

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137878/FH/2023
Date registered valid: 12 July 2024
Proposal: Erection of a single storey outbuilding to form ancillary accommodation
Address: 38 Gibwood Road, Manchester, M22 4BS
Ward(s): Northenden Ward

Applicant: Mr L Kamalzai
Agent (if any): David Ormesher Holborow & Ormesher
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 02 September 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 30 July 2024

Standard consultations: Printed: 23 July 2024 Expired: 13 August 2024

Neighbour notifications: Printed: 23 July 2024 Expired: 13 August 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

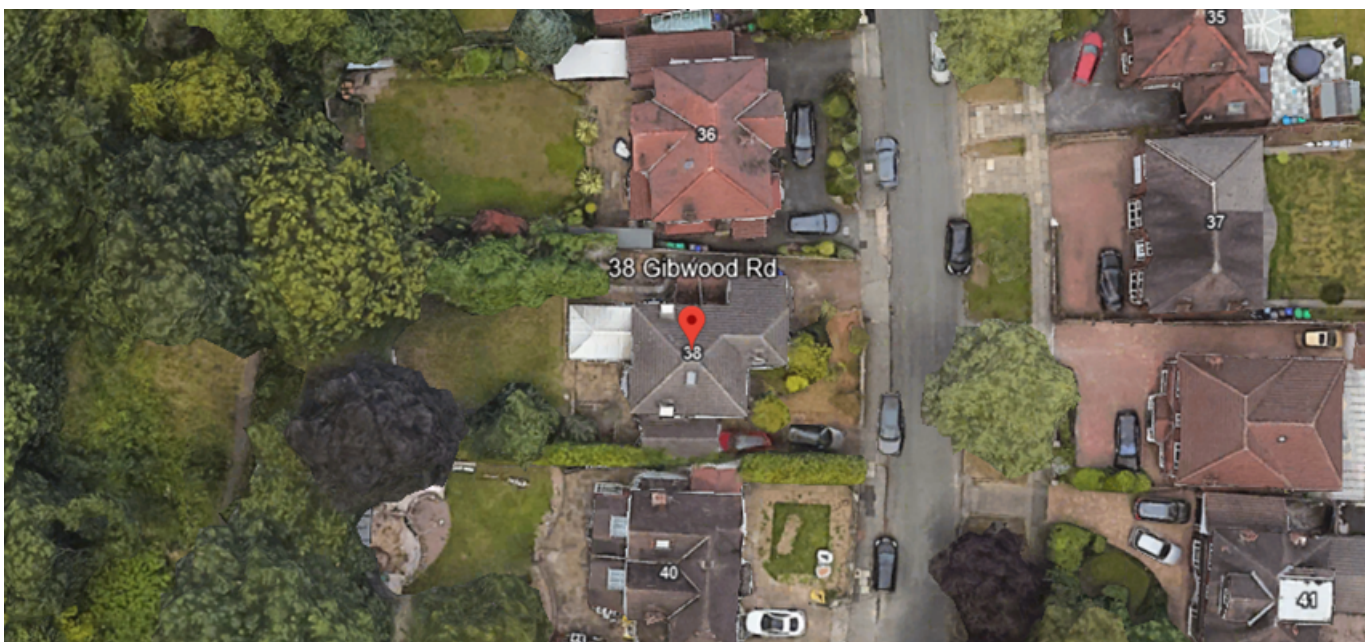
Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a two-storey detached C3 dwellinghouse of brown/redbrick and white render with a grey concrete tile hipped roof. The property features white uPVC windows, including a ground-floor bay to the front, 2no. brick driveways and a front garden bordered by a mid-level brick wall, a two-storey front and side outrigger, a single storey side extension to the north, a single storey conservatory extension to the rear, a detached garage to the south and a spacious rear garden to the west.









Description of area

Gibwood Road is a residential street situated within the Northenden ward of Manchester, close to Princess Parkway (A5103), Wythenshawe Park and Gardens, and Altrincham Road (A560). The area is predominantly residential in terms of its character, consisting of detached and semi-detached dwellinghouses and benefits from its proximity to public outdoor amenity and green spaces.

Description of development

The applicant is seeking permission for the erection of a single storey outbuilding to form ancillary accommodation.

Planning history

No previous history.

Consultations & Notification Responses

The Neighbourhood Team Leader (Arboriculture) made no objection to the proposal, requesting that all works are conducted in accordance with BS:5837, with retained trees protected with Heras fencing during the works, and no materials/machinery stored within the aforementioned fenced areas.

Local residents, as per appendix 1 – no comments or objections received.

Policies

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:

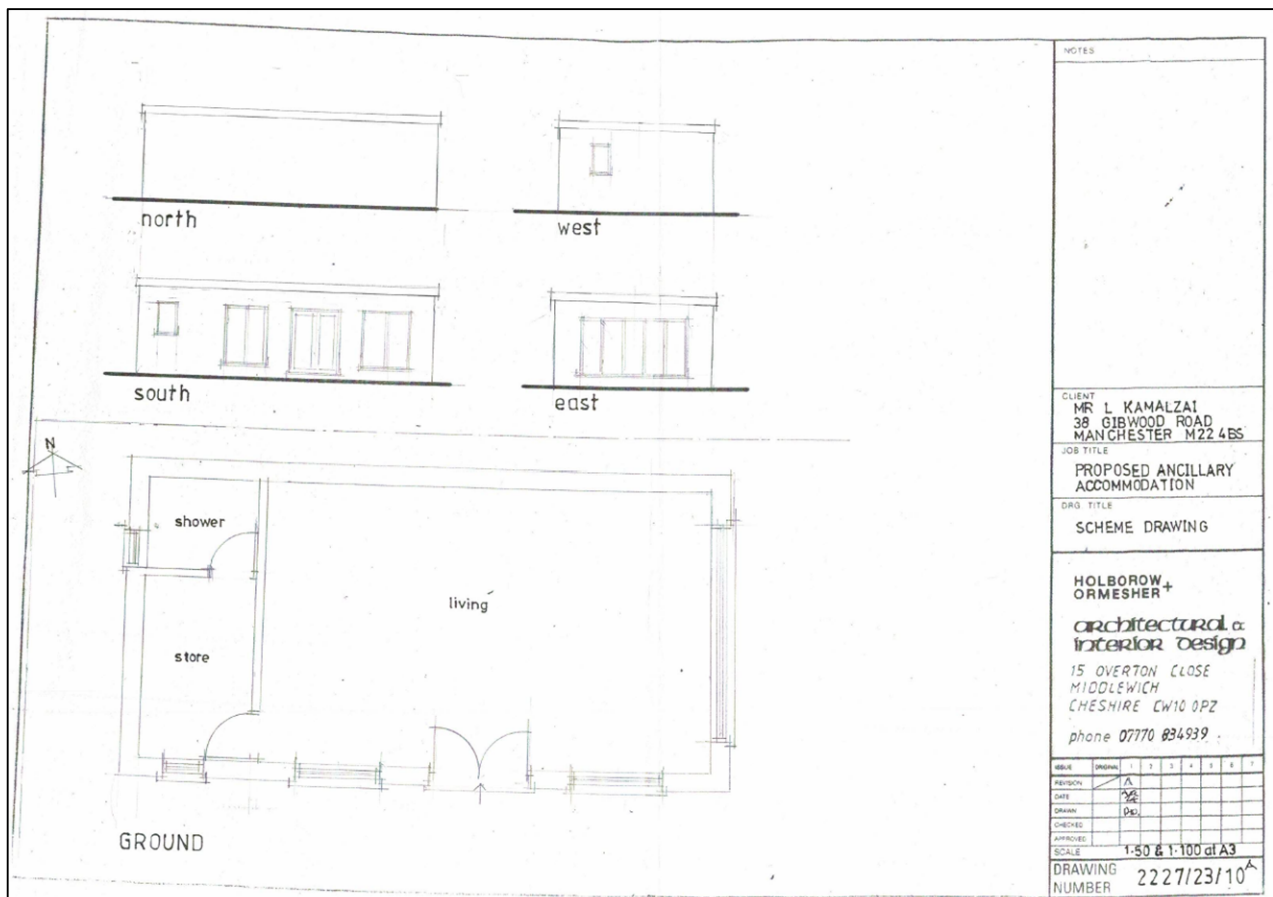
- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN15 – Biodiversity and Geological Conservation
- Policy EN19 – Waste

The National Planning Policy Framework (NPPF, 2021)

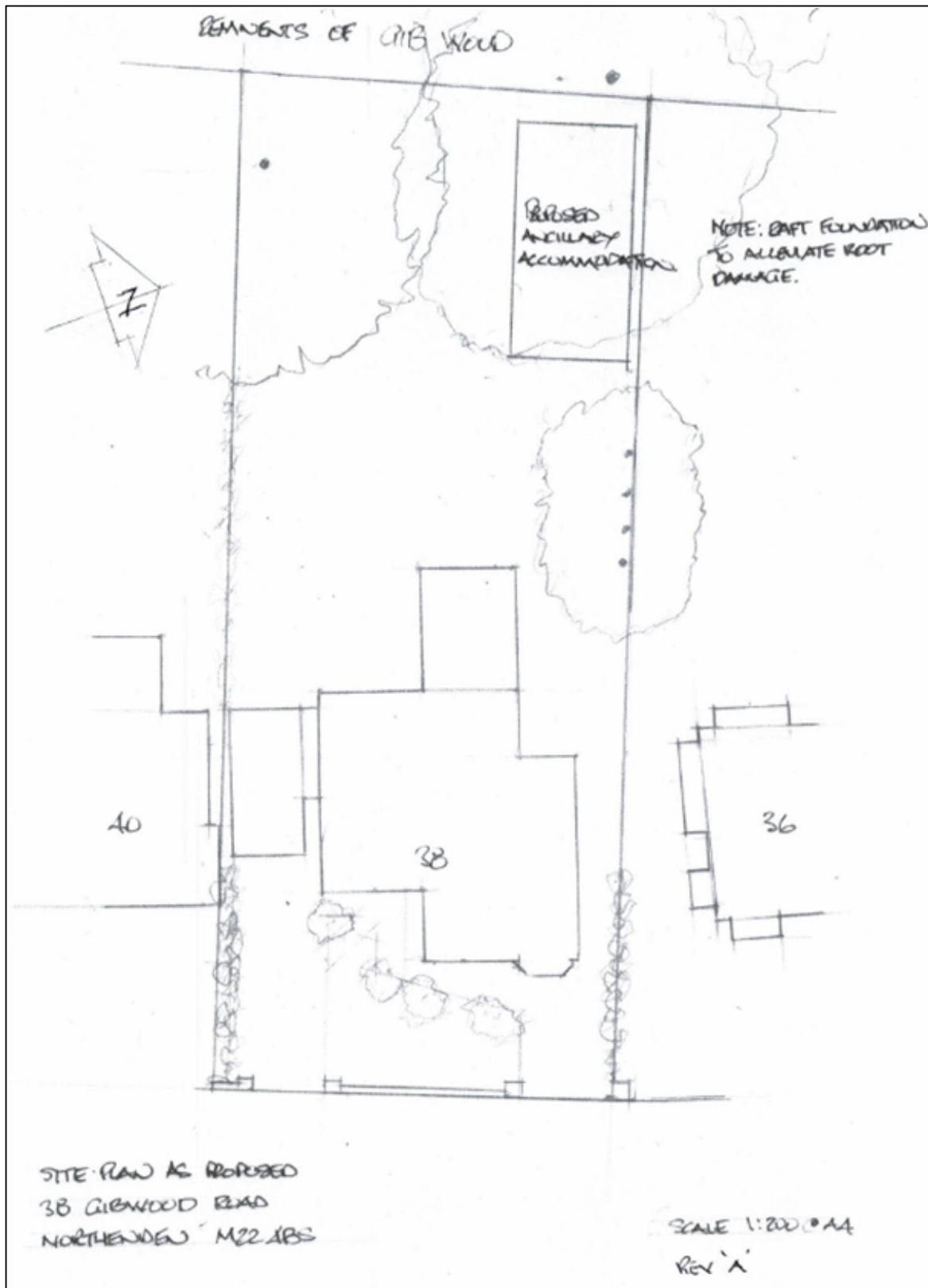
- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1 – Sustainable Places
- Policy JP-G7 – Trees and Woodland



Submitted amended proposed plans and elevations of outbuilding



Submitted proposed site plan

Issues

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.

Principle – the principle of erecting a single storey outbuilding to form ancillary accommodation to a family dwellinghouse is acceptable, however consideration must be given to the proposal's siting, scale, and massing, appearance, impact upon existing levels of residential and visual amenity as well as waste storage, parking, and trees.

Siting, scale, and massing – the single storey outbuilding would be sited at the western end of the property's rear garden, adjacent to the rear plot boundary and the shared boundary with No.36 Gibwood Road. It would measure to 9.64m in length/depth, 5.076m in width, with a flat roof height of 3m. A gap of 0.5m would be maintained to the boundary shared with No.36 Gibwood Road, 11.252m to No.40 Gibwood Road, and 1.156m to the rear boundary.

Overall, the siting, scale, and massing of the proposal is considered acceptable given that it would not cause undue harm to the residential amenity of neighbouring occupiers, in terms of limiting their light, outlook, privacy, or by introducing an overbearing feature into the area. The proposal would also avoid limiting the private outdoor amenity space of the property to an unacceptable degree.

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

Appearance and visual amenity – in their email correspondence dated to the 23rd August 2024, the agent of the application confirmed that the outbuilding would be built of wall facings to match the existing dwellinghouse, in addition to white uPVC window frames, fascia gutters, and downpipes. In terms of its elevational features, the outbuilding would feature a blank northern elevation, a five-paned window to its eastern elevation (facing the host dwellinghouse), a set of inward-opening doors and three windows to its southern elevation, and one window to its western elevation. Its flat roof would be blank and featureless.

Sited at the rear of the property, the proposal would not be highly visible within the street scene or public realm. Moreover, its use of matching materials (to those of the host dwellinghouse) should further ensure that it does not form a prominent visual feature within this locale, due to its visual subservience to the existing built form on site. Hence, the overall character of the dwellinghouse and its surrounding area should not be significantly harmed by these works.

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

Residential amenity - the proposed outbuilding should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. This is on the basis that it would be sited at the rear end of the application site away from neighbouring dwellinghouses and would feature a maximum roof height of 3m. The privacy of neighbouring occupiers should also remain unaffected as the outbuilding would not

feature any windows which face into and are situated in close proximity to the neighbouring plots.

The proposal is therefore acceptable in regard to its minimal impact upon residential amenity, pursuant to policies DM1 and SP1 of the Core Strategy and policy DC1 of the UDP.

Waste storage – the existing refuse storage arrangements would be unaffected by the proposal.

Parking – the existing parking arrangements would be unaffected by the proposal.

Trees – the submitted information indicates that the proposal includes the removal of 2no. tree saplings located adjacent to the rear boundary of the site and 5no. Leylandii trees located adjacent to the northern boundary of the site.

The Neighbourhood Services Team Leader (Arboriculture) made no objection to this, requesting that all works are conducted in accordance with BS:5837, with retained trees protected with Heras fencing during the works, and no materials/machinery stored within the aforementioned fenced areas.

These arrangements are therefore considered acceptable, pursuant to policy EN15 of the Core Strategy and policy JP-G7 of the Places for Everyone joint development plan document.

Use – in their email correspondence dating to the 23rd August 2024, the agent of the application confirmed that the outbuilding would remain as ancillary to the host dwellinghouse and would not be used as separate accommodation or as a self-contained residential unit. This has been conditioned accordingly.

Conclusion – given the above issues, it is considered that the proposal is acceptable in terms of its principle, siting, scale and massing, appearance and impact upon visual amenity, residential amenity, waste storage and parking as it broadly complies with policy DC1 of the UDP, policies DM1 and SP1 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 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

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. Issues have arisen during the consideration of this application and the officer negotiated with the agent to reach a satisfactory resolution.

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

1) The development must be begun not later than the expiration of three years beginning with the date of permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Act Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the following documents:

'Proposed Ancillary Accommodation', labelled '2227/23/10A', stamped as received by the City Council as Local Planning Authority on the 23rd August 2024.

'Site Plan as Proposed', stamped as received by the City Council as Local Planning Authority on the 23rd August 2024.

'Arboricultural Impact Assessment', labelled 'Arbtech AIA 01', stamped as received by the City Council as Local Planning Authority on the 23rd August 2024.

'Tree Protection Plan', labelled 'Arbtech TPP 01', stamped as received by the City Council as Local Planning Authority on the 23rd August 2024.

'Arboricultural Survey to BS5837:2012', stamped as received by the City Council as Local Planning Authority on the 1st September 2024.

Agent email correspondence, stamped as received by the City Council as Local Planning Authority on the 23rd August 2024.

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

3) The materials to be used on the external surfaces of the outbuilding hereby permitted shall match those specified on the submitted application form and approved documents, including wall facings to match the existing dwellinghouse.

Reason - To ensure the appearance of the site to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) Order 2015 (or any revoking and re-enacting that Order with or without modification), no windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on the approved plans.

Reason- In the interests of residential amenity, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy policy.

5) The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No.38 Gibwood Road, M22 4BS. 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 - To ensure the proposed use remains ancillary to the principal use of the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

6) All tree work should be carried out by a competent contractor in accordance with British Standard BS:5837 (2012) - Trees in Relation to Design, Demolition, and Construction.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Manchester Core Strategy.

7) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the

written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard BS:5387 (Trees in relation to construction).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Neighbourhood Team Leader (Arboriculture)

40 Gibwood Road, Manchester, M22 4BS

36 Gibwood Road, Manchester, M22 4BS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH AREA