

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136511/FH/2023
Date registered valid: 7 April 2023
Proposal: Erection of single storey ancillary garden building.
Address: 62 Demesne Road, Manchester, M16 8PJ
Ward(s): Whalley Range Ward

Applicant: Mr & Mrs Dawn Cooper
Agent (if any):
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 9 July 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 31 May 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 26 June 2024 Expired: 3 July 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

This application relates to a two-storey semi-detached house. The property has no extensions or lean to's and a single storey rectangular bay on the front elevation. There is a front garden and a drive to one side. There is a very long rear garden.

Description of area

The property is located in a residential area. Adjoining to the east is the other half of the semi. To the southwest of the rear garden is amenity space beyond which lies garages that flank the application site. The rear gardens of the properties facing Spring Bridge Road back on to the site.

Description of development

Erection of single storey ancillary garden building.

Site History

F13076 62 Demesne Road, Whalley Range. Application Not Proceeded With.

Site History

F13076 Conversion of lower ground floor of domestic premises currently used for storage, to provide a playschool to serve the local community.

Consultations & Notification Responses

Local residents/public opinion - One letter of support has been received commenting the proposal is a well-designed scheme that has limited impact on the surrounding neighbours.

Issues

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 (2024)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. The plan was adopted by the Council on 20 March 2024 and will come into effect from 21 March 2024. The plan sets out the kind of development that takes place across the city-region. It maximises the use of brownfield land and urban spaces; protects green belt land from the risk of unplanned development; releases some sites for housing and employment in key locations; ensures we integrate all new developments into Greater Manchester's transport network. Otherwise, new roads and transport will support them. The Plan and its policies are now a material planning consideration in the determination of planning applications, and therefore be given significant weight in the planning balance.

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

- o Policy DM1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EN19 (Waste)
- o Policy T2 (Accessible areas of opportunity and need)

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

- o 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:

o Chapter 2: Design

Principle of development

The submitted plan would serve as a combined office and studio room and therefore, 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

Impact of works (erection of single storey outbuilding in rear garden) - In light of the pre-existing context with the immediate neighbouring properties also having significantly sizable rear gardens and outbuilding structures, and due to the fact that there would be significant separation distance from the residential properties sharing the common boundaries, and the fact that the proposed outbuilding would be significantly screened by the existing boundary treatment and mature trees, 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 proposal would adversely affect the street scene or neighbouring houses, in terms of the proposed height, scale and massing given that it would be significantly set away from the immediate dwellinghouses, and it would not be visible from the immediate highway. Therefore, on balance, it is considered that the proposed development 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 therefore recommended that further conditions are attached to ensure that only approved doors and windows are incorporated into the proposed outbuilding, the proposed window along the rear elevation to serve the bathroom would be obscurely glazed, and 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.

Impact of works (Design and appearance) - It is not considered that the proposed development would unduly harm the character of the building or the general area as it would not be visible from the immediate highway and the proposed external facing materials are of a good quality. It is therefore considered acceptable in design terms, pursuant with the requirements of Core Strategy policies DM1 and EN1, and saved UDP policy DC1.

Impact of works (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.

Impact of works (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 subject to planning conditions, it is considered that the proposed development responds positively to The National Planning Policy Framework (2021) chapter 12; policies SP1, DM1, EN1, EN19, T2 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 no comments or objections have been received in response to this application from local residents.

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

PO1 Rev A, PO4 Rev A, PO4 Rev A, PO5 Rev A and PO6, stamped as received 25 June 2024.

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

3) The external facing materials to be used on the outbuilding hereby approved shall match those as stated on the approved drawings and submitted information.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

4) 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 openings, including windows and doors, shall be inserted within the elevations of the outbuilding, other than those shown on the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

5) The outbuilding hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 62 Demesne Road.

Reason: To ensure the proposed use remains ancillary to the principle use on the site. In the interest of residential amenity, in accordance with the policies DM1 and SP1 of the Manchester Core Strategy.

