

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130815/FO/2021

Date registered valid: 22 June 2021

Proposal: Erection of single storey garage/store to rear yard

Address: Rear Ground Floor Retail/Commercial Unit , 1 Queensway,
Manchester, M19 1QP

Ward(s): Didsbury East Ward

Applicant: Mr Adam Rzadkiewicz 18 Didsbury Park, Manchester, M20 5LJ

Agent (if any): Mr Gordon Kenyon Kenyon Planning First Floor , 1 Queensway,
Didsbury, Manchester, M19 1QP

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 August 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 9 July 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 29 June 2021 Expired: 20 July 2021

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

The application site relates to the rear yard of a ground floor retail/commercial unit (class E) located on the corner of Queensway and Kingsway in Burnage. The site forms part of a parade of 3 shops.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is located next to a busy highway that provides vehicular access in and out of the City Centre and the motorway network. Surrounding the highway is a mixture of residential and commercial located at the crossroads.

Description of development

The applicant is seeking planning permission to erect a single storey garage/store to rear yard.

Consultations & Notification Responses

Local residents/public opinion – One representation was received objecting to the application, the concerns raised as follows:

- Object if the intention is to use the extension as a restaurant or take away. It would have a detrimental impact on their neighbouring property in terms of security and would decrease the value of the property.
- The drawings should show the path between the proposed extension and No.663 Kingsway. The path is used by No.3 Queensway to allow access for refuse.
- The orientation of the door and window will be on the border of the path which the resident claims is illegal.
- The position of the door and on the path would result in security problems for No.663 Kingsway;
- Would like the drawing to show that the path will be maintained as 4.5 feet.

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 commercial premises are not an unusual request, in this case the applicant is seeking a detached single storey garage/store to rear yard.

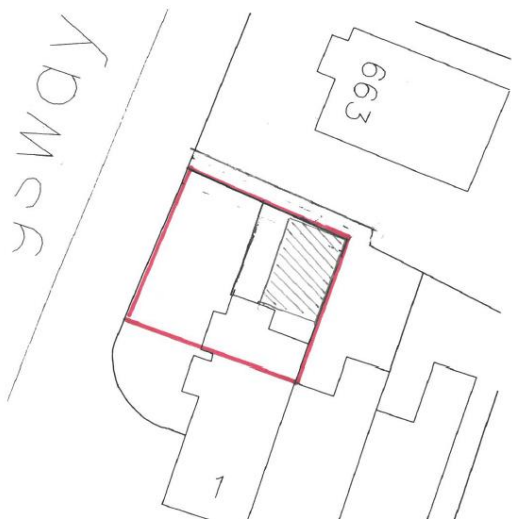
Matters that will require consideration, in order to assess the acceptability of any proposal are siting and appearance.

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 store would be located at the rear of 1 Queensway but due to the close proximity with the junction of Kingsway the proposal would be visible from this highway too. The rear yard has a concrete hardstanding surface and enclosed by timber fencing and gate.

The proposed finish of the garage/store is pebble dashed sectional concrete, complimented by a steel tile effect roof and a mixture of either timber window/upvc windows and metal and timber doors. The proposal would have a maximum height of 2496mm reducing to 2083mm, a length of 4953mm and a width of 3200mm

The store would be placed at the rear of the unit and would still allow space for refuse storage to be kept within the rear yard (figure 1).



Photograph 1 Application site as viewed from Kingsway looking to the north east at No.663 Kingsway

Figure 1 Proposed site layout.

To the north of the site is a small passageway that lead to the rear of No.3 Queensway and provides access from Kingsway. As shown in the drawing the garage/store is contained within the site, the proposal would not impede access to and from Kingsway for No.3 Queensway.

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 hotfood takeaway, there is no indication either from the application forms or drawings to show that the garage/store would be used as a takeaway. The existing unit although appeared to be closed is a barbers shop Class E, a condition is recommended that the store is only used as storage in connection with the ground floor class E business. This will help to ensure that it does not become a standalone unit or used for a use class outside of Class E.

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

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/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within policies SP1 and DM1 of the Core Strategy.

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:

Proposed Site Plan and Proposed Elevations stamped as received by the City Council as Local Planning Authority, on the 22nd June 2021

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 outbuilding as shown on drawings Proposed Site Plan and Proposed Elevations stamped as received by the City Council as Local Planning Authority, on the 22nd June 2021; shall only be used for storage purposes in connection with the ground floor retail/commercial unit (Class E) known as 1 Queensway, Manchester, M19 1QP

Reason: To ensure the proposed use remains ancillary to the principle 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

Hairdressing Salon Rear Of 1, Queensway, Manchester, M19 1QP
663 Kingsway, Manchester, M19 1SY
3 Queensway, Manchester, M19 1QP
500 Kingsway, Manchester, M19 1JU
179A School Lane, Manchester, M19 1GN
5 Queensway, Manchester, M19 1QP
1 Queensway, Manchester, M19 1QP
498 Kingsway, Manchester, M19 1JU
179 School Lane, Manchester, M19 1GN

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) -
Area Team Boundary - Name: SOUTH