MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141398/FO/2024
Date registered valid:	5 November 2024
Proposal:	Retrospective application for retention of single storey outbuilding
Address:	144 Georgia Avenue, Manchester, M20 1LX
Ward(s):	Didsbury West Ward
Applicant:	Mr Mark Haighton, Mh Garden Rooms and Composite Decking Ltd
Agent (if any):	Mr Mark Haighton, Mh Garden Rooms and Composite Decking Ltd
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**04/12/2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 20/11/2024

Standard consultations:
No consultations have been printed and sent.

Neighbour notifications
Printed: 12 November 2024 Expired: 3 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

The proposal relates to a three-storey detached dwellinghouse on Georgia Avenue. The property features an existing single storey rear extension and a rear balcony feature to the third floor. The property features hardstanding to the front for off street vehicle parking and a garden to the rear.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



Figure 1. Street scene

Description of area

The proposal is located in a mostly residential part of the Didsbury West ward of Manchester. The dwelling sits on the former Withington Hospital Site.

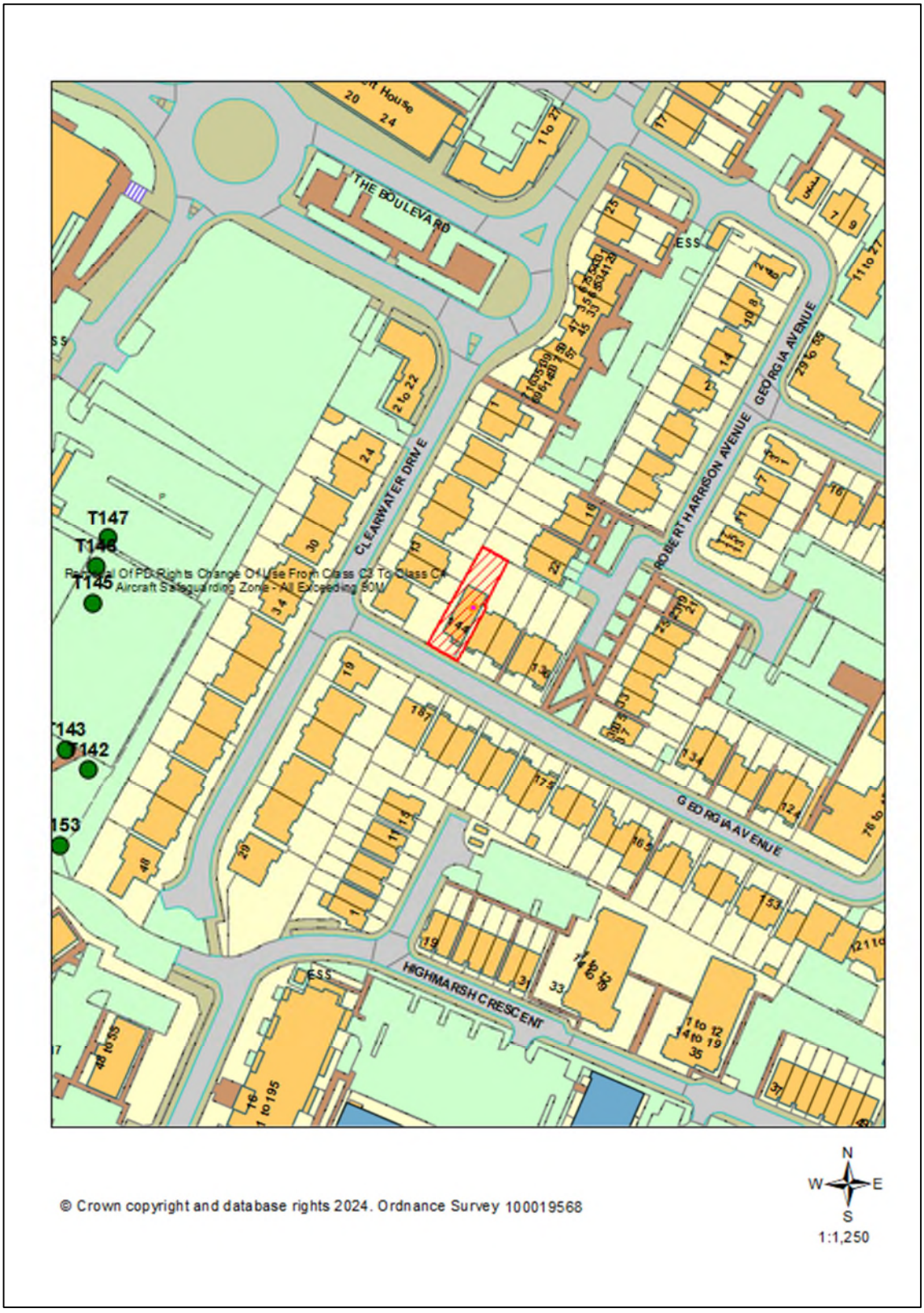


Figure 2. Location plan

Description of development

The applicant is proposing the retrospective application for retention of single storey outbuilding.

The installed outbuilding measures 4500mm L x 3500mm W x 2500mm H. The outbuilding sits on a platform above ground level which means the finished roof height is 2670mm.

The outbuilding is of wooden construction and finished with a flat wooden roof and glazing facing into the garden.

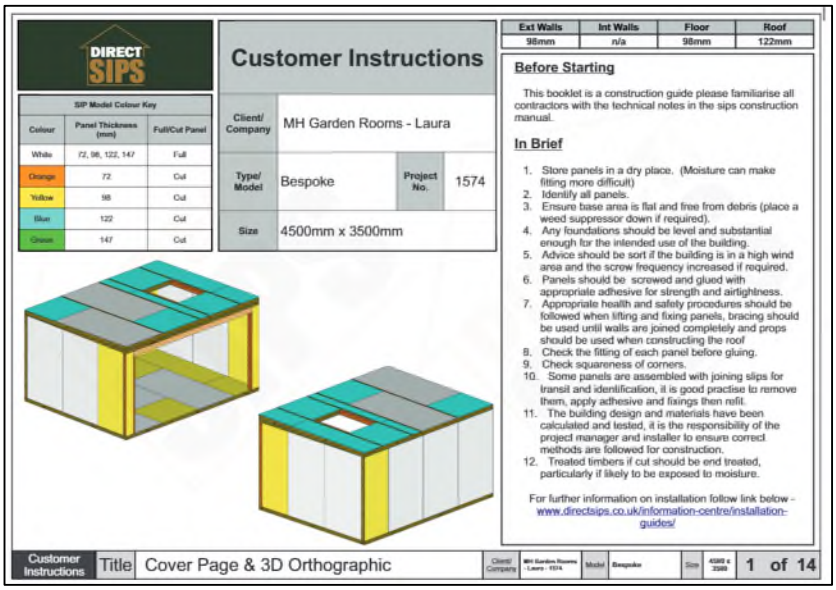


Figure 3. Outbuilding 3D


Figure 4. Outbuilding in situ

Planning History

104231/FH/2013/S1
Description: Erection of single-storey rear extension to form additional living accommodation and widening of existing drive and dropped kerb
Decision: Approved 10/03/2014

ENF/08837/08
Description: Enforcement Enquiry - House not being built in accordance with plans
Decision: Closed – No evidence 04/11/2008

080001/FO/2006/S1
Description: House type substitution on plots 1, 146 and 39-42
Decision: Approved 20/09/2006

073290/JO/2004/S1
Description: Vary condition no. 1 attached to planning permission 066198/JO/SOUTH2/02 to extend the period within which reserved matters should be submitted from 18th November 2005 until 18th November 2008.
Decision: Approved 17/02/2006

066198/JO/SOUTH2/02
Description: Variation of Condition No. 2 of permission number 065306/JO/SOUTH2/O2 to allow development to take place in phases
Decision: 19/11/2002

065306/JO/SOUTH2/02
Description: Variation of condition no. 4 attached to planning reference 060302 to allow substitution of layout plan showing modified split of commercial/residential and vehicular access points and phasing
Decision: 26/07/2002

060302/OO/SOUTH2/00
Description: Outline application for offices, housing, a 150-bed hotel together with associated car parking and access following demolition of the existing buildings.
Decision: 14/12/2001

Consultation, notification & publicity responses

Notifications

Local Residents
As stated in Appendix 1, people who live near the area were told about the proposal.

1no local resident commented in objection to the proposed development with concerns regarding

- Location of the proposal close to the boundary
- Loss of light cause by the massing

Relevant policies & the principle of development

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.

After careful consideration, it is concluded that the proposal is acceptable and aligns with the following local, regional and national policies.

- The Manchester Core Strategy Development Plan Document 2012-2027
  - Development Management and Planning Obligations
    - DM 1 - Development Management
  - Objective 1 - Spatial Principles
    - SP 1 - Spatial Principles (Partially replaced by PfE Policy JP-S 1)
  - Objective 6 Environment
    - EN 1 - Design Principles and Strategic Character Areas
- Extant Unitary Development Plan (UDP) –
  - Citywide Development Control Policies
    - DC1 - Residential extensions
- Places for Everyone Plan Joint Development Plan Document 2022-2039-
  - Strategy
    - JP-Strat9: Southern Areas
  - Sustainable and Resilient Places
    - JP-S1: Sustainable Development
  - 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

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

Development Management and Planning Obligations

DM 1 – Development Management
New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail
The proposal uses dark wooden cladding. New materials introduced are complementary to the existing colour and texture palette blending in to existing fencing at the property.

The total height is 2670mm which is 170mm above the 2500mm permitted development limit. The 170mm height differential is minimal and the impact of the extra massing above and beyond the permitted development limit would not unduly impact the area.

It is noted that these properties have had their PD rights removed when they were initially approved (080001/FO/2006). However, the PD constraints are a good guidance for acceptability. It is noted that the house has an existing extension granted which highlights the precedent of additional development being allowed.

The proposal is designed to be subservient to the original dwelling house being entirely at ground floor and to the rear of the property.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.
The proposal cannot be seen from the street, so it does not change the street's character.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby, notably the existing extension at the address. Therefore, it can fit on the property site and won't disrupt the area's existing features.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.
The proposal includes adding large glass doors facing into the garden. As the doors face into the main dwelling and are entirely at ground floor level the impact is minimal.

The proposal is expected to have a minimal effect on local light. The maximum height of the proposal is 2670mm with minimal effect on shadowing or blocking of light.

The proposal in of itself has a negligible effect on local noise levels or vibration.

The proposal is expected to have a negligible effect on air quality or odours.

The proposal is expected to have a negligible effect on litter, vermin, or birds.

The proposal is expected to have a negligible effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
The proposal does not change how people can get in and out of the building.

The proposal is therefore in accordance with this development management principle.

Adequacy of internal accommodation and external amenity space.
The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

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. We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking
The proposal doesn't change how vehicles access and park at the property, so it follows the development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage
The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

The proposal is exempt from biodiversity net gain.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private
The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal would minimally affect green infrastructure and would balance new development with existing green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.
The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

Objective 1 - Spatial Principles

SP 1 - Spatial Principles
This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should 'make a positive contribution to neighbourhoods of choice'.

We consider this proposal to accord with the principles of this policy.

Objective 6 Environment

EN 1 – Design Principles and Strategic Character Areas
This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the 'Southern Character Area'.

We consider this proposal to accord with the principles of this policy.

EN 2 – Tall Buildings
This policy outlines the key principles of development for buildings which are substantially taller than their neighbourhoods and/or which significantly change the skyline.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

Citywide Development Control Policies

DC1 - Residential Extensions
This policy outlines the key issues when considering proposed residential extensions.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan (2022 – 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.

Strategy

JP-Strat9: Southern Areas
This policy outlines the spatial strategy for the Southern Areas of the City Region which includes Southern areas of Manchester.

We consider this proposal to accord with the principles of this policy.

Sustainable and Resilient Places

JP-S1: Sustainable Development
This policy outlines how, to help tackle climate change, development should aim to maximise its economic, social, and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives.

We consider this proposal to accord with the principles of this policy.

Places for People

JP-P1 Sustainable Places
This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to accord with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 2 - Achieving sustainable development

Section 2 of the NPPF outlines how the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

We consider this proposal to accord with the principles of the NPPF.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manchester Tree and Woodland Action Plan 2024-2034
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

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 polices 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

After thorough consideration, the proposal for the retention of the single storey outbuilding at 144 Georgia Avenue is deemed acceptable. The development aligns with local, regional, and national policies, including the Manchester Core Strategy Development Plan and the National Planning Policy Framework. The outbuilding's design, scale, and materials are appropriate and do not adversely impact the character of the area or the amenity of neighbouring properties. The proposal has minimal effects on privacy, light, noise, and other environmental factors. 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. **Specified plans**

   The development hereby approved shall be carried out in accordance with the following drawings and documents:

   a. Drawing - Location Plan 29 Oct 2024
   b. Drawing - Existing & Proposed 05 Nov 2024 MHGARDENROOMS

   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.

2. **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

187 Georgia Avenue, Manchester, M20 1LY

185 Georgia Avenue, Manchester, M20 1LY
142 Georgia Avenue, Manchester, M20 1LX
15 Clearwater Drive, Manchester, M20 2ED
17 Clearwater Drive, Manchester, M20 2ED
13 Clearwater Drive, Manchester, M20 2ED
11 Clearwater Drive, Manchester, M20 2ED
19 Clearwater Drive, Manchester, M20 2ED
22 Robert Harrison Avenue, Manchester, M20 1LW

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA