

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 129763/FO/2021  
**Date registered valid:** 26 March 2021  
**Proposal:** Erection of detached triple garage to rear of property  
**Address:** 7 Athol Road, Manchester, M16 8QW  
**Ward(s):** Whalley Range Ward

**Applicant:** Mr & Mrs Armstrong, 58 Beech Road, M21 9EG  
**Agent (if any):** Mr Matthew Myers, LHGProjects, 20 Glen Park Road, CH45 5JG  
**Case officer:** Robert Griffin  
Tel: 0161 234 4527  
Email: robert.griffin@manchester.gov.uk

**Recommendation:** Approve  
**Date of recommendation:** 19.5.2021

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Dwellings

**Date of site visit:** 10.05.2021

### **Standard consultations:**

No consultations have been printed and sent.

### **Neighbour notifications**

Printed: 31 March 2021      Expired: 21 April 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**

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

## **Description of area**

The area is predominantly a residential area with a range of substantial 2 and part 3 storey residential properties, many of which have been historically converted to flats. The application property shares a rear boundary with Whalley Range High School with a car parking area beyond the rear boundary.

The application property is a two storey red brick semi-detached property containing 5 number flats and has a hard surfaced front yard, driveway to the side of the property and hardstanding in the rear yard. The property has a large rear yard measuring 23m from the rear wall of the property to the rear boundary with a width of 11m approx..

## **Description of development**

The proposals are for the erection of a triple garage within the rear yard to provide storage for the flats within the property. The garage is to be constructed of brick and red rosemary tiles to match the existing property and would be sited in the rear portion of the rear yard and the rear boundary with the High School.

The garage would be a maximum 5.4 metres in height at ridge and 2.2 metres to eaves, the garage would have a depth of 6.6m and 9.2m in width.

## **Consultations & Notification Responses**

Neighbouring properties were notified of the proposals and two responses were received the comments made are as follows:

This side of Athol Road (odd numbers) has a high percentage of houses converted into studio/1/2bedrooms, the majority of my neighbours are young professionals, however I do know that there is a family that live in #7 and they do utilise the garden to the rear of the property all year round, they hang their washing out there, the 2 children play there, they have bbq there in summer and the father does wood work there.

On the planning application they marked the area for the proposed 3 car garage as an overgrown garden, this is untrue, over 3/4 of the rear area of #7 is tarmac for cars and the end 1/4 is not overgrown garden its well kept grass/moss.

Going from 1-9 Athol Road garden space is at a premium.

#1- all garden

#3-fully tarmac

#5-50% concrete for bin storage 50% garden

#7-75% tarmac 25% garden

#9-all garden

#11- all tarmac

A 3 car garage with a pitched roof is not in keeping with the area and would negatively impact the multiple households on this side of Athol Road, apart from local parks these small outdoor areas are dwindling, they improve quality of life for residents and should be protected.

Whilst I have no objection to the structure in principal, I am keen to learn as to when the building works are likely to commence & their duration.

Also, I would like to receive confirmation as to what time in the morning the works would start, along with anticipated finish times & any weekend working that may be required.

I would appreciate your clarification that the garages will indeed be used for their intended purpose by Sherlock Homes Properties & not as a general storage facility / workshop, as is the case currently in the basement of number 7 Athol Road.

I work from home full time & regularly undertake both internal & external Teams & Skype calls throughout the day, so I am mindful of any excessive noise that may occur whilst the works take place & would be grateful for confirmation that all noise throughout the duration of the works will be kept to an absolute minimum.

## **Policy**

Relevant policy to this application is contained in the NPPF (2019) and Core Strategy policies DM1 and SP1.

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.

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 a well-designed and safe built environment, 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 contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Core Strategy policy DM1 indicates all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

Core Strategy policy SP1 states that the key spatial principles which will guide the strategic development of Manchester to 2027 include: the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.

Development in all parts of the City should make a positive contribution to neighbourhoods of choice including: 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 or income; protect and enhance the built and natural environment.

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.

### Unitary Development Plan

Policy DC1 of the Unitary Development Plan seeks to accommodate the demand for more living space, while at the same time ensuring that the amenities of neighbours are protected, and that the overall character of the surrounding area is not harmed. It relates specifically to residential extensions and the relevant criteria from this policy include:

DC1.1 The Council will have regard to:

- a. The general character of the property
- b. The effect upon the amenity of neighbouring occupiers
- c. The overall appearance of the proposal in the street scene;
- d. The effect of the loss of any on-site car-parking

Policy DC1.2 states extensions will be allowed subject to:

- 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 the original buildings)
- b. They do not create a loss of sunlight/daylight or privacy
- c. They are not out of character with the style of development in the area
- d. They would not result in the loss of off-street parking

### Issues

The principle for the erection of outbuildings/garages ancillary to a dwellinghouse is generally considered acceptable subject to the consideration of the impacts of proposals on residential amenity and the character of the area. In this instance the proposals is to provide additional storage space for the existing flats within the property as explained by the applicants agent.

Residential Amenity - The application site benefits from a large rear garden which is 23 metres in length from the rear wall of the property. Neighbouring properties to the north and south have similar sized rear gardens. Properties further to the south on Athol Road contain a number of large outbuildings and garages within rear gardens. The rear boundary of the property leads onto a car parking area for the Whalley Range High School, as such the proposals are considered to be acceptable and not give rise to unacceptable impacts on the school.

Whilst the proposed garage would have a maximum ridge height of 5.4 metres this is centrally located by virtue of the dual pitch roof .Given the siting of the garage in relation to neighbouring gardens of a similar size it is not considered that the proposed outbuilding would have unacceptable impacts on residential amenity in terms of outlook, overshadowing or loss of daylight.

Comments have been raised in relation to the potential use of the garage. The applications agent has confirmed that the intended use of the garages is for the occupiers of the flats at 7 Athol Road. It is therefore considered reasonable in this instance to attach a condition to any approval to ensure that the garage is used incidental to the flats within the property and not for any trade or business.

Visual Amenity - The proposed garage would be set back approximately 35 metres from Athol Road. Views of it would be via the gap between number 7 and 9 Athol Road. The garage is to be constructed of brick and a condition relating to the use of a brick similar in type, texture and size to the main dwellinghouse is proposed to be attached to any approval. It is therefore considered that the outbuilding would not give rise to unacceptable impacts on the visual amenity of the area.

Loss of amenity area – Comments have been received regarding the potential loss of amenity space to the occupiers of the flats as a result of the proposal. Revised drawings were provided to show an amenity area within the rear yard. Given this area is currently hardstanding further details of the treatment of this space are required and an appropriately worded condition has been attached to any approval.

Car Parking – The property is in multiple occupation in the form of flats. The property provides for areas of hardstanding available for car parking and the garages are sized to accommodate motor vehicles. As such it is considered that there would be retained space for car parking off street that would be adequate.

### **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**

The application has been determined in a positive and proactive manner in this instance appropriately worded conditions are proposed and a decision has been issued within statutory timescales.

### **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:

897.001 'Proposed garage plans and elevations' as received by the City Council as local planning authority on the 17th March 2021

897.000 Rev A 'Location and Block Plan' as received by the City Council as Local Planning Authority on the 4th May 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 materials to be used on the external surfaces of the detached garage hereby permitted shall be arranged and match those of the existing dwellinghouse in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1.1, DC1.2 and DC1.4 of the Unitary Development Plan for the City of Manchester and policy DM1 of the Manchester Core Strategy.

4) The detached garages as shown on approved drawings 897.000 Rev A as received by the City Council as Local Planning Authority on the 4th May 2021, shall only be used as ancillary storage space and/or garage facilities in connection with the occupiers of the dwellings at 7 Atholl Road, Manchester, M16 8QW and shall not be used for any trade or business purposes.

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.

5) Prior to the first use of the garages hereby approved full details of the landscaping scheme including a timescale for its implementation, for the formation of the amenity area as identified on drawing 897.000 Rev A 'Location and Block Plan' as received on the 4th May 2021 shall be submitted and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed scheme.

Reason - To ensure an adequate provision of usable outdoor amenity space for occupiers of the application property pursuant to policy DM1 of the Core Strategy.

## **Appendix 1 – List of consultees & neighbours notified**

12 Athol Road, Manchester, M16 8QN

Vida Range Stadium, Whalley Range High School, Wilbraham Road, Manchester, M16 8GW

Flat 3, 9 Athol Road, Manchester, M16 8QW

Flat 5, 7 Athol Road, Manchester, M16 8QW

Flat 2, 7 Athol Road, Manchester, M16 8QW

Flat 5, 3 Athol Road, Manchester, M16 8QW

Flat 2, 3 Athol Road, Manchester, M16 8QW

Flat 3, 5 Athol Road, Manchester, M16 8QW

Flat 5, 9 Athol Road, Manchester, M16 8QW

Flat 4, 9 Athol Road, Manchester, M16 8QW

Flat 2, 9 Athol Road, Manchester, M16 8QW

Flat 1, 9 Athol Road, Manchester, M16 8QW

Flat 4, 7 Athol Road, Manchester, M16 8QW

Flat 3, 7 Athol Road, Manchester, M16 8QW

Flat 1, 7 Athol Road, Manchester, M16 8QW

Flat 5, 5 Athol Road, Manchester, M16 8QW

Flat 4, 3 Athol Road, Manchester, M16 8QW

Flat 3, 3 Athol Road, Manchester, M16 8QW

Flat 1, 3 Athol Road, Manchester, M16 8QW

Flat 4, 5 Athol Road, Manchester, M16 8QW

10 Athol Road, Manchester, M16 8QN

Flat 2, 5 Athol Road, Manchester, M16 8QW

Flat 1, 5 Athol Road, Manchester, M16 8QW

## **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

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: SOUTH