

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141613/FH/2024
Date registered valid: 27 November 2024
Proposal: Retention of single storey ancillary outbuilding
Address: 27 Calbourne Crescent, Manchester, M12 5GX
Ward(s): Longsight Ward

Applicant: Ms Saira Bibi
Agent (if any): Mr V Alyas, Architek
Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 22 January 2025

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 7 January 2025

Standard consultations:

Printed: 6 December 2024 Expired: 29 December 2024

Neighbour notifications

Printed: 6 December 2024 Expired: 29 December 2024

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

Description of site / building / area

27 Calbourne Crescent is a detached bungalow along a residential cul-de-sac. Buildings along the street scene are a mix of bungalows, detached, semi-detached and two storey properties characterised by buff facing brick and concrete roof tiles.

The arrangement of the properties along the street scene is unconventional, as the rear of the application dwelling faces onto the front gardens of its neighbours along Totland Close. There is a footpath running along the side boundary of the site to connect Calbourne Crescent and Totland Close. Pink Bank Woods is along the eastern boundary.



(Officer's site visit 07.01.2025)

Site History

- 080678/FH/2006/N2 - Erection of single storey extension to side and rear to provide accommodation for disabled person, APPROVED 10/2006.
- F05222 - Tipping of the existing clay-pit, WITHDRAWN.
- F07698 - Erection of 10 blocks of four-apartments, 27 bungalows, and 17 houses with associated roads and sewers, APPROVED 01/1978.
- F04853 - Erection of 140 dwellinghouses, following demolition of existing brickworks, APPROVED, 07/1976.
- F02262 - Cladding and extension of existing steel framed unit to form a light industrial building after demolition of all buildings and structures on the site except the gate house on Pink Bank Lane, WITHDRAWN.

Description of development

The submitted plan relates to the retention of single storey ancillary outbuilding.

Clarification was sought from the planning agent regarding the submitted site and location plans, in terms of ownership of the grass verge along the side and rear boundary. A revised plan was subsequently submitted, (dated, 20/01/25).

The outbuilding is sited along the side garden, along the common shared eastern boundary with Pink Bank Woods, whilst retaining a distance of approximately 422mm from this boundary, a minimum separation distance of approximately 1427mm from the common shared boundary with 29 Calbourne Crescent and a minimum separation distance of approximately 2731mm from the common shared boundary with nos. 36-38 Totland Close. It is also set-back from the front building line of nos. 36-38 Totland Close approximately 2306mm; and measures approximately (7050mm wide x 4040mm deep x 3972mm maximum height), and would comprise of a hip roof, with 2no. windows and a door along the front elevation; together with 1no. obscurely glazed window along the side elevation, adjacent the common shared boundary with 29 Calbourne Crescent. External facing materials are consistent with the existing house.

Consultations & Notification Responses

1. Local residents / public opinion

Occupiers of properties surrounding the application site were notified of the proposal. No objections or comments were received; however, correspondence was received from a representative from a local community association on behalf of residents. They are of the opinion that as someone who does not live nearby, but who passes the site, they do not feel that they can legitimately raise objections.

2. Environmental Health

It is understood that the above application is retrospective and, according to the submitted application form, it is for the retention of an "outbuilding ancillary to main house for additional accommodation". The development is within close proximity of a historic landfill site determined as presenting a Moderate Risk of gas migration off site. Environmental Health officers therefore

recommend that the following condition be applied to any approval granted, and would advise the applicant to consult with a reputable environmental/contaminated land consultancy to assess the potential for any ground gas risks and propose any necessary ground gas protection measures, which may possibly be applied retrospectively.

CLAND01

a) Before the development hereby approved commences, a report (the Ground Gas Risk Assessment) to identify and evaluate all potential sources and impacts of any ground gas relevant to the site shall be submitted to and approved in writing by the City Council as local planning authority. The Ground Gas Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination).

In the event of the Ground Gas Risk Assessment identifying risks which in the written opinion of the Local Planning Authority require further investigation, the development shall not commence until a scheme for the investigation of the site and the identification of remediation measures (the Site Investigation Proposal) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal shall be carried out before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development shall be carried out in accordance with the previously agreed Remediation Strategy and prior to occupation a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination and/or groundwater contamination, not previously identified, are found to be present on the site at any time before the development is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out prior to occupation in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

Reason - To ensure that the presence of or the potential for any ground gas and/or contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to [INSERT] of the Unitary Development Plan for the City of Manchester.

POLICY

The following guidance and policies are considered to be relevant to the proposed development.

1. The National Planning Policy Framework (NPPF), (July 2021):

- Chapter 12: Achieving well-designed places.

2. Places for Everyone (2022 - 2039)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies in relation to jobs, new homes and sustainable growth for nine of the 10 boroughs which make up Greater Manchester. The Plan and its policies are a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance. The following policies are considered to be relevant:

- JP-S1 - Sustainable development

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012:

- Policy DM1 (Development Management)
- Policy SP1 (Spatial Principles)
- Policy EN1 (Design Principles and Strategic Character Areas)
- Policy EN19 (Waste)

4. Unitary Development Plan (UDP), (1995) - The UDP has been superseded by the Core Strategy Development Plan.

- Saved Policy DC1 for Residential Extensions is still considered of relevance.

5. Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007:

- Chapter 2: Design

ISSUES

In the case of this application, clarification was sought from the planning agent regarding the submitted site and location plans, in terms of ownership of the grass verge along the side and rear boundary. A revised plan was subsequently submitted, (dated, 20/01/25).

Principle of development

It is considered that the principle of a development ancillary to the residential use of the existing dwellinghouse is considered acceptable. Notwithstanding this factor, consideration must be given to proposal's impact upon existing levels of residential and visual amenity.

Residential and visual amenity

(Retention of single storey outbuilding) - In light of the revised plan (dated 20/01/25) and given pre-existing context with the immediate neighbouring houses also having sizable gardens, and due to the fact that there are no immediate residential properties along the common shared

eastern boundary with Pink Bank Woods, and the fact that the proposed outbuilding would be significantly screened by the existing boundary treatment and mature trees along the eastern boundary, it is considered that the scale of the proposed outbuilding is unlikely to present any significant adverse impact in terms of visual intrusion. In addition, it is not considered that the retention of the outbuilding would adversely affect the street scene or neighbouring houses, in terms of the proposed height, scale and massing given that it is also set-back from the front building line of nos. 36-38 Totland Close approximately 2306mm and it maintains a separation distance from the immediate dwellinghouses. It would not also be highly visible from the immediate highway. Therefore, on balance, it is considered that the retention of the outbuilding as ancillary to the residential use of the existing dwellinghouse would not result in undue overlooking or loss of privacy, and the proposed development would not affect the relationship of the site for configuration of neighbouring houses, subject to conditions. It is however recommended that a further condition is attached ensuring that the outbuilding would only be used ancillary to the main dwellinghouse. On this basis, it is considered that the development responds positively to Core Strategy policies SP1, DM1 and EN1 and saved UDP policy DC1.

(Design and appearance) - It is considered that the retention of the outbuilding would not unduly harm the character of the original dwellinghouse or the general area, and it would not be highly visible from the immediate highway to present a significant adverse impact to visual intrusion along the immediate highway. The external facing materials are also consistent with the primary dwellinghouse. It is therefore considered acceptable in design terms, pursuant with the requirements of Core Strategy policies DM1 and EN1, and saved UDP policy DC1.

(Waste management) - The existing arrangement would be unaffected; pursuant with The Manchester Core Strategy Development Plan Document Policy EN19, and saved Policy DC1 of the Unitary Development Plan.

(Car parking) - The existing arrangement would be unaffected by the proposal, pursuant with The Manchester Core Strategy Development Plan Document Policy T2, and saved Policy DC1 of the Unitary Development Plan.

Conclusions - For the reasons outlined above, and on balance, and subject to planning conditions, it is considered that the retention of the outbuilding is acceptable; pursuant with to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19 of The Manchester Core Strategy Development Plan Document (2012); saved policy DC1 of the Unitary Development Plan (1995); and chapter 2 of the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) and policy JP-S1 - Sustainable development of Places for Everyone (2022 - 2039).

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

In the case of this application, clarification was sought from the planning agent regarding the submitted site and location plans, in terms of ownership of the grass verge along the side and rear boundary. A revised plan was subsequently submitted, (dated, 20/01/25). The local Planning Authority in its decision has had due regard for the National Planning Policy Framework, as well as the Development Plan, National Planning Policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The local planning authority had no other issues to raise with the agent but have attached appropriate conditions to the approval.

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:

- Location and Site Plan, with application site edged in red, DRAWING NUMBER A101, REV P2, received by the City Council as the Local Planning Authority on 20 January 2025.

- Proposed Floor Plan and Elevations, DRAWING NUMBER A102, REV P1, received by the City Council as the Local Planning Authority on 27 November 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

2) Within 3 months of planning permission hereby granted, a report (the Ground Gas Risk Assessment) to identify and evaluate all potential sources and impacts of any ground gas relevant to the site shall be submitted to and approved in writing by the City Council as Local Planning Authority. The Ground Gas Risk Assessment shall conform to City Council's current guidance document (Planning Guidance in Relation to Ground Contamination). The report shall outline what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be implemented in accordance with the agreed details.

In the event that ground contamination and/or groundwater contamination, not previously identified is detected, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) shall be submitted to and approved in writing by the City Council as Local Planning Authority which shall take precedence over any previously agreed Remediation Strategy.

Reason - To ensure that the presence of or the potential for any ground gas and/or contaminated land and/or groundwater is detected, and appropriate remedial action is taken in the interests of public safety, pursuant to policy EN18 of the Manchester Core Strategy (2012).

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows or doors shall be inserted into the elevations of the outbuilding hereby approved other than those shown on: Proposed Floor Plan and Elevations, DRAWING NUMBER A102, REV P1, received by the City Council as the Local Planning Authority on 27 November 2024.

Reason - In the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester (1995) and policy DM1 of Manchester's Local Development Framework: The Manchester Core Strategy (2012).

4) Notwithstanding the details on the submitted information, within 3 months of planning permission hereby granted, the window along the side elevation to serve the annotated 'WC/Sh' room and as shown on: Proposed Floor Plan and Elevations, DRAWING NUMBER A102, REV P1, received by the City Council as the Local Planning Authority on 27 November 2024, shall be opaquely 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 - In the interests of privacy, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and SP1 and DM1 of the Core Strategy for the City of Manchester.

5) The outbuilding hereby approved and as shown on: Proposed Floor Plan and Elevations, DRAWING NUMBER A102, REV P1, received by the City Council as the Local Planning Authority on 27 November 2024 shall not be used as a self-contained living unit, or business, and shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 27 Calbourne Crescent, Manchester.

Reason: To ensure the use remains ancillary to the principle use on the site, as a single dwellinghouse, in the interest of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy, and for the avoidance of doubt, as any proposal to use the outbuilding as a self-contained living unit, or business would require planning permission.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

25 Calbourne Crescent, Manchester, M12 5GX
23 Calbourne Crescent, Manchester, M12 5GX
34 Totland Close, Manchester, M12 5RY
29 Calbourne Crescent, Manchester, M12 5GX
38 Totland Close, Manchester, M12 5RY
36 Totland Close, Manchester, M12 5RY
32 Totland Close, Manchester, M12 5RY

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA