Planning

Growth & Development

Delegated officer report for planning application

Application no.	141624/FO/2024
Date registered valid:	23 December 2024
Proposal:	Erection of 3 storey, detached dwellinghouse (Class C3) with associated parking, amenity space and relocated vehicular access
Address:	61 Clarence Road, Manchester, M13 0YF
Ward(s):	Rusholme Ward
Applicant:	Mr Uzair Khan
Agent (if any):	Mr Dean Baker Vision Architecture & Design
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	REFUSE
Date of recommendation:	18 March 2025

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:
Printed: 8 January 2025 Expired: 29 January 2025

Neighbour notifications
Printed: 8 January 2025 Expired: 29 January 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

This application relates to the site of a long established vehicle repair garage/MOT station, in a mostly residential area. The garage is authorised by an established use certificate granted in 1983 (018953) and by the following planning permission:

064919/FO/NORTH2/02 - Demolition of existing buildings and erection of replacement single storey vehicle repair garage - Approved 22-8-2002.

The site sits between rows of residential properties on Clarence Road, and in particular between nos. 59 and 75 Clarence Road. It then extends to the rear of residential properties (1-7 Alwyn Drive) and towards the rear of residential properties on Birch Lane. The site is fairly rectangular in shape, with the garage building located to the rear of the site, approximately 38 metres from the Clarence Road frontage of the site. The area between the garage and Clarence Road is used for purposes ancillary to the garage, including storage, vehicle parking and a vehicular route to the garage building. There is a single storey steel cabin at the clarence Street end of the site (adjacent to no.75), and there is 2 metre frontage boundary treatment/gates, which is of a low quality.

The surrounding area is mostly residential in nature, with some religious and educational establishments, and properties along Clarence Road have a clear building line.

It is proposed that the existing garage would remain with a new timber fence and double gate erected, which would split the site into two halves, which would be approximately equal in size.

On the front part of the site (i.e. adjacent to Clarence Road), it is proposed to erect a new detached two-storey house, with a third floor of accommodation in the roofspace. The house would respect the established building line, on Clarence Road, and would be positioned to the south of the site, adjacent to no. 75 Clarence Road, with front and rear garden areas. The land to the north of the site, adjacent to no.59 Clarence Road, would be used as a vehicular access route, to 2 parking spaces, at the rear of the house/rear garden area, and which would also provide vehicular and pedestrian access to the existing garage.

The property would have a dual pitched roof and would largely be constructed in brickwork that matches its surroundings, with some contrasting brickwork.

Consultations & Notification Responses

Local residents - No formal comments received. One telephone objection received, but not followed up with an objection in writing.

Highway Services - Makes the following comments:

EXISTING / PROPOSED MOT OPERATION:
- The MOT Business operates an online and telephone booking system to reduce on-site congestion and prevent potential congestion on the highway network. This is welcomed by Highways.
- Refuse will be collected privately, and servicing will be within the MOT service yard. This is acceptable to Highways.

TRIP GENERATION AND JUNCTION CAPACITY:
- Accepted that the adjacent highway network can facilitate additional demands with no highway safety or capacity concerns.
- Noted that on-street parking does occur along Clarence Street.

SITE ACCESSIBILITY:
- Regular bus services are available within walking distance of the site.

PARKING AND ACCESS:
Car Parking:
- 2 car parking spaces - 200% provision. Acceptable in principle.
- Bollards are in place at driveways to stop inconsiderate parking - welcomed by Highways.
Turning Head:
- Request that a swept path analysis is provided to demonstrate that vans can enter, manoeuvre and egress the turning head in forward gear.

EV CHARGING
- EV Charging provided - acceptable to Highways.

OFF-SITE HIGHWAYS WORKS:
- New access point proposed - acceptable in principle. Will require a S278 agreement.

CYCLE PARKING:
- Cycle store provided with 2 spaces. Acceptable to Highways.

BOUNDARY TREATMENTS:
- Recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards.

REFUSE AND SERVICING:
- Proposed bin store location acceptable to Highways.
- Kerbside collection noted from Clarence Road - acceptable in principle.

CONSTRUCTION MANAGEMENT:
A Construction Management Plan should be conditioned.

Strategic Area and Citywide Manager - Recommends that conditions are attached, to any permission, in relation to construction works, acoustic insulation of the proposed house, and any external plant, refuse, air quality and contaminated land.

United Utilities - No objections subject to an informative being attached to any permission.

Cadent Gas - No objections subject to an informative being attached to any permission.

Issues

National Planning Policy Framework (December 2024) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

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;

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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that 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 visibly 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.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable 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 to is effective engagement between applicants. Communities, local planning authorities and other interests throughout the process (paragraph 131).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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 H5 relates to housing in Central Manchester, and states that over the lifetime of the Core Strategy, will accommodate around 14% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within or adjacent to the Regional Centre (Hulme and the Higher Education Precinct) as well as within Hulme, Longsight and Rusholme district centres as part of mixed-use schemes

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

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.
- Existing or proposed hazardous installations.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy DC26.1 states that the Council intends to use the development control process to reduce the impact of noise on people living and working in, or visiting, the City. In giving effect to this intention, the Council will consider both:
a. the effect of new development proposals which are likely to be generators of noise.
b. the implications of new development being exposed to existing noise sources, which are effectively outside planning control.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance aims to help to develop and enhance a unique and positive sense of place within Manchester and its neighbourhoods. The guidance is grouped under seven key principles recognised by CABE as being those urban design characteristics which create successful places, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other

and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses. In relation to three bedroom, three-storey, five person, units the minimum standard of accommodation is set at 102 square metres.

In addition, one of the key aims of the guidance is to ensure that new homes are places that people want to live in, and one of the goals to achieve this is to ensure visual and acoustic privacy. The guidance states that homes should be a place of retreat where residents will not suffer from external noise generated by traffic or the public realm.

Places for Everyone - The approved Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for 9 of the 10 boroughs which make up Greater Manchester.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

Relevant policies of PfE in this instance are:
JP-S1: Sustainable development
JP-C8: Transport Requirements of New Development
JP-P1: Sustainable Places

Principle of development- If we merely consider the Clarence Road frontage of the site, it is considered that the proposed house would fit well into the existing street scene. It is in scale and keeping with surrounding properties, respects the established building line and would improve the visual appearance of the Clarence Road frontage of the site. If the existing garage were not present on site, it is considered that there would be scope to accommodate a single residential property on this frontage. However, it is indicated that the existing garage is to remain, so this is a key element in the assessment of the application.

Living conditions of existing and future occupiers - The proposed house would have to co-exist, on the site, with a garage/MOT operation that operates on the site at least 6 days a week. The house would be very close to the garage, approximately 10 metres away, with the garden area being positioned between the house and the garage, and it is considered that noise from the garage would significantly impact on the future occupiers ability to enjoy the house, and garden area, without significant acoustic disturbance. In addition, the area immediately adjacent to the house and garden would be used as the vehicular/pedestrian route to the garage. MOTS could be staggered through the day, but, in addition to these movements there are also staff comings and goings, collection/delivery of parts and potentially larger scale vehicles/tow-trucks delivering cars to the garage. This vehicular route would also be close to the boundary with no. 59 Clarence Road, bring activity closer to that property, and it is considered that that this arrangement, would be detrimental to the living conditions of both the future occupiers, of the proposed house, and those of the occupiers of no.59 Clarence Road.

Car parking - Whilst 2 spaces would be sufficient for this site, they are accessed from what is essentially a commercial driveway with multiple comings and goings throughout the day and it is considered that the lack of a segregated access, would present the opportunity for some vehicular and pedestrian conflicts here.

Space standards - In relation to three bedroom, three-storey, five person, units the minimum standard of accommodation is set at 102 square metres. which is greater than the 95 square metre floorspace, for the proposed house. The development does not therefore meet the Council's approved space standards to provide quality living accommodation.

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: REFUSE

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, including making contact, during the application process. The proposal is considered to be contrary to policy and the applicant was invited to withdraw the application, but this was not confirmed

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

1) The proposal would result in an unacceptable relationship between the proposed living accommodation and an existing garage use, which would have a significant detrimental impact upon the living conditions of future occupiers, due to this close relationship and the levels of comings and goings, noise, disturbance and general activity associated with the garage use, as well as having a detrimental impact upon the living conditions of the occupiers of existing residential accommodation adjoining the site. The proposal would therefore be contrary to the provisions of policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC26 of the Unitary Development Plan for the City of Manchester and guidance in the Guide to Development in Manchester, the Manchester Residential quality guidance and the National Planning Policy Framework.

2) The development results in an unacceptable standard of living accommodation for the intended occupiers of the premises, due to the size of the proposed living accommodation, and the lack of provision of sufficient useable outdoor amenity space and shared access arrangements due to its location adjacent to an existing garage business. The development is therefore contrary to the provisions of policies SP1 and DM1 of the Manchester Core Strategy, the Manchester Residential Quality Guide, the Guide to Development in Manchester and guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 3, 60 Clarence Road, Manchester, M13 0YE
Flat 2, 60 Clarence Road, Manchester, M13 0YE
Flat 1, 60 Clarence Road, Manchester, M13 0YE
Russian Orthodox Church, 64 Clarence Road, Manchester, M13 0YE
Flat 3, 58 Clarence Road, Manchester, M13 0YE
Flat 2, 58 Clarence Road, Manchester, M13 0YE
Flat 1, 58 Clarence Road, Manchester, M13 0YE
Workshop Rear Of 58, Clarence Road, Manchester, M13 0YE
Flat 6, 40 Birch Lane, Manchester, M13 0NN
Flat 7, 40 Birch Lane, Manchester, M13 0NN
40 Birch Lane, Manchester, M13 0NN
Flat 2, 40 Birch Lane, Manchester, M13 0NN
Vehicle Repair Workshop Rear Of 48, Birch Lane, Manchester, M13 0NN
Flat 1, 40 Birch Lane, Manchester, M13 0NN
Flat 3, 40 Birch Lane, Manchester, M13 0NN
Flat 4, 40 Birch Lane, Manchester, M13 0NN
Flat 5, 40 Birch Lane, Manchester, M13 0NN
Flat 4, 42 Birch Lane, Manchester, M13 0NN
Flat 1, 42 Birch Lane, Manchester, M13 0NN
77 Clarence Road, Manchester, M13 0YF
75 Clarence Road, Manchester, M13 0YF
55 Clarence Road, Manchester, M13 0YF
54 Clarence Road, Manchester, M13 0YE
Flat 6, 42 Birch Lane, Manchester, M13 0NN
Flat 5, 42 Birch Lane, Manchester, M13 0NN
Flat 3, 42 Birch Lane, Manchester, M13 0NN
Flat 2, 42 Birch Lane, Manchester, M13 0NN
1 Alwyn Drive, Manchester, M13 0YD
7 Alwyn Drive, Manchester, M13 0YD
3 Alwyn Drive, Manchester, M13 0YD
Flat 4, 44 Birch Lane, Manchester, M13 0NN
Flat 3, 44 Birch Lane, Manchester, M13 0NN
Flat 2, 44 Birch Lane, Manchester, M13 0NN
Flat 1, 44 Birch Lane, Manchester, M13 0NN
59 Clarence Road, Manchester, M13 0YF
57 Clarence Road, Manchester, M13 0YF
56 Clarence Road, Manchester, M13 0YE
52 Clarence Road, Manchester, M13 0YE
Flat 5, 44 Birch Lane, Manchester, M13 0NN
38 Birch Lane, Manchester, M13 0NN
5 Alwyn Drive, Manchester, M13 0YD
79 Clarence Road, Manchester, M13 0YF

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: NORTH AREA