MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	142425/FH/2025
Date registered valid:	14 March 2025
Proposal:	Conversion of existing garage to accommodation
Address:	46 Chervil Close, Manchester, M14 7DP
Ward(s):	Fallowfield Ward
Applicant:	Dr M Li
Agent (if any):	Mrs A Guthrie studio1618A
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**7th May 2025**



Application details
Type of application: Full Householder Application
Development type: Householder
Standard consultations:
Printed: 8 April 2025 Expired: 1 May 2025
Neighbour notifications
Printed: 8 April 2025 Expired: 1 May 2025
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 site/building relates to a two storey semi detached dwelling house in the Fallowfield ward area of Manchester.



Listed building: Not applicable
Conservation area: Not applicable
Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential in nature.

Description of development

The applicant is seeking planning permission for the conversion of existing garage to accommodation.

Consultations & Notification Responses

Local residents - as per Appendix 1 - Occupiers of properties surrounding the application site were notified of the proposal. No comments or representations have been received as a result of this proposal.

Rusholme, Fallowfield & Moss Side Civic Society - No comments have been received as a result of this proposal.

Highways Services - The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway. No boundary treatments are noted in the application. The proposed development removes space within the garage to park a vehicle. It appears that there is an existing on plot driveway associated with the property. Limited dimensional detail is afforded by the plans so it is unclear if this will be retained - this should be confirmed. It should also be noted that driveway parking spaces should be minimum 3m wide and 6m length to ensure that vehicles do not encroach onto the footway. Should no on-site parking be available then vehicles associated with the property will add to existing on-street demand.

MCC Highways have concerns that the conversion of this garage space to living accommodation and the loss of a parking space may result in an increase in on-street car parking demand, which could negatively impact local highway capacity and safety. Pedestrian access will remain as existing, which is acceptable to Highways. Given the minimal scale of construction works involved, the level of construction vehicles are unlikely to generate any significant on-street parking demands

Policy and Issues

The following policies are considered relevant in the consideration of this application.

o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
o Policy DC1 for Residential Extensions is still considered of relevance, in particular policy DC1.5 - The Council will consider on their merits exemptions to the above policies in the case of applications from disabled people who may require particular adaptations to their homes.
o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
o Policy DM 1 - Development Management
o Policy SP1 - Spatial Principles
o Policy EN1 - Design Principles
o Policy EN 19 - Waste Management
o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Places for Everyone Plan (2022 - 2039)

We have assessed the proposal against the following policies of the Places for Everyone Plan.
JP-S1: Sustainable Development
JP-P1 Sustainable Places
This policy outlines how we aim to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy, and varied places.

We consider this proposal to accord with the principles of this policy.

Principle

The principle of allowing residents to extend their homes to provide enlarged or improved accommodation is generally acceptable provided that there is no overriding, undue impact upon either the character of the property or upon the residential and visual amenity of nearby residential occupiers.

In this instance the principle of the proposal is considered acceptable and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed extension is deemed to accord with saved policy DC1 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy.

The previous refusal for conversion of the garage was determined during a different plan period. The Core Strategy identies that 1 space needs to be provided per dwelling. There would be one on driveway space retained. The window design is now in keeping, previously a differing design was proposed.

History relating to 46 Chervil Close

071048/JO/2004/S1 - Recv: 22.04.2004 - Application **Refused - 17.06.2004**
46 Chervil Close, Fallowfield - Variation of Condition No. 8 attached to planning permission 052170 to change existing garage into living accommodation

052170/OO/CENTL1/97 - Recv: 29.05.1997 - Application **Approved - 23.10.1997**
Xaverian College playing field, between Cedar Court and number, 53 Wilbraham Road, Fallowfield., Residential development

050019/OO/CENTL1/96 - Recv: 04.06.1996 - **Application Withdrawn - 06.11.1996**
Playing Fields between Cedar, Court and 53, Wilbraham Road, and between Wilbraham Road and, Fallowfield Brook, Fallowfield, Outline application for residential development

054559/MO/CENTL1/98 - Recv: 10.06.1998 - **Application Approved - 12.10.1998**
Land between Cedar Court and, 53, Wilbraham Road,, Fallowfield, RESERVED MATTERS APPLICATION Residential development comprising 55 houses and 24 apartments approved in outline under ref. 052170

Residential Amenity

The applicant is seeking planning permission for the conversion of existing garage to living accommodation. The characteristics of the properties along this street frontage have integral garages which form part of the design as originally built circa 1999. Some of the properties within this modern built estate have undergone conversion of the garages into living accommodation. As part of the original development of the houses within this estate, each of the houses were constructed with integral garages and parking provision for an additional vehicle on the private driveway. As permitted development rights were removed for conversions, planning permission is required.

The applicant proposes to convert the garage into living accommodation. The existing garage door will be replaced with window occupying a smaller space and therefore there will be infill wall on both sides of the proposed window. It is considered, that given that the applicant would retain the space at the front of the garage for off road car parking, this is considered to be an acceptable change. It is not anticipated that the proposal would give rise to undue harm caused by the introduction of living accommodation to the front including overlooking or loss or privacy. A window in this location would no more provide any further additional harm than an existing windows on the front elevation.

On balance, the conversion is considered comparable in terms of visual appearance and its position to others found in the immediate area, therefore it is felt that the proposal can be

acceptably accommodated at the application property and is considered that the proposal would not interfere with the existing characteristics of the area.

Siting, scale and massing

The size and footprint of the proposal is not believed to provide an overbearing impact upon the residential amenities of surrounding properties. The appearance is acceptable and its impact upon visual amenity is considered negligible.

It is therefore considered that the scale and mass of the proposed extensions are satisfactory and are considered to accord with the principles for residential extensions set out in saved UDP policy DC1, DM1 and EN1 of the Core Strategy.

Design

The design of the proposal is in keeping with the existing and surrounding properties in the area and in terms of the materials, these are set to match the existing as specified in the application form. The design is detailed as what is normally expected of such a structure and would not adversely impact upon residential amenity or the character of the area.

On balance it is considered that the design and appearance of the proposed development accords with Core Strategy Policies DM1 and EN1 and in general the design is considered acceptable.

Refuse

The storage of refuse bins are not affected by the proposal, as there would be continued access along the side to the rear for the storage of bins which accords with policy EN19 of the Core Strategy.

Parking

Highways raised concerns to the limited dimensional details of the plans so it was unclear if off road car parking would be retained. A site visit by the officer confirmed adequate space retained and compliance to the minimum space requirements of the driveway. Therefore, the proposal is considered adequate for a family dwellinghouse.

Conclusion

The proposal is considered to be acceptable in this location in terms of design, scale and massing, allowing the occupiers to adapt their home to meet their needs, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties, and there are no material considerations of sufficient weight to indicate otherwise.

It is considered that the proposal would not give rise to any undue loss of amenity, loss of light or loss of privacy to neighbouring occupiers, therefore, the proposal is considered to accord with saved UDP policy DC1, policies SP1 and DM1 of the Core Strategy.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty

involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Positive and proactive working - Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during 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:

Stamped received on 14th March 2025 numbered PL02 Proposed Plans, Section and Elevation

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 hereby permitted shall match those as specified on the application form in type, size, colour and texture.

Reason - To ensure the appearance of the building to be converted is not adversely affected by the materials to be used in the construction of the structure, pursuant to policy DM1 of the Manchester Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services
Rusholme, Fallowfield & Moss Side Civic Society

44 Chervil Close, Manchester, M14 7DP
21 Chervil Close, Manchester, M14 7DP
50 Chervil Close, Manchester, M14 7DP
19 Chervil Close, Manchester, M14 7DP
48 Chervil Close, Manchester, M14 7DP

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Area Team Boundary - Name: SOUTH AREA