

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138002/FH/2023
Date registered valid: 8 September 2023
Proposal: Erection of a single storey outbuilding
Address: 9 Rosedale Road, Manchester, M14 7BX
Ward(s): Fallowfield Ward

Applicant: Mr P Brzyski
Agent (if any): Andrew Gaskell
Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 10 November 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 19th October 2023

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 11 September 2023

Expired: 2 October 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

The property that is the subject of this householder application is a 2 storey property comprising of 2 cottage flats. Number 9 Rosedale occupies the space that runs alongside the property together with the rear garden area. Number 11 has sole use of the front garden. Number 9 is accessed from the side of the property. The site is enclosed by a green timber low level picket fence. The ground level behind the fence sits much lower than the street level over the fence. Immediately beyond the fence is a parking court with three spaces to serve the properties on Edward Sutcliffe Close, with the closest residential being those properties on Edward Sutcliffe Close beyond the car park.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature with a mix of house types, ranging from large, terraced properties to more modern semi-detached properties that form the estate that number 9 Rosedale Road sits within. It is located on a sustainable transport network being accessed by various modes of transport. The property is located within the Fallowfield ward of the City.

Description of development

The proposal is for the erection of an 'L' shaped free standing single storey unit. It is of a timber construction with up an over garage door proposed to each end of the building. There are 2 Velux type rooflights in the roof slope facing the rear of number 9 Rosedale itself, these are to allow natural light into the unit as there are no windows in any of the side elevations. The unit would be accessed from down the side driveway of number 9 Rosedale Road.

Consultations & Notification Responses

Local residents were informed- no representations have been 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 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. 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 to the Plan. The Examination of the 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 are 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 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 garage / storage provision in association with the host property is considered acceptable in

principle, 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 at the bottom of the garden in the north- western corner of the garden backing onto Edward Sutcliffe Close. there is a parking court immediately adjacent to the proposal site providing parking for 3 vehicles. The residential properties are beyond the three spaces. It is considered that the siting of the proposed unit has been sited considerably to reduce impact upon the neighbouring properties. The scale of the property having been designed in an 'L' shape reduces the bulk and scale as it is not in one block, facing over the parking court and the side road of Edward Sutcliffe Close. Given the stepping down of the plot from the street level together with the boundary treatment it reduces the impact of the unit as it is only the top 1/3 of the unit would be visible from the street side of the development. The unit is typical of a free- standing unit associated with a domestic property.

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

Appearance and visual amenity - the outbuilding would be constructed of timber frame with a hipped roof. There are 2 Velux type windows within the roof slope facing number 9 Rosedale, these are in place of windows within the side walls thereby retaining privacy for the neighbouring properties, and there are 2 up and over garage style doors to each end of the proposed unit. There is a single door on the same elevation.

The proposal is relatively standard in terms of its scale and design for developments of this type. Sited within the property's rear garden, the proposal would not be highly visible within the street scene due to the set down of the garden from the external street area and, as such, it is not considered that the proposal would have a detrimental 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.

Residential amenity - given that the outbuilding would be single storey, is at the furthest point away from the neighbouring properties on Rosedale, and across a parking court from the residents of Edward Sutcliffe Close, it is not considered that it would have a detrimental impact upon the residential amenity of the neighbouring properties. It has been designed to have no outward looking windows and as such there is no loss of privacy or overlooking. The applicant is a car enthusiast and collects vehicles which are currently stored on the driveway. Assurances have been given that the unit is for personal purposes only, and a condition restricting the use of the unit would be attached to any consent granted. It is also noted that following the consultation with local residents, no representations were received.

There is sufficient amenity space retained for the occupants of the host property post development.

The proposal is therefore acceptable in regard to its minimal impacts 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, however rather than have vehicles on the driveway, there is the potential for some storage within the new unit, so may represent a small improvement.

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. There were no issues of sufficient weight to merit refusal, and the application has been determined in accordance with both national and local policies.

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:

001-Rev A location plan and proposed plans.

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) Prior to the commencement of above ground works, the details of the external finishes to the elevations of the outbuilding hereby approved shall be submitted to and agreed in writing by the City Council as local planning authority. The outbuilding shall be completed in accordance with the agreed details.

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.

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 identified as 9 Rosedale Road Manchester M14 7BX

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.

5) 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 or doors shall be inserted into the elevations of the free- standing unit hereby approved other than those shown on the approved plans.

Reason - In the interests of residential amenity pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy policy SP1 and DM1 Core Strategy for the City of Manchester.

6) Should any part of the outbuilding be used as a garage, no trade or business shall be carried out in the garage.

Reason - The use of the garage, for non-domestic purposes, would be detrimental to the amenity of the occupiers of surrounding residential properties, pursuant to policies SP1, T1 and DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

6 Rosedale Road, Manchester, M14 7BX
37 Edward Sutcliffe Close, Manchester, M14 7RT
35 Edward Sutcliffe Close, Manchester, M14 7RT
33 Edward Sutcliffe Close, Manchester, M14 7RT
31 Edward Sutcliffe Close, Manchester, M14 7RT
29 Edward Sutcliffe Close, Manchester, M14 7RT
27 Edward Sutcliffe Close, Manchester, M14 7RT
25 Edward Sutcliffe Close, Manchester, M14 7RT
23 Edward Sutcliffe Close, Manchester, M14 7RT

21 Edward Sutcliffe Close, Manchester, M14 7RT
4 Rosedale Road, Manchester, M14 7BX
13 Rosedale Road, Manchester, M14 7BX
2 Rosedale Road, Manchester, M14 7BX
11 Rosedale Road, Manchester, M14 7BX
1 Rosedale Road, Manchester, M14 7BX
17 Edward Sutcliffe Close, Manchester, M14 7RT
15 Edward Sutcliffe Close, Manchester, M14 7RT
5 Edward Sutcliffe Close, Manchester, M14 7RT
3 Edward Sutcliffe Close, Manchester, M14 7RT
1 Edward Sutcliffe Close, Manchester, M14 7RT
19 Edward Sutcliffe Close, Manchester, M14 7RT

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
Area Team Boundary - Name: SOUTH AREA