

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137479/FH/2023
Date registered valid: 24 July 2023
Proposal: Erection of a detached outbuilding to form additional living accommodation
Address: 9 Penarth Road, Manchester, M22 4AG
Ward(s): Northenden Ward

Applicant: Philip Williams
Agent (if any):
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 14 September 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 15 August 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 10 August 2023 Expired: 31 August 2023

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 semi-detached C3 dwellinghouse of brown brick with a red concrete tile hipped roof. The property features white uPVC windows, including a ground floor bay to the front, a large, paved driveway, a single storey side and rear extension and a spacious rear garden.



Figure 1. Principal elevation.



Figure 2. Proposed site of development.



Figure 3. Shared boundary.



Figure 4. Rear garden.

Description of area

Penarth Road is a residential road situated within the Northenden ward of Manchester, close to Wythenshawe Cricket & Football Club, Princess Parkway (A5103), and Baguley Athletic Football Club. The area is predominantly residential in terms of its character, consisting of detached and semi-detached residential properties.

Description of development

The applicant is seeking permission for the erection of a detached outbuilding to form additional living accommodation.

Planning History

071484/FH/2004/S2 - Erection of single storey rear extension to form additional living accommodation – **APPROVED** (27.05.2004).

Consultations & Notification Responses

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Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance: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 EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

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 in order to provide additional living accommodation for 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 management and parking.

Siting, scale, and massing – the single storey outbuilding would be sited in the eastern corner of the rear garden, adjacent to the boundaries shared with No.11 Penarth Road, No.70 Longley Lane, No.72 Longley Lane, and No.74 Longley Lane.

Initial plans indicated that the outbuilding would have a dual pitch roof with a maximum height of 3.75m and an eaves height of 2.5m. However, due to the proposal's close siting to the property's shared boundaries, these dimensions were deemed as unacceptable due to their potential to introduce an overbearing presence into the area. Negotiations were undertaken as a result to reduce the outbuilding's height and ultimately mitigate its impact upon neighbouring residents.

The revised plans now indicate that the proposed outbuilding would have a length / depth of 4.5m, width of 7m, dual pitch roof height of 3.2m and an eaves height of 2.5m. The proposal would be sited 0.8m away from the boundary shared with No.11 Penarth Road, 0.7m away from the boundary shared with No.72 Longley Lane, and approximately 7.251m away from the boundary shared with No.7 Penarth Road.

In light of the outbuilding's reduced height, the proposal is now deemed as acceptable in terms of its siting, scale, and massing as it would not result in an 'excessively large or bulky' addition to the property, would not result in more than 50% of the property's curtilage (excluding the host dwellinghouse) being covered by buildings / enclosures / containers, and would be in-keeping with the overall precedent of outbuildings in this locale.

The proposed development therefore accords with policy DC1 of the UDP and policies SP1 and DM1 of the Core Strategy.

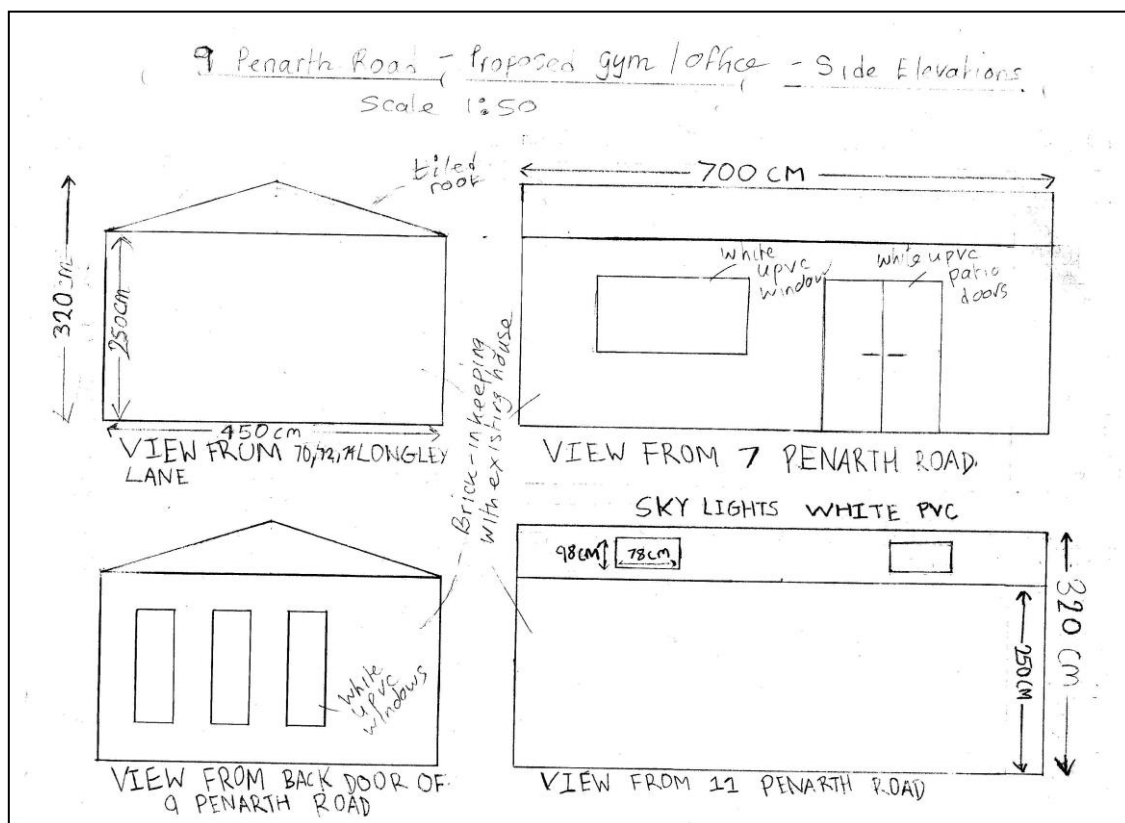


Figure 5. Submitted proposed elevations.

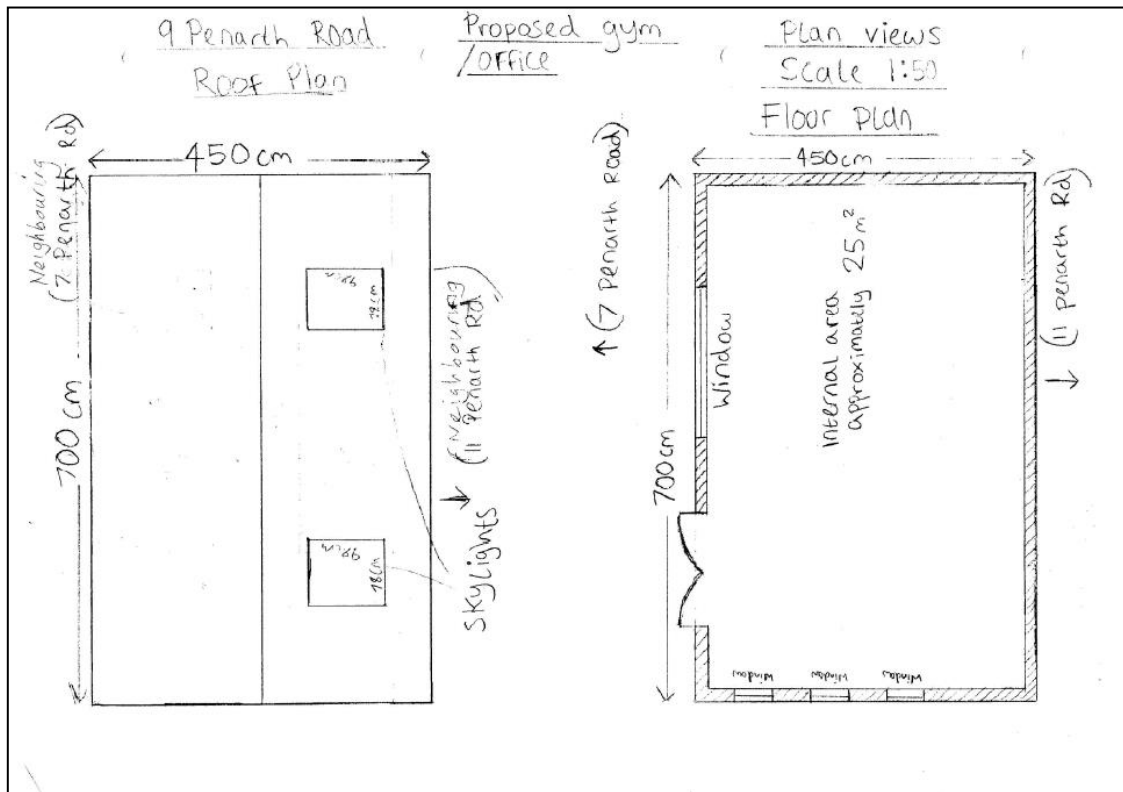


Figure 6. Submitted proposed plans.



Figure 7. Submitted proposed site plan.

Appearance and visual amenity – the outbuilding would be constructed of brickwork and roof tiles to match the existing dwellinghouse in addition to white uPVC windows and doors. Its northwestern elevation, facing the rear gardens of No.7 Penarth Road, No.70 Longley Lane, and No.72 Longley Lane, would feature one window and a set of outward-opening doors, whilst its northeastern and southeastern elevations would be blank and featureless. Its southwestern elevation, facing the host dwellinghouse, would feature three windows, whilst its southeast facing roof slope would feature two flat skylights.

The proposal is relatively standard in terms of its scale and design for developments of this type and would be in-keeping with the overall precedent of residential extensions and outbuildings in this locality. Sited within the property's rear garden, the proposal would not be visible within the street scene or public realm and, as such, would have a minimal impact upon the visual amenity of the area.

The design and appearance of the proposal is considered to accord with Core Strategy policies DM1 and EN1 and is acceptable as its impact upon visual amenity is considered to be minor.

Residential amenity – given that the outbuilding would be single storey, with a maximum height of 3.2m, and sited at the end of the property's rear garden, it is believed that the proposal should not cause issues associated with overshadowing, loss of light, or loss of outlook, nor should it introduce an overbearing presence into the area. Moreover, though its northwestern side elevation, facing the rear gardens of No.7 Penarth Road, No.70 Longley Lane, and No.72 Longley Lane, would feature one window and a set of outward-opening doors, it is not considered that this would substantially harm the privacy of neighbouring occupiers as the outbuilding would be sited approximately 7.251m away from the shared boundary. This is further bolstered by the existing high-level boundary treatment and mature foliage present along the shared border, which should largely screen the proposal from view.

In addition, no objections were received from local residents in response to the application.

The proposal is therefore acceptable in regard to its minimal effect upon residential amenity, thus according with Core Strategy policies DM1 and SP1 and saved policy DC1 of the UDP.

Waste storage – the current waste storage arrangements would be unaffected by this proposal.

Parking – the current parking arrangements would be unaffected by this proposal.

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 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 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. Minor 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:

- 'Site Plan for Proposed Gym / Office – 9 Penarth Road, Northenden', stamped as received by the City Council as Local Planning Authority on the 8th September 2023.

- '9 Penarth Road. Proposed gym / office. Side elevations' stamped as received by the City Council as Local Planning Authority on the 8th September 2023.

-‘9 Penarth Road. Proposed gym / office. Plan views’, stamped as received by the City Council as Local Planning Authority on the 5th July 2023

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

3) The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing dwellinghouse in type, size, colour and texture.

Reason- To ensure the appearance of the building to be developed is not adversely affected by the materials to be used in the construction of the development, pursuant to saved policies DC1.1, DC1.2, and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) 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.9 Penarth Road, M22 4AG.

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.

Appendix 1 – List of consultees & neighbours notified

72 Longley Lane, Manchester, M22 4JF
70 Longley Lane, Manchester, M22 4JF
74 Longley Lane, Manchester, M22 4JF
11 Penarth Road, Manchester, M22 4AG
7 Penarth Road, Manchester, M22 4AG

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 45M
Area Team Boundary - Name: SOUTH AREA