MANCHESTER CITY COUNCIL

# Planning

## Growth & Development

## Delegated officer report for planning application

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| **Application no.** | 138679/FH/2023 |
| **Date registered valid:** | 13 December 2023 |
| **Proposal:** | Conversion of garage to living accommodation and enlargement of driveway |
| **Address:** | 6 Barsham Close, Manchester, M8 5XN |
| **Ward(s):** | Crumpsall Ward |
| **Applicant:** | Mr Javaid Hussain |
| **Agent (if any):** | Mr Roger Green |
| **Case officer:** | Katie Raw<br>Tel: 0161 234 4164<br>Email: katie.raw@manchester.gov.uk |
| **Recommendation:** | Approve |
| **Date of recommendation:** | **6 February 2024** |

**Application details**

**Type of application:** Full Householder Application

**Development type:** Householder

**Date of site visit:** 9 January 2024

**Standard consultations:**
Printed: 14 December 2023 Expired: 7 January 2024

**Neighbour notifications**
Printed: 14 December 2023 Expired: 7 January 2024

**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:** No

**Tree Preservation Order:** No

**Description of area**

The application site relates to 6 Barsham Close within the north Manchester ward of Crumpsall. The application site relates to a three storey, terraced, red brick new build dwellinghouse part of the new build development accessed from Waterloo Street (see planning reference: 099306/JO/2012/N1). Amenity space to the front of the property consists of an off street parking space with a small section of astro-turf with no boundary treatment separating the designated parking space with neighbouring properties. The property benefits from an integrated garage and further amenity space to the rear takes the form of a grassed garden, leading onto a communal parking area accessible to the applicant for further parking space.

The surrounding area is mainly residential in context, except from the commercial uses to the north of the site beyond the new build development.

**Description of development**

The submitted application seeks planning permission for conversion of garage to living accommodation and enlargement of driveway.

The conversion of the garage would result in the change of the integrated garage door to a new Upvc window to match the existing with facing bricks below. This would be in connection from the conversion from garage to a study.

The enlargement of the driveway would involve the paving of the existing astro turf area to the front of the property to allow two cars to be parked off street. As confirmed on a revised site plan received on 31 January 2024, the driveway would receive permeable surface to comply with E14 and E17 of Manchester's Core Strategy (2012). The double driveway would have dimensions of Length: 6 x Width: 5 metres. Communal parking facilities are available to the rear of the application site in the form of a communal car park accessible off Brightside Road. The additional parking to the rear is available for both existing and proposed circumstances.

A revised site plan was received during the course of the application to incorporate requests for the Flood Risk Management team, Highway Services and the case officer.

*Planning History*

Although no planning history exists for 6 Barsham Close, planning history exists for the development of the wider site, this includes:

099306/JO/2012/N1-Variation of condition number 4 (specified plans) of planning permission 092648/FO/2010/N1 to allow for external alterations due to changes in levels on site.
Approved 16 May 2013.

095878/NMC/2011/N1-Land West Of Celia Street And Waterloo Street-Application for a Non Material Amendment to planning permission 092648/FO/2010/N1 to allow addition of door canopies to three house types.
Approved 21 April 2011.

092648/FO/2010/N1-Land West Of Celia Street And Waterloo Street- Residential development comprising 111 no. two, three and four bedroom dwellings of two and 3 storeys in height, with associated car parking, new highways and landscaping, gaining access from Celia Street and Waterloo Street.
Approved 1 December 2010.

Further planning history is linked to this site.

The following planning history is considered relevant to the current planning application:
130457/FH/2021-2 Dark Wood Close- Conversion of garage into living accommodation and creation of hardstanding to front of property to create additional car parking.
Approved 29 June 2021.

## Consultations & Notification Responses

*Local Residents*

Local residents were consulted and no responses were received.

*Flood Risk Management Team*

The Flood Risk Management Team were consulted on the application and provided the following comments:

The information uploaded to the Planning Portal 27 Nov 2023 has been considered. Measurement is not given of the proposed hard surfacing area in square meters; however drawings indicate that it is likely to meet the 5 square metre threshold.

Based on the provided evidence, we recommend no drainage condition for this application. The drainage of the site can be approved and we suggest the following informative to be included within the Decision Notice:
1.The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy
2.If the hard-surfaced to be covered is more than 5 square metres, it should be constructed of permeable materials where feasible, to comply with Government Guidance.
Use the following guidance:
https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance

*Highway Services*

Highway Services were consulted and the following responses were received:
The proposed development extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway.

PARKING AND ACCESS:
There is an existing driveway access and dropped kerbs provided on Barsham Close for access to the site.

There will be 2 car parking spaces located within the proposed extended driveway, thus equating to a provision of 200%. It is noted that the dimension of the proposed extended driveway is 5.0M x 6.0M. The driveway should maintain a 6.0M x 6.0M dimension in accordance with the recommended 3.0M X 6.0M minimum dimension for an individual driveway.

An existing car park is present to the rear of the site with 10 parking spaces which appears to include 5 accessible bays and three visitor bays.
Additional 2 car parking spaces is to be provided to the rear of the site. Can the applicant confirm whether the existing parking spaces are currently allocated to the site for use?

BOUNDARY TREATMENTS:
It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

Can the applicant confirm if there will be any changes to the boundary treatment?

The applicant should be advised that all gated accesses will need to provide inward opening gates to ensure they do not impact on the adopted footway or highway.

**Issues**

POLICY

*The National Planning Policy Framework (December 2023)*

The document sets out the Government's Planning Policies for England and how these are expected to be applied. At the heart of the Framework is a presumption in favour of sustainable development in terms, "For plan-making" and "For decision-taking", (paragraph 11).

Paragraph 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):
a) an economic objective
b) a social objective and
c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:
i. Chapter 8. Promoting healthy and safe communities.
ii. Chapter 12. Achieving well-designed and beautiful places.

*The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.*

The Core Strategy is the key document in Manchester's Local Development Framework. It 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. Of relevance are Policy DM1 (Development Management), Policy SP1 (Spatial Principles), Policy EN1 (Design Principles and Strategic Character Areas) and Policy T2 (Accessible Areas of Opportunity and Need).

*Unitary Development Plan Saved Policies*

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

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.

DC1.2 states that extensions to residential properties will be allowed subject to compliance with other relevant policies of the Plan and the following criteria:
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 original buildings);
b. They do not create undue loss of sunlight, daylight or privacy;
c. They are not out of character with the style of development in the area or the surrounding scene by virtue of design, use of materials or construction details.

d. they would not result in the loss of off-street car-parking, in a situation where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created.

DC1.3 Notwithstanding the generality of the above policies, the Council will not normally approve:
a. rearward extensions greater than 3.65m (12 ft) in length;
b. 2-storey extensions with a flat roof, particularly those which would be visible from the public highway;
c. 2-storey extensions to terraced properties which occupy the full width of the house;
d. flat roofed extensions to bungalows;
e. extensions which conflict with the Council's guidelines on privacy distances (which are published as supplementary guidance).

*Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, Adopted April 2007.*

The Guide 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. These are: character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability. It advises that high quality design is a vital attribute of successful neighbourhoods.

Of relevance are paragraph 2.7, paragraph 2.14 and paragraph 2.16.

*Places for Everyone*

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation to the Plan. The Examination of the Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The following policies are relevant:
i.JP- S1- Sustainable development

ii.JP- S2 – Carbon and energy
iii.JP- S5 – Flood risk and the water environment
iv.JP- H1 – Scale, distribution and phasing of new housing.

ISSUES

*Principle of Development*

The submitted development application is for the conversion of garage to living accommodation and enlargement of driveway. The submitted application is for the change of use of integral garage to living accommodation. The proposal seeks the removal of condition 14 of Planning Approval 099306/JO/2012/N1 which states:
*Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no garage shall be used for any purpose which would preclude its use for the parking of a motor vehicle and no development shall be undertaken that would preclude vehicular access to the garage. Reason - The loss of garage parking space could result in an unacceptable increase in on street parking and would thereby be detrimental to highway and pedestrian safety in order to comply with policy DM1 of the Manchester Core Strategy Development Plan Document.*

However, applications have been approved within the same new build development including 130457/FH/2021-2 Dark Wood Close- Conversion of garage into living accommodation and creation of hardstanding to front of property to create additional car parking. Approved 29 June 2021.

As such, the principle of development is acceptable to allow the applicant to have additional living space only if it does not compromise and add pressure to on street parking. Consideration must be given to the proposal's appearance, impact on the visual amenity of the area, impact on the neighbouring properties' residential amenity and impact of street parking congestion in the local area. As the property is to remain a single family dwellinghouse it is not considered that the proposed extension would give rise to any significant additional waste or car parking pressures.

*Visual/ Residential Amenity*

The application would result in the creation of a study for the use of the applicant. The proposal would not give rise to any adverse amenity implications to the surrounding neighbours in terms of loss of light, creating an overbearing feature or any adverse privacy implications.

The proposal would involve the loss of a small section of boundary treatment to the front of the site, however the removal of the boundary treatment is not considered to give rise to any adverse implications to the surrounding neighbouring properties.

The main impact in terms of amenity would be any potential conflict to off street parking as a result of the proposal. As the property would offer two off street parking spaces by converting the existing astro turf area to the front to hardstanding, in addition to the further two spaces within the communal parking area accessible of Brightside Road, it is not considered to give rise to increased parking demand, to the detriment of the surrounding neighbours.

*Design and Appearance*

The conversion of the garage would involve the insertion of a new Upvc window and red bricks to match the existing property and as such, the elevational alterations would match the host property and therefore be a sympathetic addition to the property. The materials to be used are therefore considered acceptable and the scheme would be pursuant to Policy DM1 of the Core Strategy and DC1 of the UDP, and a materials condition to this effect would be added to any approval granted.

It is noted that if the property did not have a condition restricting the conversion of garages to habitable space, the development could have been achieved through the route of Permitted Development.

The extension of the driveway again could have been achieved through the route of Permitted Development. During the course of the application, the Flood Risk Management Team gave advice on the materials to be used and the agent updated the drawings accordingly to ensure permeable surfacing would be used. Although some soft landscaping would be lost to the front of the property, the rear garden would still be retained as a result of the application. As such, the appearance of the proposal is considered acceptable, pursuant to Policy DM1 of the Core Strategy and DC1 of the UDP.

Highway Services were consulted on the application and requested the driveway have dimensions of width: 6 x length: 6 metres. The proposal offers dimensions of width: 5 and length: 6 metres. However, the dimensions of the driveway are considered acceptable given the LPA would accept 2.4 x 5.4 metre parking spaces for one space and given the site benefits from two additional parking spaces to the rear of the site. As such, the design of the proposal is considered acceptable and plans would be conditioned accordingly.

*Impact to Street Parking and Local Congestion*

The current application shows the creation of an area of hard standing to form an additional parking place to the front of the property and the loss of the internal garage. This additional parking space would mitigate against the loss of the garage and 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 on street parking congestion in the local area, in accordance with policies DM1 and T2 of Manchester's Core Strategy. Highway Services have not objected to the proposal.

*Bin Storage*

Bin storage would not be impacted by the proposal.

*Conclusion*

Overall, the proposed development does not create any significant impact in terms of visual or residential amenity. The design and appearance is in keeping with the character of the property and local area.

**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**

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance officers have worked with the applicant in a positive and proactive manner. Appropriate conditions have been attached to the approval granted.

**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:
-Application Form, stamped as received by the City Council as Local Planning Authority on 28 November 2023.
-Drawing- Existing & Proposed- Plan and Elevation, numbered RG/MO/01 A, stamped as received by the City Council as Local Planning Authority on 31 January 2024.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

3) The materials to be used throughout the proposal hereby permitted shall be implemented in accordance with the approved details as set out in the Application Form and within the 'Drawing- Existing & Proposed- Plan and Elevation, numbered RG/MO/01 A' specified in Condition 2 of this approval.

Reason- In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with saved policies DC1 of the Unitary Development Plan for the City of Manchester, SP1 and DM1 of the Manchester Core Strategy and the requirements of the National Planning Policy Framework.

**Informatives**

1) The applicant should design and construct drainage system to prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to policy EN14 & EN17 of the Core Strategy.

2) If the hard-surfaced to be covered is more than 5 square metres, it should be constructed of permeable materials where feasible, to comply with Government Guidance.
Use the following guidance:
https://www.gov.uk/government/publications/permeable-surfacing-of-front-gardens-guidance

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

Highway Services
MCC Flood Risk Management

8 Barsham Close, Manchester, M8 5XN
3 Barsham Close, Manchester, M8 5XN
5 Barsham Close, Manchester, M8 5XN
10 Barsham Close, Manchester, M8 5XN
2 Barsham Close, Manchester, M8 5XN
7 Barsham Close, Manchester, M8 5XN
1 Barsham Close, Manchester, M8 5XN
35 Brightside Road, Manchester, M8 5XJ
4 Barsham Close, Manchester, M8 5XN

**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
Area Team Boundary - Name: NORTH AREA