

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132821/P3QPA/2022

Date registered valid: 31 January 2022

Proposal: Prior approval for the proposed change of use of an agricultural building to dwelling house (Use Class C3) and associated building operations

Address: 30 Sandacre Road, Manchester, M23 1AF

Ward(s): Baguley Ward

Applicant: Mr Ali, 30 Sandacre Road, Manchester, M23 1AF

Agent (if any): Mr Karim, 58 Rectory Lane, Manchester, M25 1BL

Case officer: Jennifer Connor
Tel: 0161 234 4545
Email: jennifer.connor@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 15 March 2022

Application details

Type of application: Prior approval - agricultural to dwelling

Development type: Notifications

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of development

Prior approval for the proposed change of use of an agricultural building to dwellinghouse (Use Class C3) and associated building operations

Consultations & Notification Responses

None

Issues

30 Sandacre Road and its ancillary garage are not an agricultural building, and is currently a C3 dwelling with ancillary garage, therefore the change of use of the garage to a dwellinghouse of the garage does not benefit from Change of Use of Agricultural Buildings to Dwellinghouses (Use Class C3), and for building operations reasonably necessary for the conversion under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q.

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: Refuse

Condition(s) to be attached to decision for approval

1) 30 Sandacre Road and its ancillary garage are not an agricultural building, and is currently a C3 dwelling with ancillary garage, therefore the change of use of the garage to a dwellinghouse of the garage does not benefit from Change of Use of Agricultural Buildings to Dwellinghouses (Use Class C3), and for building operations reasonably necessary for the conversion under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q.

Appendix 1 – List of consultees & neighbours notified

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