perspective, however we need you to take the following action.

What you need to do

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development.

There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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 retention of outbuilding for storage purpose. 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, including via the creation of outbuilding detached from 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

The outbuilding is sited to the rear of the applicant's rear garden, which as existing is substantial in size. As the outbuilding is positioned at the end of the garden, it would not give rise to harm in relation to loss of light to no.32 Annesley Road or 26 and 24 Annesley Road given the separation from the neighbour's rear windows and rear patio areas. Further, the outbuilding is single storey only and with a height of 2.7 metres it is not considered to be overly large to cause loss of light/ shadowing implications.

Whilst it is acknowledged that the structure built is large in size with an area of 44m², given the spacious nature of the rear garden, it is not considered to be overly large or bulky given the overall height and the siting close to the rear building line of the applicant site.

Two windows would be inserted in the front elevation of the proposal in addition to a composite door. Given the two windows would look onto the direction of the rear elevation of the host property and the associated rear garden, the proposal would be single storey and the outbuilding would be used for a storage purpose, the windows are not considered to give rise to any adverse impacts to privacy to the detriment of the surrounding residents.

Overall, the proposal is not considered to give rise to any overlooking, loss of light nor privacy implications to the surrounding properties, pursuant to Policy DC1 of the UDP and Core Strategy policies SP1 and DM1.

Design and Appearance

Whilst it is acknowledged that a large structure would be erected at the site, given the spacious nature of the plot and the 2.7 metre height of the structure, it is not considered excessively large and therefore considered acceptable to policy DC1 of the UDP.

It is noted that whilst the previous application for the outbuilding at the site was refused (140791/LP/2024- Erection of a single storey outbuilding for storage- refused 27.11.2024), all stipulations except for the intended use was considered permitted development and so the design, form and massing of the proposal constitutes permitted development. Given this fallback position, the structure in terms of design is considered acceptable.

The materials are evident as the outbuilding is already built and the outbuilding is covered with a dark grey composite cladding system with UPVC windows and doors. The materials chosen are not considered to give rise to any adverse visual implications and would be similar to other outbuildings in residential settings.

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.

Intended Use of the Outbuilding

The previous 140791/LP/2024 application was refused on the basis of:

1) The proposed single storey outbuilding does not constitute permitted development as it would fail to meet the requirements of Part 1, Schedule 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), in that the applicant has failed to demonstrate, on the balance of probability, that the storage use of the building, at such a significant scale and floor area, would be reasonably required for a purpose or purposes incidental to the enjoyment of the dwellinghouse.

Apart from the intended use, all other parts of Part 1, Schedule 2, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) were satisfied within the proposal.

The outbuilding is labelled as for storage purposes. When conducting the site visit, the applicant provided access to the outbuilding which appeared to be used for storage in relation to a party/wedding business.

During the course of the application, the agent in writing on 28 February 2025 stated that *“the items stored in the outbuilding are not rented out, and there are no public collections of such equipment. The applicant organises events and parties, meaning only they use the outbuilding to support their business. This is a temporary arrangement until the applicant secures a suitable rental storage space, after which the outbuilding will serve as an ancillary structure to the main dwelling”*.

Given the outbuilding is not used in a manner where customers will come to 30 Annesley Road, given the outbuilding is used for storage only, and given items are taken off the premises and returned back, the use can be considered acceptable in this instance. Within the agent's email, the use of such building is outlined to be on a temporary basis. However, given the outbuilding has just been constructed and the application makes no mention to a temporary time period, the application is based and assessed on the basis of a permanent structure. A condition would be attached to any approval granted restricting the use of the outbuilding to storage only and given the outbuilding is used only in the manner proposed, the proposal is considered acceptable.

Car Parking

No change to car parking provision would occur as a result of the proposal.

Bin Storage

No change to bin store provision would occur as a result of the proposal.

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 officers have worked with the applicant in a positive and proactive manner and additional information required to fully determine the application was supplied 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 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 9 January 2025.
-Drawing- Proposed- GF Plan, numbered A104 P1, stamped as received by the City Council as Local Planning Authority on 9 January 2025.
-Drawing- Proposed- Elevations, numbered A105 P1, stamped as received by the City Council as Local Planning Authority on 9 January 2025.
-Drawing- Location and Site Plan, numbered A101 P1, stamped as received by the City Council as Local Planning Authority on 9 January 2025.
-Correspondence- Intended Use of Outbuilding Confirmation, stamped as received by the City Council as Local Planning Authority on 28 February 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.

2) 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 within the 'Drawing- Proposed- Elevations, numbered A105 P1', 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.

3) The detached outbuilding hereby approved shall only be used for storage purposes in connection with the existing residential property 30 Annesley Road and for no other purpose.

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

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions
Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

28 Annesley Road, Manchester, M40 3PB
33 Annesley Road, Manchester, M40 3PB
39 Melford Avenue, Manchester, M40 3PF
37 Melford Avenue, Manchester, M40 3PF
35 Annesley Road, Manchester, M40 3PB
32 Annesley Road, Manchester, M40 3PB
31 Annesley Road, Manchester, M40 3PB
26 Annesley Road, Manchester, M40 3PB
24 Annesley Road, Manchester, M40 3PB
43 Melford Avenue, Manchester, M40 3PF
41 Melford Avenue, Manchester, M40 3PF

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