

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132335/FO/2021

Date registered valid: 26 January 2022

Proposal: Erection of a single storey out building

Address: Land To The Rear Of 40 Woodlands Street, Manchester, M8 9LL

Ward(s): Cheetham Ward

Applicant: Mr Shams Al Sharif 40 Woodlands Street, Cheetham, Manchester, M8 9LJ

Agent (if any): Mr Syed Uddin SHUAS 58 Southwood Drive, Accrington, BB5 2PZ

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

Recommendation: Approve

Date of recommendation: 23 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 31 January 2022 Expired: 21 February 2022

Neighbour notifications

Printed: 31 January 2022 Expired: 21 February 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

The application site has been previously used as garages and the immediate vicinity is currently used for car parking and lies between the back of the houses facing Woodlands Road and Woodlands Street. The site is bound on three sides by fencing and is accessed from the woodlands Street.

The proposal seeks consent for the erection of a double garage outbuilding at the head of an un adopted hardstanding. The garage comprises of a mono pitched roof with brick wall construction. Access into and out of the garage is gained from the elevation of the proposed garage facing the open area used for car parking.

The submitted drawings indicate the erection of single storey detached double garage to be utilised by the applicant and measures approximately 3 metres high x 15.5m width x 17.5m length.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and two representations were received.

One representation raised concerns that the address of the planning application was too descriptive. However, it is considered that the address of the proposal is an accurate description for the development.

The second representation received from a local resident raised concerns that the garages could potentially be used for other purposes such as residential use. A condition has been attached to the consent restricting the use as a garage storage facility only.

Concerns to whether the current access and car parking arrangement would be affected as a result of the proposal were raised. However, due to the nature of the development it is anticipated that the current access and parking arrangements would not be affected by the proposal.

The Highways Team

Raised no objection to the proposal after the applicant provided verification that necessary vehicle manoeuvres can be undertaken at the garages i.e. reversing in/out.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant Core Strategy policies for this application are as follows:

SP1 - Spatial Principles

DM1 - Development Management 1

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF) - The NPPF sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt.

Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors.

In particular NPPF states that in terms of design:

126. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

And,

130. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

134. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

135. Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

The Principle

Additional storage for residential premises is not an unusual request, in this case the applicant is seeking a detached single storey garage/store to rear yard area behind the houses.

Matters that will require consideration, in order to assess the acceptability of any proposal are siting and appearance.

Further consideration will be given as to whether the proposal has any impact on surrounding residential amenity in particular the effect upon the amenity of neighbouring occupiers.

Siting and Appearance

The single storey outbuilding would be located at the rear of 40 Woodlands Street but due to its positioning would not be visible from the highway. The proposed outbuilding would be situated where garages were positioned previously and is enclosed to 3 sides by timber fencing.

The proposed finish of the outbuilding is brick and a materials condition has been attached to the consent.

Proposed site layout.

To the south of the site is a access road that runs parallel with the gable of 40 Woodlands Street. As shown in the drawing the garage is access via a well-proportioned access road allowing adequate manoeuvring for motor vehicles. The proposal would not impede access to the rear of the properties that back- on to the site.

Therefore, the proposal in terms of siting, scale and massing accords with policies with SP1 and DM1 of the Core Strategy and saved policy DC1 of the UDP.

Residential Amenity

Concerns have been raised as to whether the proposal would become a residential unit, there is no indication either from the application forms or drawings to show that the garage/store would be used for this purpose. However, a condition has been attached to the consent relating to the use. It is anticipated that the activity taking place currently will not significantly change should the outbuilding be brought into use as the levels of activity and noise associated with comings and goings should not be dissimilar to the current levels of amenity. The proposal is relatively minor, it is not considered that the garage/store would cause any detrimental impact on residential amenity. The proposal is therefore considered to be in accordance with policies DM1 of the Core Strategy and DC1 of the UDP

Highways

The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

Given that the proposed development will not result in any increase in residential units, it is accepted that no highway concerns in terms of safety or capacity are considered likely to arise. The proposed garages will be accessed via an existing vehicular access off Woodlands Street that is situated between no. 40 and 44 Woodlands Street.

The garage will provide parking for 2 vehicles and due to the location would not impact on the adopted highway and It is understood this access is currently used by vehicles to park at the rear of the houses on Woodlands Road.

The space between the garages and the boundary wall of no. 18 Woodlands Road is limited. However, the applicant has provided verification that the necessary vehicle manoeuvres can be undertaken at the garages i.e. reversing in/out. This can be provided in the form of vehicle tracking. Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands.

Conclusion - The proposal is considered to be in accordance with SP1 and DM1 of the Core Strategy

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 issues arising from the consideration of this application.

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:

1836 proposed Layout, stamped as received on then 18 February 2022 and 1836 Existing and Proposed, stamped as received on the 26 January 2022, and showing Vehicle Manoeuvre Layout, stamped as received on the 16 March 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) Prior to any above ground works, samples and specifications of all materials to be used on all external elevations of the development shall be submitted for approval in writing by the City Council as local planning authority. The development shall be carried out in accordance with the approved details.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy

4) The detached garages as shown on approved drawing 1836 Existing and Proposed, stamped as received on the 26 January 2022, by the City Council as Local Planning Authority, shall only be used as ancillary storage space and/or garage facilities and shall not be used for any trade or business purpose.

Reason - To ensure the proposed use remains ancillary to the principle residential 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

Highway Services

18A Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 3, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 2, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 1, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 6, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 5, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 4, 20 Woodlands Road, Cheetham, Manchester, M8 9LJ
12 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 3, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ
56 Chiselhurst Street, Manchester, M8 9LP
51 Chiselhurst Street, Manchester, M8 9LP
44 Woodlands Street, Manchester, M8 9LL
38 Woodlands Street, Manchester, M8 9LL
18 Woodlands Road, Cheetham, Manchester, M8 9LJ
14 Woodlands Road, Cheetham, Manchester, M8 9LJ
20 Woodlands Road, Cheetham, Manchester, M8 9LJ
16 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 4, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 2, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ
Flat 1, 16 Woodlands Road, Cheetham, Manchester, M8 9LJ
40 Woodlands Street, Manchester, M8 9LL

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: NORTH1