

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132968/FO/2022

Date registered valid: 17 February 2022

Proposal: Erection of a double garage, for use in connection with the bungalow approved under planning permission 125126/FO/2019

Address: Land At The Rear Of Melmar Court , 36 Heaton Road, Manchester, Manchester, M20 4PU

Ward(s): Withington Ward

Applicant: Mr Ian Hall obo Heaton Road Properties obo purchaser Howard Warren Melmar Court , 36 Heaton Road, Manchester, M20 4PU

Agent (if any): Mr Ian Rodger IGR Project Management Ltd 38 Crown Lane, Horwich, Bolton, BL6 7QL

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 April 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 1 April 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 21 February 2022 Expired: 14 March 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

This application relates to land within the curtilage of a detached bungalow nearing completion on land at the rear of Melmar Court, a modern four storey flat development on Heaton Road. The land was previously accommodated lock up garages although these had been demolished and the land unused when planning permission reference 125126/FO/2019 was granted in August 2020 for the erection of a single storey detached flat roof bungalow to be used as supported living/retirement accommodation (Use Class C3), together with associated parking and external amenity space. To ensure that the premises was occupied by the appropriate age group the consent was subject to a s106 agreement.

The bungalow under construction is single aspect facing south and is positioned along the north boundary of the site adjacent to the existing sub station.





Listed building: Not applicable

Conservation area: Not applicable

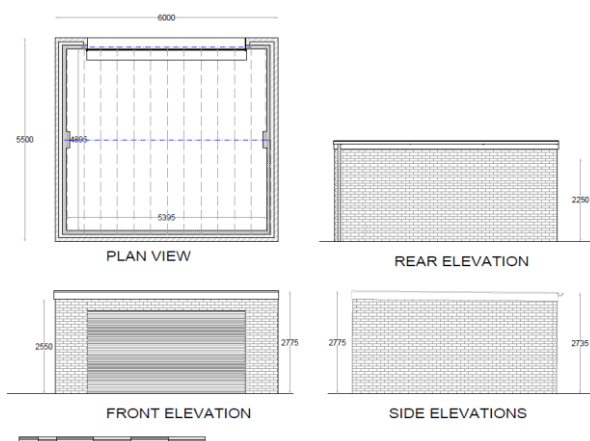
Tree Preservation Order: Not applicable

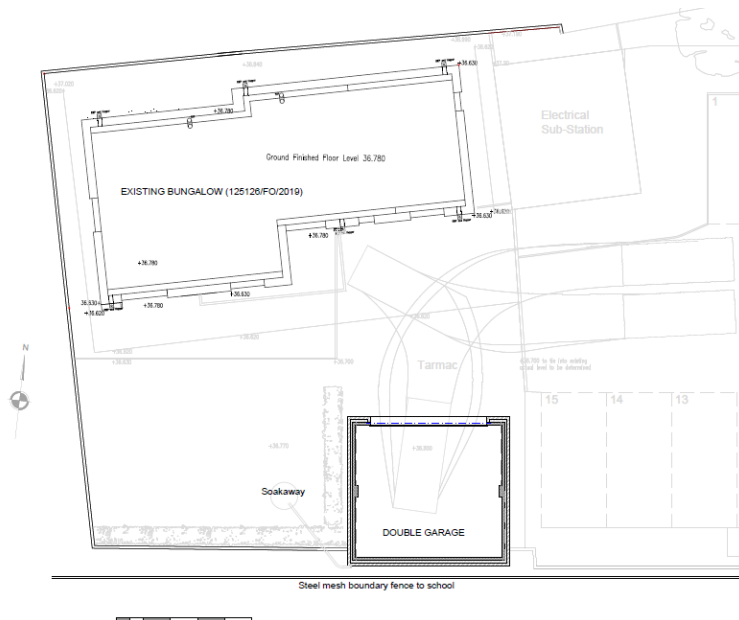
Description of area

This is a predominantly residential area, however the site is adjoined to the west and south by St Pauls C of E Primary School, to the north are the rear gardens of houses on Parsonage Road. To the east is the car park to Melmar Court and a large brick electricity sub Station.

Description of development

Consent is sought to erect a double garage facing the principal elevation of the bungalow, The building would be in the same style as the bungalow, with a width of 6 metres and a depth of 5.5 metres. The garage would be 2.775 metres high. The only opening in the building would be a double roller shutter door in the elevation facing the Bungalow. with its entrance facing the bungalow.





The access to the site for vehicles remains unchanged and a swept path drawing shows that vehicles can turn within the bungalows site.

Consultations & Notification Responses

Local residents

One letter has been received expressing concern that an existing cycle shelter will be lost to the development.

Policy

Core Strategy.

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

The principle of developing this site for residential purposes was established with the granting of consent for the rection of the bungalow, reference 125126/FO/2019. On that basis the principle of erecting an ancillary building is also considered to be acceptable.

Permitted Development.

The proposed garage faces the principle elevation of the bungalow and therefore as it sits in front of the principle elevation it is not permitted development. The height of the garage also takes it over the permitted allowances for ancillary buildings.

Siting

The proposed garage would be sited facing the bungalow on what would have been the parking spaces for the bungalow. It is located towards the front of the site in a similar vein to the

bungalow, whilst the access arrangements remain unchanged. Given the nature of the site the proposed layout is considered acceptable.

Design

The design and materials to be used reflect the bungalow on the site and are considered to be acceptable.

Scale

The proposed garage is capable of accommodating two vehicles, it is however, considered to be an appropriate scale when viewed against the bungalow.

Access

The access arrangements for the site remain unchanged. Vehicles can turn within the site although this would be more problematic if cars are left in the turning area rather than in the garage. On balance it is considered that the access arrangements remain satisfactory.

Loss of cycle store

This issue of the Cycle store was raised with the developer, whose responded that the cycle store was related prior to the development of the site and has been re-sited elsewhere on the wider site.

Impact on Amenity

The proposed garage will not generate any additional traffic on the site and in this respect is therefore considered acceptable.

The garage backs onto a school playground and adjoins the parking for Melmar Court as such there is no unacceptable overbearing impact nor is privacy affected.

Concern is expressed about the potential impact of additional comings and goings and general activity should the garage be converted to residential or used for business purposes and appropriate conditions are proposed addressing these issues.

Conclusion.

On balance it is considered that the proposed development is acceptable.

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:

MEL-GGE-1 received 17 February 2022

MEL-GGE-2 received 17 February 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 constructed using materials that match those used in the construction of the bungalow granted consent under permission reference 125126/FO/2019 in terms of size, colour and texture.

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 building hereby approved shall be used solely for the garaging of vehicles and storage purpose ancillary to the residential use of the associated bungalow approved under reference 125126/FO/2019.

Reason- To enable the Council to assess the impact of any additional living accommodation of the character and amenity of the area pursuant to Core Strategy policy DM1

5) No trade or business shall be carried on from the building hereby approved.

Reason - The use of the garage for commercial purposes would have an unacceptable impact on the amenity of adjacent residents contrary to the provisions of policy DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Flat 15, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 14, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 13, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
St Pauls CE Primary School, St Pauls Road, Manchester, M20 4PG
Flat 5, 38 Heaton Road, Manchester, M20 4PU
Flat 2, 38 Heaton Road, Manchester, M20 4PU
Flat 11, 38 Heaton Road, Manchester, M20 4PU
Flat 11, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 1, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
38 Heaton Road, Manchester, M20 4PU
Flat 9, 38 Heaton Road, Manchester, M20 4PU
Flat 8, 38 Heaton Road, Manchester, M20 4PU
Flat 7, 38 Heaton Road, Manchester, M20 4PU
Flat 6, 38 Heaton Road, Manchester, M20 4PU
Flat 4, 38 Heaton Road, Manchester, M20 4PU
Flat 3, 38 Heaton Road, Manchester, M20 4PU
Flat 1, 38 Heaton Road, Manchester, M20 4PU
Flat 12, 38 Heaton Road, Manchester, M20 4PU
Flat 10, 38 Heaton Road, Manchester, M20 4PU
Flat 9, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 8, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 7, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 6, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 5, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 4, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 3, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 2, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 12, Melmar Court, 36 Heaton Road, Manchester, M20 4PU
Flat 10, Melmar Court, 36 Heaton Road, Manchester, M20 4PU

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