MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141305/FH/2024
Date registered valid:	21 October 2024
Proposal:	Erection of single storey detached building to rear garden to form annexe to existing dwellinghouse and 2.1m fencing.
Address:	21 Troydale Drive, Manchester, M40 2FG
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Miss Jade Edwards
Agent (if any):	Mr Dave Trudgeon, Conway Architectural Design
Case officer:	Jake Walther Tel: 0161 234 1632 Email: jake.walther@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**16/12/2024**

Application details

Type of application: Full Householder Application

Development type: Householder

Standard consultations:
Printed: 30 October 2024 Expired: 20 November 2024

Neighbour notifications
Printed: 30 October 2024 Expired: 20 November 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 application site relates to a two-storey end of terrace class C3 dwellinghouse on Troydale Drive. The property is red brick with a single-pitched roof and concrete roof tiles, with hardstanding for vehicle parking to the front and a garden to the rear.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
Troydale Drive is a residential street situated within the Miles Platting Ward of Northeast Manchester. The street is comprised mostly of terraced and semidetached residential dwellings, running parallel to the A62 Oldham Road with commercial buildings on the opposing side of the road.

Description of development
The applicant is seeking permission for the erection of a single storey outbuilding in the rear garden to provide ancillary accommodation to the main dwellinghouse.

Consultations & Notification Responses
Neighbouring residents, as per appendix 1 – No comments or objections received.

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

The Manchester Core Strategy Development Plan Document 2012-2027 - The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and forms the framework that planning applications are assessed against. We consider the following Core Strategy Policies relevant to this proposal.
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 – Waste

Extant Unitary Development Plan (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy is still considered relevant to this proposal.
- DC1 - Residential Extensions

Places for Everyone
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 following policies are relevant:
- S1- Sustainable development

The National Planning Policy Framework (December 2023)
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):
- an economic objective
- a social objective and
- an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

- Chapter 8. Promoting healthy and safe communities.
- Chapter 12. Achieving well-designed and beautiful places.

Principal

The submitted application is for the erection of a single storey outbuilding to form additional living accommodation. This is considered acceptable in principle as many people prefer to alter and extend homes, rather than move, to meet the changing residential needs of families. 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 dwellinghouse it is not considered that the proposed addition would give rise to any significant additional waste or car parking pressures.

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application. The proposed addition is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy

Sitting, Scale and Mass

The proposed outbuilding would measure 5450mm in length, 4050mm in width with a height of 2500mm at the top of the flat roof. The outbuilding would be set in from both side fences by 350mm, and set in from the rear fence by 200mm, it would be 4665mm from the rear wall of the main house.

It is considered that the single-storey outbuilding is only marginally larger than what could be achieved under permitted development rights and is subservient to the host dwellinghouse. As such it is deemed as acceptable as it would not result in an ‘excessively large or bulky’ addition to the property. The proposed addition therefore accords with policy DC1 of the UDP and policies SP1 and DM1 of the Manchester Core Strategy.

Residential Amenity

The proposed outbuilding is to be situated at the rear of the garden, spaced evenly between both boundary fences, it would make use of a flat roof with a maximum height of 2500mm. It is considered that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence for either neighbour.

In addition, no objections have been received in response to the application.

The proposal therefore accords with policies SP1 and DM1 of the Core Strategy

Design and Visual Amenity

The proposed outbuilding would have a red brick base, with dark grey composite cladding on the exterior walls and a grey rubber flat roof. The front elevation would feature 1no. window and 1no. glazed double doors, whilst the rear elevation would feature one no. high level window, both side elevations would remain blank. The proposal is relatively standard in terms of its design and scale for developments of this type, hence, the overall character of the property and its surrounding area should not be significantly harmed by these works

The design and appearance of the proposed developments therefore accords with Core Strategy policies DM1 and SP1 as well as chapter 12 of the NPPF as their impact upon visual amenity is considered to be minor.

Parking
The current car parking arrangements would be unaffected by this proposal.

Waste Storage
The current waste storage arrangements would be unaffected by this proposal.

Conclusion
Given the above issues, it is considered that the proposed single-storey outbuilding is acceptable in terms of its principle, siting, scale and massing, appearance, and impact upon existing levels of visual and residential amenity as well as waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1, SP1, EN1 and EN19 of the Core Strategy and chapter 12 of the NPPF.

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.

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. No significant problems have arisen during the consideration of this application and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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. Drawing - Location Plan and Site Plan – 13 December 2024 – Ref: 844-03 REV B
b. Drawing –Proposed floor plans and elevations – 13 December 2024 – Ref: 844-04C REV B

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM1, SP1 and EN1 of the Core Strategy.

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 DM1, SP1 and EN1 of the Core Strategy.

4. Ancillary building:
The detached outbuilding that forms an ancillary building within the boundary of 21 Troydale Drive, shall only be used as ancillary accommodation for use in conjunction with the occupation of 21 Troydale Drive, as a dwellinghouse (Class C3) and shall not be used at any time as a separate or independent dwellinghouse.

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

Appendix 1 – List of consultees & neighbours notified

Environmental Health

First Choice, 1037 - 1045 Oldham Road, Manchester, M40 2EH
2 Hopwood Street, Manchester, M40 2FA
4 Hopwood Street, Manchester, M40 2FA
9 Troydale Drive, Manchester, M40 2FG
3 Barkworth Walk, Manchester, M40 2EQ
25 Troydale Drive, Manchester, M40 2FG
19 Troydale Drive, Manchester, M40 2FG
1035 Oldham Road, Manchester, M40 2NW
23 Troydale Drive, Manchester, M40 2FG
17 Troydale Drive, Manchester, M40 2FG
15 Troydale Drive, Manchester, M40 2FG
13 Troydale Drive, Manchester, M40 2FG
11 Troydale Drive, Manchester, M40 2FG
5 Barkworth Walk, Manchester, M40 2EQ
1 Barkworth Walk, Manchester, M40 2EQ

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 -
Area Team Boundary - Name: NORTH AREA