

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135863/FH/2022
Date registered valid: 29 December 2022
Proposal: Erection of single storey outbuilding within rear garden
Address: 9 Pingot Avenue, Manchester, M23 0BZ
Ward(s): Brooklands Ward

Applicant: Mr Edison Geca
Agent (if any): Mr Kirit Tailor, T.M.D.S.Limited
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 20 February

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 25 January 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 19 January 2023 Expired: 9 February 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 end-terraced C3 dwellinghouse of redbrick with a grey concrete roof tile hipped roof. The property features white uPVC windows, a front porch canopy, a front garden, unauthorised single-storey timber side extension and spacious rear garden.

It should be noted that the applicant has been notified that the timber side extension is required to be removed due to it not benefitting from planning permission. Details have been passed onto the Council's Enforcement Team. This application will be assessed and determined with the understanding that this side extension will be removed.



Figure 1. Photograph of the principal elevation of No.9 Pingot Avenue.

Description of area

Pingot Avenue is a residential cul-de-sac situated within the Brooklands ward of Manchester, close to Princess Parkway (A5103), Northern Moor allotments and St Aidan's RC School. The area predominantly consists of terraced and semi-detached residential properties and sits in relatively close proximity to a small cluster of retail units and food & drink outlets.

Description of development

The applicant is seeking permission for the erection of a single storey outbuilding within the rear garden of the property.

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

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 southwest corner of the rear garden, adjacent to the boundaries shared with No.11 Pingot Avenue, No.82 Sale Road and No.84 Sale Road.



Figure 2. Photograph of the rear garden of No.9 Pingot Avenue, with red arrow depicting the proposed location of the outbuilding.



Figure 3. Photograph of the rear garden of No.9 Pingot Avenue, with arrow red arrow depicting the proposed location of the outbuilding.

Initial plans indicated that the outbuilding would have a hipped 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 being 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 4.7m, a width of 10.5m and a mono pitch roof height of 3m, creating approximately 49.35 square metres of additional living / storage space. The proposal would be sited 1.2m away from the boundary shared with No.11 Pingot Avenue and 0.3m away from the boundary shared with No.82 and No.84 Sale Road.

In light of the outbuilding's reduced height, the proposal is now deemed as being 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 property's curtilage 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.

Appearance and visual amenity – The outbuilding would be constructed of materials to match the existing dwellinghouse including brickwork, low pitch roof tiles and uPVC double glazed windows and doors. The design is standard for such developments, consisting of a low mono pitch roof and a set of doors and two windows along its north-eastern elevation. As outbuildings are commonplace in this residential area (with outbuildings present at No.7 Pingot Avenue, No.21 Rackhouse Road and No.23 Rackhouse Road), the proposed development would not be incongruous with the character of the area, nor harm it, particularly as the proposal would be sited at the far end of the rear garden and thus would not feature within the street scene of Pingot Avenue.

The proposal therefore accords with policy DC1 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF in terms of its appearance and impact upon visual amenity.

Residential amenity – Due to its siting at the end of the garden in addition to the proposal's reduced height and blank elevations which face the shared boundaries of the plot, it is not considered that the proposal would cause an undue loss of residential amenity for surrounding occupiers in terms of light, outlook, or privacy. Moreover, no objections have been received from neighbouring residents in regard to this application, hence the development is considered to accord with the policies EN1 and DM1 of the Core Strategy,

Waste management – The current bin storage arrangements would be unaffected by this proposal as adequate space and access to the rear would be retained, thus according with policy EN19 of the Core Strategy.

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

Conclusion – Given the above issues, it is considered that the proposed extension 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 management 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:

-Revised drawing numbered '1', stamped as received by the City Council as Local Planning Authority on the 10th February 2023.

-Revised drawing numbered '2', stamped as received by the City Council as Local Planning Authority on the 10th February 2023.

-Revised drawing numbered '3', stamped as received by the City Council as Local Planning Authority on the 10th February 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 outbuilding hereby permitted shall match those specified on the submitted application form and revised plans, including brickwork to match existing.

Reason - To ensure the appearance of the outbuilding 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 detached outbuilding shall be ancillary to the use of the main dwelling only, in association with the use of the main dwelling house.

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

Appendix 1 – List of consultees & neighbours notified

7 Pingot Avenue, Manchester, M23 0BZ
11 Pingot Avenue, Manchester, M23 0BZ
84 Sale Road, Manchester, M23 0BX
82 Sale Road, Manchester, M23 0BX
80 Sale Road, Manchester, M23 0BX

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 (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA