

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135534/FH/2022

Date registered valid: 29 November 2022

Proposal: Erection of a detached brick built garage and boundary wall following demolition of existing timber shed.

Address: 9 Gordon Place, Manchester, M20 3LD

Ward(s): Didsbury West Ward

Applicant: Mr Ryan Waring

Agent (if any): Mr James Mather, James Mather Architecture

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 January 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 18 January 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 8 December 2022 Expired: 29 December 2022

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 site/building

The site comprises of a two storey period semi-detached dwelling house situated within the head of the cul-de-sac in the Didsbury West Ward area of Manchester. The property sits on an irregular shaped plot with the majority of the garden at the rear and side. A wooden shed would be demolished as part of the scheme.

Description of area

This is primarily a residential area in nature

Description of development

The applicant seeks permission for the erection of a detached brick-built garage and boundary wall following demolition of existing timber shed.

Planning History

133646/FH/2022rection of a detached garage and boundary wall following demolition of existing detached garage: Withdrawn.

117578/TPO/2017 Works to tree - proposed pruning works to large oak tree: Approved

104992/TPO/2014/S 2 Works to trees - proposed pruning works to Oak and Sycamore tree in side garden adjacent, to rear garden of 23 Wensley Drive: Approved
095218/TPO/2011/S2Works to Oak tree: Approved.
084817/TPO/2007/S2CONSENT TO CARRY OUT WORKS TO TREES WITHIN 9 GORDON PLACE TREE PRESERVATION ORDER - Works to 1 oak tree: Approved.

Negotiations

A previous scheme was submitted and withdrawn due to the height, scale and massing of the garage and its relationship with the surrounding properties was considered to be visually intrusive and a revised scheme was submitted removing the first floor of the building and a reduced footprint. Two objections were received in relation to the previous scheme.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted in relation to the revised scheme and since the proposal was modified no objections have been received in response to the re consultation of the reduced size proposal.

Issues

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 8 - Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

- i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.

ii. Chapter 12. Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

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

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The impact; on the surrounding areas; in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:

- a. The general character of the property;
- b. The effect upon the amenity of the neighbouring occupiers;
- c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
- d. The overall appearance of the proposal in the a street scene;
- e. The effect of the loss of any on-site car parking.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:

- a. They are not excessively large or bulky (for example resulting in structures which are not subservient to original houses or project out too far in front of original buildings);

- b. They do not create undue loss of sunlight, daylight or privacy;
- c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.
- d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.

The Guide aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABI as being those urban design characteristics which create successful places. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Paragraph 2.7 states that development should help to sustain local neighbourhoods, encouraging the most appropriate form of development to enliven neighbourhoods and sustain local facilities.

Paragraph 2.14 goes on to say that it is important that new developments are of an appropriate height having regard to location, character of the area and specific site circumstances and local effects, such as microclimatic ones.

Paragraph 2.16 considers the impact of site boundaries, which can be significant and must be taken into account and incorporated into the design of new developments and conversions from an early stage. Original examples that contribute to the character of the area should be retained. Well designed new treatments such as walls, low walls and railings or hedges and boundary trees, can maintain the enclosure of the street, reinforce the building line and contribute to the quality of the environment.

ISSUES

Principle of Development

The submitted development application is for the erection of a single storey building to form a detached garage. This is considered acceptable in principle as many people prefer to provide additional garage/storage space than move, to meet the changing residential needs of families. However, consideration must be given to the proposal's appearance, impact on the visual amenity of the area and impact on the neighbouring properties' residential amenity. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

Residential/Visual Amenity

The proposal would be sited to the northeast of the site, sitting along the boundary against Wensley Drive to the east. The proposal would not be sited next to any immediate residential properties, thus not giving rise to any adverse residential amenity implications. The garage would be sited behind the applicant's timber fence, so would not create an overbearing feature for the occupants of the closest residential properties. The closest residential properties to the development are no 21 Wensley Drive and 10 Gordon Place. The application site is bound by timber boundary fencing and due to the development's height, scale and massing and proximity to the boundary it would not create any adverse residential/ visual implications for the occupiers of the surrounding properties.

The garage would have a typical garage door inserted in the front elevation and as such would not be of a design or form to create any adverse visual/residential amenity implications.

Due to the reasons stated above, there are no significant impacts associated in terms of residential or visual amenity.

Design and Appearance

All the materials for the proposal would match the host property, except the garage door. The materials are therefore considered appropriate as they would be sympathetic to the existing dwellinghouse and a materials condition to that effect would be attached to any consent granted. A brick wall would be erected between the garage and the dwelling house to increase privacy and security at the property. Therefore, the proposal is considered to be acceptable in terms of its visual impact from within the street scene as the materials are consistent with the brick found at the application site and the vernacular.

The proposal is considered appropriate in its form; is typical of other garages within the wider area and would not create an overbearing feature within the street scene. As such, the proposal is considered pursuant to Policy DC1 of the UDP.

As such, the design and appearance of the extension is considered acceptable.

Car parking

The side driveway would be retained and an additional space would be created within the garage. As such, car parking arrangements would increase at the site.

Trees

Within the curtilage of the development lies an Oak Tree which is subject to a tree preservation order (TPO). The tree will be unaffected and retained as part of the proposal. A Sycamore Tree would be removed as part of the proposal and a condition is attached to the consent ensuring a replacement tree would be provided. Therefore, the proposal is in accordance with policies SP1 and DM1 of the Core Strategy.

Conclusion

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

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. Issues have arisen during the consideration of this application and the officer negotiated with the applicant/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 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:

A2205-2105 Rev E, 2205-2001, stamped as received on the 21 November 2022 and the Tree Survey by MP Trees, stamped as received on the 29 November 2022.

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

A2205-2105 Rev E, 2205-2001, stamped as received on the 21 November 2022

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.

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 windows or doors shall be inserted into the elevations of the development hereby approved other than those shown on the approved drawings.

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

5) The permission hereby granted includes the retention of the TPO Oak Tree (T1) and the replacement of a Sycamore Tree (T2), as shown on drawing number A2205-2105 Rev E, stamped as received on 21 November 2021. Details of a replacement tree including species, size and location of where it is to be planted on the site shall be submitted to and approved in writing by the City Council as local planning authority within 1 month of the removal of the tree. The approved scheme shall be implemented not later than 3 months of the hereby approved works being completed on site. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory tree replacement scheme for the development is carried out to that respects the character and visual amenities of the area, in accordance with policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

10 Gordon Place, Manchester, M20 3LD
23 Wensley Drive, Manchester, M20 3DD
21 Wensley Drive, Manchester, M20 3DD
Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 13, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 12, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 11, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 10, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 9, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 8, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 7, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 6, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 5, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 4, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 3, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 2, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
Flat 1, Oak House, 22 - 24 Oak Road, Manchester, M20 3DA
7 Gordon Place, Manchester, M20 3LD
20 Wensley Drive, Manchester, M20 3DD

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 (Middle) -
Area Team Boundary - Name: SOUTH AREA