

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134438/FH/2022

Date registered valid: 29 July 2022

Proposal: Proposed replacement and relocation (to create better private amenity space) of existing garage

Address: 75 Bothwell Road, Manchester, M40 7NY

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr M & Mrs S Cunningham 75 Bothwell Road, Manchester, M40 7NY

Agent (if any): Mr Andrew Northover Alderley Architecture Limited Ridge Farm, 79 The Ridge, Marple, Stockport, SK6 7ER

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 14 September 2022

Application details

Type of application: Full Householder Application

Development type: Householder

Date of site visit:

Standard consultations:

Printed: 2 September 2022

Expired: 23 September 2022

Neighbour notifications

Printed: 17 August 2022 Expired: 7 September 2022

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:

75 Bothwell Road is an end terraced property situated within a row of similar properties. The property lies within a predominantly residential area of Miles Platting in North Manchester. The property benefits from garden area to the front and rear and boundary screening.

The submitted application is for "Proposed replacement and relocation (to create better private amenity space) of existing garage".

There is an existing single storey garage of length 5.523 metres and with 3.175 metres width located 1.2 metres from the south-western boundary with Adstock Walk and approx 0.579 metres from the rear boundary.

The intention is to remove the structure described above and replace it with a new brick built garage.

The new structure will be located at the back of the garden and will have dimensions of 7.041 long and 4 metres wide with a pitched roof of overall height of 3.02381 and 2.1 metres to the eaves. The ridge of the roof will be parallel to the back fence and set back from it by about 2 metres thereby reducing the impact of the development on the street scene on Oldham Road as the highest part of the garage will not be right up against the back boundary.

Description of area

Description of development

Consultations & Notification Responses

Local Residents - No comment received

Environmental Health - have requested that construction/demolition works be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

Issues

POLICIES

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

Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

- o An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
- o A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
- o An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

Pursuing sustainable developments involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):

- making it easier for jobs to be created in cities, towns and villages;
- moving from a net loss of bio-diversity to achieving net gains for nature;
- replacing poor design with better design;
- improving the conditions in which people live, work, travel and take leisure, and
- widening the choice of high quality homes.

There should be a presumption in favour of sustainable development and plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

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.
- Existing or proposed hazardous installations.

City Councils Guide to Development in Manchester 2: Supplementary Planning Document and Planning Guidance Adopted April 2007. The Guide aims to support and enhance the on going shaping of the City by providing a set of reasoned principles which will guide developers,

designers and residents to the sort of development we all want to see in Manchester. Part 1 of the Supplementary Planning Document, Chapter 2 Design, Character and Context: A place with its own identity, paragraph 2.3 states the following;

2.3 'A high quality environment is created by buildings which reflect their purpose and respect the place in which they are located. Different parts of the City, its neighbourhoods and streets have distinct or individual characters which are a product of the design of their buildings, the nature of the streets, the quality of the landscape or the nature of their activities. Such positive characteristics should be recognised and enhanced by new development. Each new development should be designed having full regard to its context and the character of the area. This should be demonstrated in planning submissions by way of design statements and where appropriate, visual means such as models and photomontages'.

ISSUES

Visual Amenity - The submitted application is for "Proposed replacement and relocation (to create better private amenity space) of existing garage". It was noted during the site visit that the property has a 2 metre high fence around the back garden which will hide most of it from the next door neighbour, the street scene on Oldham Road and Adstock Walk to the south-west of the site. This boundary treatment will ensure that the new garage is mostly hidden.

However, there will be still be around a metre visible above the boundary wall. The impact of the Oldham Road Street scene will be reduced by the slope of the roof which will slope away from the rear boundary wall. The gable wall of the garage will be visible from Adstock walk. The highest part of the garage will be the apex of the roof which will be located in the middle of the gable wall. The roof of the garage will slope down to the eaves at a height 2.1 metres above and this will reduce the level of built-form along facing Adstock Walk. Furthermore, there will be a half-metre gap between the boundary wall and Adstock Walk. The impact on the neighbours at 73 Bothwell Walk will be reduced by virtue of the gable wall and the fact that there will be a half-metre gap between the garage and garden fence.

Residential Amenity - Environmental Health have been consulted on this issue and they have recommended a condition controlling the hours of working when the garage is being built. This condition will be attached to this permission

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: Approve

Article 35 Declaration

The local planning authority has worked with the applicant in a positive and proactive manner when dealing with this planning application. As the proposal is deemed to be acceptable and in compliance with planning policy, no problems have arisen in this case.

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:

PLANS & ELEVATIONS AS PROPOSED 2221 02 received by the City Council as local planning authority on 29 July 2022

OS EDGED RED 2221 received by the City Council as local planning authority on 21 Jul 2022

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.

3) The garage shown on the plan 17.110.G100, shall be used solely for a purpose incidental to the enjoyment of the dwellinghouse at 75 Bothwell Road and for no trade or business purpose.

Reason - In the interests of residential amenity pursuant to policies DM1 and SP1 of the adopted Core Strategy for Manchester and saved policy DC26 of the Unitary Development Plan for Manchester.

4) The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form and main house of the property in type, size, colour and texture.

Reason - To ensure the appearance of the building to be extended 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

Environmental Health

73 Bothwell Road, Manchester, M40 7NY
15 Calvine Walk, Manchester, M40 7UF
5 Adstock Walk, Manchester, M40 7NR
13 Calvine Walk, Manchester, M40 7UF
11 Calvine Walk, Manchester, M40 7UF
9 Adstock Walk, Manchester, M40 7NR
7 Adstock Walk, Manchester, M40 7NR
3 Adstock Walk, Manchester, M40 7NR
1 Adstock Walk, Manchester, M40 7NR

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: CENTRAL