

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139371/FH/2024
Date registered valid: 1 March 2024
Proposal: Erection of outbuilding to provide granny annexe
Address: 3 Queens Park Close, Manchester, M9 5TS
Ward(s): Harpurhey Ward

Applicant: June Brown
Agent (if any): Mr Subhan Saleem
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 23 April 2024

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 9 April 2024

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 12 March 2024 Expired: 4 April 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 area

The application property is located in residential area comprising of new and well established housing. The application property is centrally positioned in a cul-de-sac. Parkland is located to the north and west of the site with industrial uses beyond. Manchester General Cemetery is located to the south. The application relates to the rear garden of a two storey semi-detached house comprising red brick elevations and grey roof tiles. The house has a pitched roof with a gable elevation.



Fig. 1 – Views of the rear garden

Description of development

The proposed outbuilding would be sited adjacent to the angled western site boundary, which adjoins neighbouring parkland. The outbuilding would have a depth of 5 metres, width of 8.1 metres and maintains a minimum distance of 3.7 metres to the main house. More than 50% of the external areas around the site would be maintained as a result of the siting of the proposed outbuilding. Internally, the outbuilding would comprise of a living room and bedroom with en-suite bathroom.



Fig. 2 – Proposed layout

The proposed outbuilding would have a flat roof with a maximum height of 2.5 metres. The principal (eastern) elevation would incorporate a pair of three sectional windows and an external doorway. The side and rear elevations would comprise blank brickwork. Proposed brickwork and window frames would match the existing house.

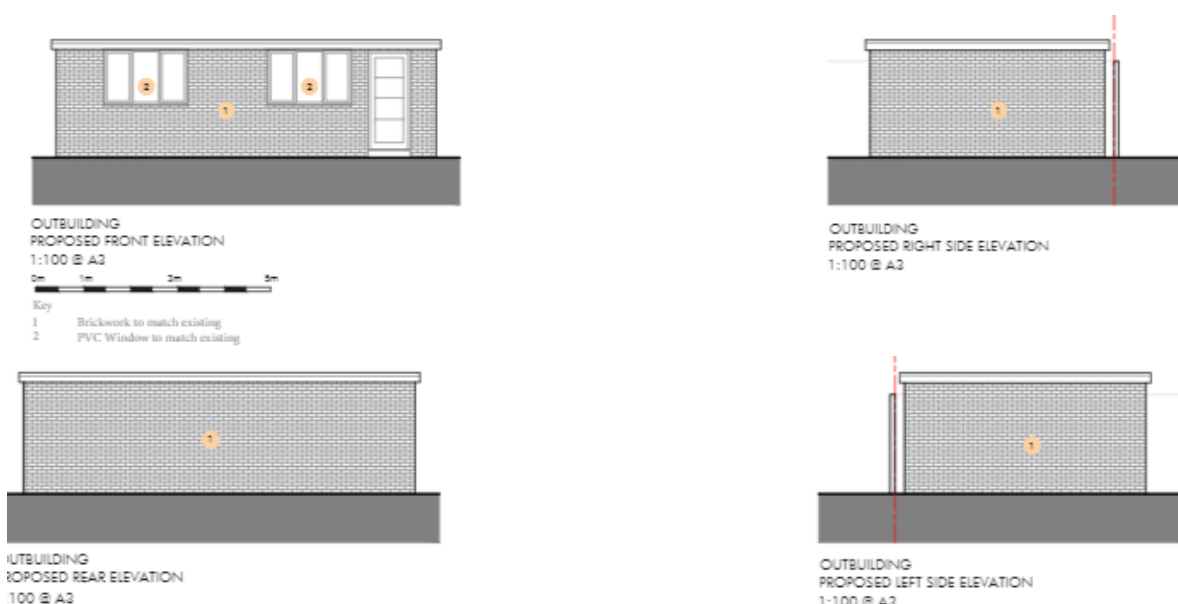


Fig. 3 – Proposed elevations

Site history

- i. 130879/NMC/2021: Application Approved - 21.07.2021
Land Adjacent to Kingsbridge Road and Camelia Road, Manchester, M9 5SN.
Non-Material Amendment to vary conditions 2 and 7 attached to planning permission ref: 120104/JO/2018 to enable the use of Country Red Smooth and Olympic Red Multi bricks for the development.
- ii. 120104/JO/2018: Application Approved - 27.09.2018
Land adjacent to Kingsbridge Road and Camelia Road, Manchester, M9 5SQ.
Variation of condition no. 2 (approved drawings) attached to planning permission 110464/MO/2015/N1 to allow for revisions to elevational design , car parking arrangements and associated landscaping amendments
- iii. 110464/MO/2015/N1: Application Approved - 06.01.2016

Land Adjacent to Kingsbridge Road and Camelia Road, Manchester, M9 5SQ.

Reserved matters application for the approval of landscaping, scale and appearance following outline planning permission for the erection of 12 dwellinghouses (Ref: 107054/OO/2014/N1)

iv. 107054/OO/2014/N1: Application Approved - 23.07.2015

Land Adjacent to Kingsbridge Road and Camelia Road, Manchester, M9 5SQ

Outline planning application with access and layout (with other matters reserved) for the creation of 12 dwellinghouses

v. 075262/FO/2005/N1: Application Approved - 13.06.2005

Land adjacent to Kingsbridge Road and Camelia Road

RESERVED MATTERS APPLICATION. Erection of residential development comprising 15 houses with associated parking

vi. 069168/OO/2003/N1: Application Approved - 16.12.2003

Camelia Road, Harpurhey

Outline planning application for means of access for erection of 16 no. dwellinghouses with associated parking

Consultations & Notification Responses

Local residents – No comments received.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF have been considered in relation to the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

It is considered that the development would be positively related to these objectives.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. It is considered that the development would respond positively to the above objective and the following aspects of the Framework.

i. Section 12: Achieving well-designed places - States that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In this case, it is considered that an appropriate quality of design would be achieved.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG is relevant to key planning issues of significance to applicants and local authorities. The assessment of the proposed development has been related to the following aspects of the PPG:

- i. Consultation and pre-decision matters
- ii. Design
- iii. Health and well-being

It is considered that the development accord with specified sections of the PPG, particularly with regard to safeguarding residential amenity and maintaining the character of the locality.

The Places for Everyone Plan - Is a Joint Development Plan Document and provides a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan. To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation. The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023. Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report. Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. The following policies are relevant:

- i. JP- S1- Sustainable development
- ii. JP- S2 - Carbon and energy.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice through: the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents and responding to the diverse needs of all members of the community and the protection and enhancement of the built and natural environment;

b. Minimises emissions, ensures efficient use of natural resources and reuses previously developed land wherever possible.

It is considered that the proposed development would be appropriately related to the existing house and its context. It would also allow the formation of accommodation to meet residents needs and thereby aid the sustained occupation of the house. The development would thereby be positively related to policy SP1.

Policy EN1 (Design Principles and Strategic Character Areas) - States that all development in Manchester should meet high standards of urban design. Opportunities for good design, which enhance the overall image of the city should be fully realised. For the reasons outlined below, it is considered that proposed design of the outbuilding would be acceptable and satisfactorily related to policy EN1.

Policy EN4 (Reducing CO2 Emissions by Enabling Low and Zero Carbon Development) - The development would be constructed to contemporary buildings standards to achieve and reduction in carbon emissions. Given the magnitude of the development, it is considered that policy EN4 would be positively responded to.

Policy EN 14 (Flood Risk) – Seeks to reduce the increased risk of flooding and to secure appropriate drainage. The site is located in Flood Zone 1 and it is not apparent that the development would increase the localised risk of flooding. Policy EN14 would thereby be complied with.

Policy EN18 (Contaminated Land and Ground Stability) – Requires that ground conditions that may be potentially harmful to public health and appropriate identified and remediated. In this case, identified historic land condition were address through the approved details relating to planning permission ref: 120104/JO/2018. The development would continue to accord with policy EN18.

Policy EN19 (Waste) – Requires that appropriate arrangement of the storage and collection of waste and recycling are provided. The development would allow the existing arrangements to be retained. As there would be no change in circumstances policy EN19 would be complied with.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- o Appropriate siting, layout, scale, form, massing, materials and detail;
- o Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development;
- o Effects on amenity;
- o Design for health.

It is considered that the development would not unduly harm residential amenity and would be suitably related to neighbouring built form. Policy DM1 would thereby be accorded with.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case officers engaged in discussions with the applicant resulting in the submission of supplementary plans and details that reduced the scale of the development and facilitated the appropriate and satisfactory assessment of the planning application.

Principle of the development – The proposed outbuilding would meet permitted development criteria of Schedule 2, Part 2, Class E of the GDPO. However, planning permission is required due to condition 27 of planning permission ref: 120104/JO/2018, which removes householder permitted rights relating to extensions and outbuildings. The applicant has reduced the footprint during the life of the application to improve its relationship to the existing houses and surrounding properties. Based on these amended details, the proposed development is considered to be acceptable.

Use – A condition has been included to ensure that the authorised outbuilding would only be used as ancillary accommodation for use in conjunction with the occupation of the application property as a dwellinghouse (Class C3) and shall not be used at any time as a separate or independent dwellinghouse. This condition is required to ensure the appropriate future occupation and management of the property and to safeguard residential amenity.

Residential amenity -The impact of the position of windows in the rear elevation of the outbuilding, in relation to the adjoining property, would be reduced by the fencing along the shared boundary. The development would not harm the setting of neighbouring parkland or cemetery. The future use of the outbuilding would be managed through the included operational conditions. On balance, it is not considered that the development would unduly harm residential amenity.

Scale and massing – The height of the development would not exceed 2.5 metres and would be substantially screened from the neighbouring properties by boundary fencing across the site.. On balance, it is considered that the magnitude of development would be acceptable within the context of retained garden space.

Siting – The orientation of the proposed outbuilding and the height of the fencing along the southern boundary would prevent overlooking of windows to the adjoining No 4. By responding to the angle of the western elevation, the development would not impact upon the adjacent No 2. The proposed siting would allow the retention of a substantial section of the rear garden thereby maintaining satisfactory amenity space. The siting of the development is therefore considered to be satisfactory.

Design – The proposed design of the outbuilding would have a simple and proportionate elevational form. The development has been conditioned to ensure the use of matching materials would ensure a cohesive relationship to the existing house. This includes the use of anthracite grey window frames.

Land conditions – The land comprising the site was the subject of a comprehensive remediation strategy relating to planning permission ref: 120104/JO/2018 and verified through approved discharge of condition request CDN/22/0860 (Approved 28 November 2022).

Conclusion - The development would be satisfactorily related to the application property and its setting, including relationship to the neighbouring houses. The development is therefore considered to be acceptable.

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. In this case officers engaged in discussions with the applicant resulting in the submission of supplementary plans and details that reduced the scale of the development and facilitated the appropriate and satisfactory assessment of the planning application.

Condition(s) to be attached to decision for approval

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 received by the City Council as local planning authority received on 22 February 2024 and 14 April 2024:

Householder planning application forms

Location plan (with a red edge) Sheet 1 dated February 2024

Proposed plans Sheet 2 dated April 2024

Outbuilding elevations (Proposed) Sheet 3 dated April 2024

Existing and proposed site plan Sheet 4 dated April 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 for the City of Manchester.

3) The materials to be used in the construction of the development hereby approved, including bricks and roof tiles (together with the method of coursing and pointing) and window frames, shall match the existing dwellinghouse, in terms of colour, texture and appearance.

Reason - In the interests of visual amenity and character of the area, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) The authorised outbuilding as shown on approved drawings referenced: Proposed plans Sheet 2 dated April 2024, Outbuilding elevations (Proposed) Sheet 3 dated April 2024 and Existing and proposed site plan Sheet 4 dated April 2024 shall only be used as ancillary accommodation for use in conjunction with the occupation of 3 Queens Park Close Manchester M9 5TS 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.

5) Notwithstanding the detail of drawing referenced Proposed plans Sheet 2 dated April 2024 Outbuilding elevations (Proposed) Sheet 3 dated April 2024 Existing and proposed site plan Sheet 4 dated April 2024 and before the commencement of above ground construction works a scheme shall be submitted to and approved in writing by the City Council as local planning authority relating to the formation of a level threshold to the entrance to the authorised outbuilding. The approved measures shall be implemented before the occupation of the outbuilding and maintained in situ thereafter.

Reason – In the interests of residential amenity and to ensure inclusive access pursuant to policies SP1, EN14 and SP1 of the Core Strategy for the City of Manchester.

6) 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 shall be inserted into the elevations of the development hereby approved other than those shown on the approved drawings referenced: Proposed plans Sheet 2 dated April 2024, Outbuilding elevations (Proposed) Sheet 3 dated April 2024 and Existing and proposed site plan Sheet 4 dated April 2024.

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

Informative

1) Information for Developers guidance documents can be downloaded using the following link: http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2) It is recommended that any new windows, doors, locks and fittings meet Secured by Design standards.

Appendix 1 – List of consultees & neighbours notified

84 Kingsbridge Road, Manchester, M9 5SN
76 Kingsbridge Road, Manchester, M9 5SN
78 Kingsbridge Road, Manchester, M9 5SN
80 Kingsbridge Road, Manchester, M9 5SN
1 Queens Park Close, Manchester, M9 5TS
74 Kingsbridge Road, Manchester, M9 5SN
2 Queens Park Close, Manchester, M9 5TS
6 Queens Park Close, Manchester, M9 5TS
5 Queens Park Close, Manchester, M9 5TS
4 Queens Park Close, Manchester, M9 5TS

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH AREA