

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136379/FH/2023
Date registered valid: 1 March 2023
Proposal: Erection of detached garage to side of dwellinghouse
Address: 257 Hollyhedge Road, Manchester, M22 4QD
Ward(s): Sharston Ward

Applicant: Mr Ivaylo Borisov
Agent (if any): Mr Ahmed Choudhry, Nada Architects
Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 24 April 2023

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit: 22 March 2023

Standard consultations: No consultations have been printed and sent.

Neighbour notifications: Printed: 16 March 2023 Expired: 6 April 2023

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

The application relates to a two-storey semi-detached C3 dwellinghouse of redbrick with a red concrete tile hipped roof. The property features white uPVC windows, including a single storey bay to the front, a front porch canopy, a large, paved driveway bordered by green iron railings and a modest rear garden with two outbuildings.



Figure 1. Principal elevation of No.257 Hollyhedge Road.



Figure 2. View of paved driveway.



Figure 3. View of the foundations of the proposed development.



Figure 4. View of proposed site of development and relationship with neighbouring property.

Description of area

Hollyhedge Road is a residential street situated within the Sharston ward of Manchester, close to Hollyhedge Park, the Manchester College (Wythenshawe Campus) and the Metrolink tramline. The area is predominantly residential in terms of its character, consisting of semi-detached and terraced residential properties and benefits from its proximity to outdoor amenity spaces.

Description of development

The applicant is seeking permission for the erection of a detached garage to the side of the dwellinghouse.

Planning History

No previous planning history.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC1 – Residential Extensions

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN19 - Waste

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered that the proposal conflicts with the principles of these policy documents.

Issues

Principle – the principle of allowing residents to extend and develop their homes to provide enlarged or improved accommodation is generally acceptable in circumstances where there is no overriding unduly harmful impact upon either the character of the property or upon the visual and residential amenity of neighbouring occupiers.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of amenity that would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Siting, scale, and massing – the detached garage would be sited at the front of the property, along the boundary shared with No.35 Covert Road, within the confines of the paved driveway area. It would measure to 4.33m in length / depth, 6.21m in width with a hipped roof height of 3.89m and an eaves height of 2.66m. As such, the proposal would occupy a total floor space of 26.88m².

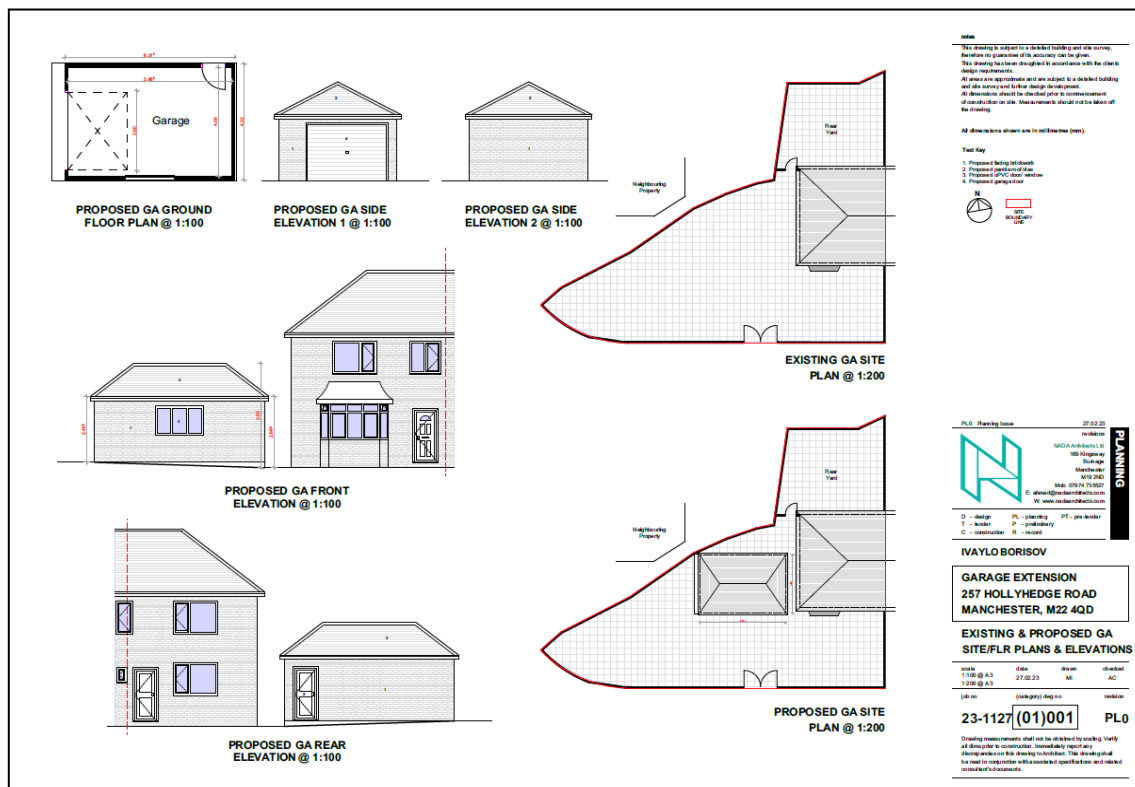


Figure 5. Proposed plans and elevations, as submitted by the applicant's agent.

It is believed that the siting, scale, and massing of the proposed outbuilding would have an unduly harmful impact upon the visual and residential amenity of neighbouring occupiers. This is predominantly due to its excessive scale and inappropriate siting along the shared boundary, which would introduce an overbearing presence into this area, detrimentally affecting the levels of amenity that are currently enjoyed.

The proposal is therefore considered unacceptable as it conflicts with the principles set out for residential extensions in policy DC1 of the UDP and DM1 and EN1 of the Core Strategy.

Appearance and visual amenity – the detached garage would be built of facing brickwork, terracotta pantiles and white uPVC windows. Its front elevation would feature one window, whilst its rear elevation would feature an inward-opening door. Its side elevation, facing the dwellinghouse, would be blank and featureless whilst its other side elevation would feature a roller shutter garage door.

The general design of this proposal is reasonable when considered in isolation, given that the majority of the materials would either be matching or in-keeping with those already present at the property. However, due to its siting at the front of the property, it is believed that the garage would form an overly dominant and visually obtrusive feature within the street scene. This is exacerbated by the sheer size of the proposal.

The proposal's impact upon the overall visual amenity of the area is therefore considered unacceptable as its inappropriate siting would result in the erection of a visually incongruous structure which would detrimentally affect the appearance of the street scene. The proposal therefore conflicts with Core Strategy policies DM1 and EN1.

Residential amenity – sited to the south of No.35 Covert Road, the excessive scale of the proposal would mean that the detached garage would cause an undue loss of light for neighbouring occupiers, most notably affecting the rear-facing window of No.35's side extension as well as their rear garden.

Thus, given the proposal's mass and bulk in combination with its inappropriate siting along the shared boundary, it is considered that the proposal would cause undue harm to the residential amenity of neighbouring occupiers. The proposal therefore conflicts with policy DC1 of the UDP and policies DM1 and SP1 of the Core Strategy.

Waste storage – the current waste storage arrangements would be unaffected as adequate space and access to the rear would be retained. The bins could therefore be screened from the street scene, which accords with policies EN19 and DM1 of the Core Strategy.

Parking – though the detached garage would reduce the current dimensions of the driveway located at the front of the property, a space of at least 4.8m by 2.4m would be retained. The current parking arrangements would therefore not be significantly affected by this proposal.

Conclusion – for the reasons specified above, it is considered that the proposal is unacceptable due to its siting, scale and massing and resultant negative impact upon the visual and residential amenity of neighbouring occupiers as well as the overall appearance of the street scene. The applicant and agent were informed of the above concerns and were recommended to withdraw the proposal on the basis that a new proposal under a re-submission may prove to be more acceptable. Policy DC1 states that the alteration and extension of residential properties may be required to accommodate changing household needs, however, this proposal is considered to cause undue harm to the street scene and the visual and residential amenity of neighbouring occupiers, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council. The applicant was notified of the decision to refuse and has chosen to proceed with the original proposal.

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 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: Refuse

Article 35 Declaration

The proposal would not improve the social and environmental conditions of the area, nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable, and it is therefore not possible to approve the application.

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

1) The proposed detached garage, by reason of its scale, massing, and siting at the front of the property along the shared boundary, would form an overly dominant and visually obtrusive feature within the street scene to the detriment of the visual amenity and character of the area. The proposal would therefore form an overly bulky structure with an overbearing impact upon the occupiers of the surrounding properties and, as such, is contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of Manchester's Core Strategy Development Plan Document and the National Planning Policy Framework.

2) The detached garage, by reason of its proximity to the shared boundary, together with its scale, massing and bulk is considered to have an overbearing impact upon the occupiers of the

neighbouring property No.35 Covert Road, causing a loss of light and outlook to the detriment of residential amenity. The proposal is therefore contrary to policies SP1 and DM1 of the Manchester's Core Strategy Development Plan Document and saved Unitary Development Plan policy DC1 and the guidance within the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

259 Hollyhedge Road, Manchester, M22 4QD
262 Hollyhedge Road, Manchester, M22 4GQ
260 Hollyhedge Road, Manchester, M22 4GQ
258 Hollyhedge Road, Manchester, M22 4GQ
256 Hollyhedge Road, Manchester, M22 4GQ
35 Covert Road, Manchester, M22 4QS
33 Covert Road, Manchester, M22 4QS

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 45M
Area Team Boundary - Name: SOUTH AREA