MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128155/FH/2020
Date registered valid:	26 October 2020
Proposal:	Retrospective application for the change of use of integral garage to living accommodation including the replacement of exisiting garage door to a window
Address:	37 Lower Vickers Street, Manchester, M40 7LX
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Mr Matthew McClurg 37 Lower Vickers Street, Manchester, M40 7LX
Agent (if any):	
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	3 December 2020

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:
Printed: 27 October 2020 Expired: 17 November 2020

Neighbour notifications
Printed: 27 October 2020 Expired: 17 November 2020

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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

The application site relates to a 3 storey dwellinghouse situated in a short row of three properties. The property sits within a row of similar properties fronting Lower Vickers Street. The property benefits from garden area to the front and rear, low level boundary screening along part of the frontage. The original property had an integral garage however it is noted that the application is retrospective and this has been changed for a grey UPCV window. The property lies within a predominantly residential area of Miles Platting in the North of Manchester. The area has undergone a major re-development.

Description of Development
The submitted application is for the change of use of integral garage to living accommodation.

Planning History
112305/FO/2016/N1 - Erection of 73 x two and three storey dwellinghouses (Class C3) together with associated access roads, parking, landscaping and boundary treatment APPROVED 25/10/16
079633/OO/2006/N1 - OUTLINE APPLICATION for the re-development of the Miles Platting neighbourhood area, comprising the erection of a maximum of 1443 no. residential dwellings comprising a maximum of 875 no. houses and 568 no. apartments and means of access. Demolition of 278 residential properties and 28 areas of commercial properties/community facilities. Refurbishment works to 1757 retained houses and apartments. Erection of a maximum of 6935 sq. metres (gross) commercial and community facilities (Classes A1,A2,A3,A4,A5,D1 and D2) on Oldham Road/Varley Street. Erection of a maximum 600 sq.

metres (gross) inter-denominational community facility floorspace adjacent to Rochdale Canal (Class D1). Provision of a maximum area of 0.74 hectares for education-related Class D1 use to south-east of St. Marks School. Provision of 2.64 hectares public open space including canal-side walkway and informal amenity areas. Provision of new and refurbished highway network and associated parking APPROVED 5/9/06
122806/FH/2019 43 Lower Vickers Street, Manchester, M40 7LX Change of use of integral garage to living accommodation REFUSED 07 May 2019 - Appeal ALLOWED 16 September 2019

Consultations & Notification Responses

Local residents were notified however no responses were received

Highways - Whilst the loss of the garage will result in a reduction in off-street parking, Highways accept resident's vehicles can be accommodated on the driveway to the front of the property. As such, Highways have no objections to the scheme in principle.

Policy

Unitary Development Plan Saved Policies
DC1.1 states that in determining planning applications for extensions to residential properties, the Council will have regard to:
a. The general character of the property;
b. The effect upon the amenity of the neighbouring occupiers;
c. The desirability of enabling people to adapt their houses in appropriate ways to meet changing household needs;
d. The overall appearance of the proposal in the a street scene;
e. The effect of the loss of any on-site car parking.

National Planning Policy Framework (2019)
Chapter 2. Achieving sustainable development
7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs4.
8. 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):
o 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;
o 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
o 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.
For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed6; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
Chapter 9. Promoting sustainable transport
102. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:
a) the potential impacts of development on transport networks can be addressed;
b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised - for example in relation to the scale, location or density of development that can be accommodated;
c) opportunities to promote walking, cycling and public transport use are identified and pursued;
d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Chapter 12. Achieving well-designed places
124. 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.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)
Policy SP1 identifies the City Council's Core Development Principles and states that 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

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM 1 states that 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 and 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.
- Flood risk and drainage.

Policy T2 (Accessible areas of opportunity and need) states:
The Council will actively manage the pattern of development to ensure that new development: -
Is located to ensure good access to the City's main economic drivers, including the Regional Centre, the Oxford Road Universities and Hospitals and the Airport and to ensure good national and international connections is easily accessible by walking, cycling and public transport; connecting residents to jobs, centres, health, leisure, open space and educational opportunities. Particular priority will be given to providing all residents access to strategic employment sites including:-

Links between North Manchester residents and key employment locations, including the City Centre, Central Park, Salford Quays and Chadderton Industrial Estate and Trafford Park.
Links within East Manchester to employment locations, Central Park and Eastlands in particular.
Ensuring good links between Wythenshawe residents and the Airport and further employment opportunities in Stockport, Trafford and the Regional Centre.
Within the City Centre, provides a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Elsewhere, all new development should provide appropriate car parking facilities, taking account of the guidance in appendix B, which reflects policy in the Regional Strategy (RS). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B.

Issues

Principle of Development

The submitted application is a retrospective application for the change of use of integral garage to living accommodation.

The application site relates to a new 3 storey dwellinghouse situated in a short row of three properties. The property sits within a row of similar properties fronting Lower Vickers Street, which forms part of the new Lovells development within the Miles Platting area, which is undergoing a major re-development. The property benefits from garden area to the front and rear, integral garage and low level boundary screening along part of the frontage.
It is noted that permitted development rights shave been removed under condition 23 of planning application 112305/FO/2016/N1. These were removed in order to ensure the parking situation in the area was not exacerbated with the issue of the removal of the parking space and decanting the vehicles on street, or covering the whole of the front gardens with vehicles within the new development.

A similar application for the Change of use of integral garage to living accommodation was refused referenced 122806/FH/2019 at a nearby property 43 Lower Vickers Street, Manchester, M40 7LX on 07 May 2019. An appeal was subsequently lodged and this was allowed 16 September 2019.

The inspector in their decision recognises that the proposal would reduces vehicle parking capacity to one space at the property and notes in paragraph 7 'while I observed only one vehicle parked along the entire length of Lower Vickers Street at the time of my visit and have taken into account photographs from the appellant which show a similar situation, it seems to me that that given the number of bedrooms in the property and lack of parking space for visitors, there is likely to be a need for some vehicles to park on the highway particularly in the evenings and at weekends'

The inspector however states in paragraph 9 that 'there is available kerbside parking opposite as there are no dwellings on the canal side of Lower Vickers Street. Furthermore, this stretch of the road does not have any sharp bends and there are no parking restrictions. Thus, there are ample opportunities to park within the immediate area'.

The inspector also states 'Moreover, there is no evidence before me to demonstrate that parked vehicles would cause congestion on the highway'

Whilst, the application will result in the loss of the integral garage space which is for the use of vehicle parking whilst, the development deprives the occupants of the property the use of the garage for parking of a vehicle however there is off street parking for a total of 1 vehicle. This is not an ideal situation, given all material considerations and the inspectors appeal decision at the nearby property, it is considered on balance that the conversion would not lead to any detrimental impacts on the amenity of surrounding residents as a result of contributing to onstreet parking congestion in the local area, in accordance with policies DM1 and T2 of Manchester's Core Strategy.

Highways

Highways Whilst the loss of the garage will result in a reduction in off-street parking, Highways accept resident's vehicles can be accomodated on the driveway to the front of the property. As such, Highways have no objections to the scheme in principle.

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 polices 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 and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-5 page Drawing pack: Location Plan, Existing and Proposed Elevations, Existing and Proposed Floor Plans and Photographs stamped and received by the City Council as Local Planning Authority on 26 October 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

6 Dodworth Close, Manchester, M40 7XG
35 Lower Vickers Street, Manchester, M40 7LX
39 Lower Vickers Street, Manchester, M40 7LX

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH1