

Planning

Growth & Development

Delegated officer report for planning application

Application no. 144187/FO/2025

Date registered valid: 6 October 2025

Proposal: Retention of existing canopy structure to provide additional open-sided workspace.

Address: Lock Up Garage Rear Of 37, Rosebank Road, Manchester, M40 2UN

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Ali Kharanjani Mercy Ltd

Agent (if any): Mr Dan Newport Re-Form Architects

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 22 January 2026

Application details

Type of application: Full Application Consent

Development type: Minor Industry

Date of site visit: 6 November 2025

Standard consultations:

Printed: 28 October 2025 Expired: 18 November 2025

Neighbour notifications

Printed: 28 October 2025 Expired: 18 November 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: No

Tree Preservation Order: No

The application site relates to Lock Up Garage Rear Of 37 Rosebank Road within the north Manchester ward of Miles Platting & Newton Heath. The application site relates to a bodywork and engine repair garage, characterised with an entrance from Rosebank Road and a small 'reception' in the form of a corrugated iron structure. Boundary treatment sits against the public footpath of Rosebank Road in the form of a red brick wall and timber fencing above. The site takes the form of several corrugated iron structures and outbuildings with many vans/vehicles parked within the site. The site then extends to the south with additional storage in between the properties of 34 and 32 Ascot Road. To the north east of the site sits the residential property of 37 Rosebank Road, which is understood to be connected to the engine repair garage.

The piece of development subject to this application can be seen from the road of Rosebank Road, and extends above the existing boundary treatment along the frontage of Rosebank Road.

Description of area

The surrounding area is primarily residential in nature. The applicant site is one of the only industrial uses in the immediate area.

Description of development

The application seeks planning consent for the retention of existing canopy structure to provide additional storage for engineering business (see Figure 1 and Figure 2).

Such piece of development has been subject to enforcement action (see planning history section for further detail).

Whilst half of the canopy was constructed prior to October 2023, the other half was built on 1 October 2023 and finished on 1 November 2023. Although one part due to the time being erected is now immune from planning enforcement action, as the unauthorised piece adjoins part of the canopy immune from action, the entire piece of development is subject to enforcement action.

The canopy has a sloped roof. At the largest point, the canopy has approximate dimensions of Height: 5.4 x Length: 19.5 x Width: 8 metres.

The canopy is made from an 80mm galvanised steel deck roof finish, steel trapezoidal profile sheeting, a 50x50mm RHS purpose made trusses, corten finish, 100x100 RHS posts and a 75mm uPVC downpipe.



Figure 1, Canopy subject to the current application, as seen on site

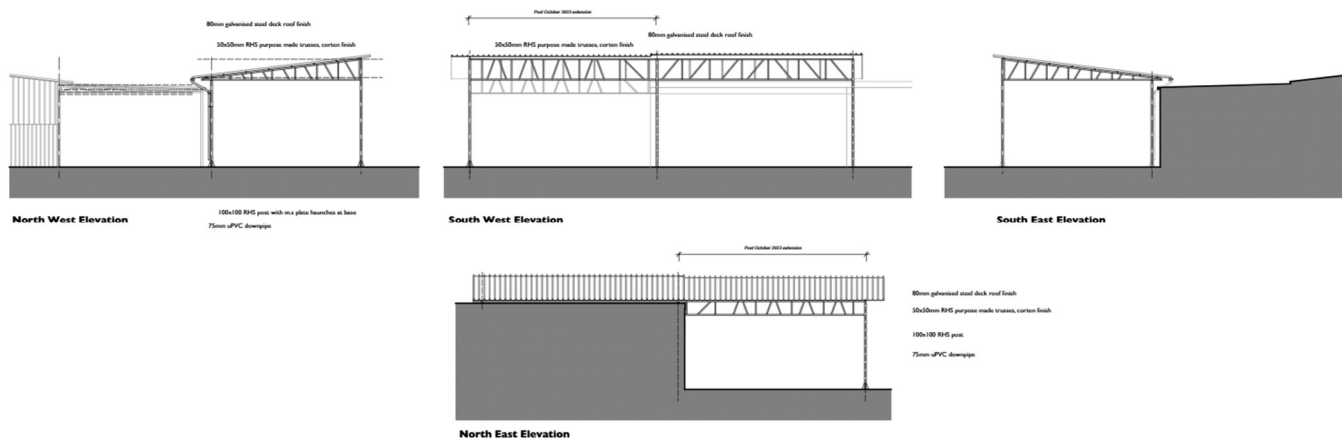


Figure 2, Submitted elevations of canopy to be retained

It is to be noted all other pieces of development within the site namely the steel structures are considered immune from enforcement action given the number of years such development has been in place at the site. During the course of the application, it came to light the boundary treatment along the front boundary of the site had increased with the addition of a timber fence above the red brick wall in May/ June 2022. Such boundary treatment required the benefit of consent but no planning consent has been sought. The unauthorised boundary treatment works will be dealt with outside of the current application.

Negotiations during the Course of the Application

The description of development did not fully incorporate the full extent of the canopy to be erected. As the agent confirmed the canopy would be used for storage only, the description of development was further amended to reflect the nature of the canopy.

Discussions took place regarding an acoustic condition if noisy work would be undertaken below the canopy.

Highway Services requested further information to understand how the proposal impacts vehicular movements within the site.

The agent confirmed when the additional timber fence installed upon the existing boundary treatment along Rosebank Road was installed. As stated previously, consent for this element is required and such matter will be pursued separately by colleagues in Planning Enforcement.

Planning History

ENF/16090/25- Enforcement- Building Works- 37-39 Rosebank Road- Erection of a large industrial canopy.
Received 3 September 2025.

140530/FO/2024- 37 Rosebank Road- Change of use from dwellinghouse to 4 self-contained flats and associated external elevational alterations.
Withdrawn- 23 October 2024.

103959/OO/2013/N1- Rose Bank Farm- OUTLINE APPLICATION for the erection of 10 residential properties with matters of access appearance layout and scale to be considered, with all other matters reserved.

Approved 21 March 2014.

100443/00/2012/N1- Rosebank Farm- OUTLINE APPLICATION for the erection of 12 residential properties with matters of access appearance and layout to be considered, with all other matters reserved.

Withdrawn 21 October 2013.

ENF/10396/10- Enforcement- Change of Use- 37 Rose Bank Road- Change of use from garage to breakers yard.

Received 7 June 2010.

F02476- Rose Bank Farm- Continuance of use of open shed and portion of stables for the storage of non-ferrous metals and scrap iron.

Approved 7 January 1976.

Consultations & Notification Responses

Local Residents

One response was received from a local neighbour. The following concerns were raised:

- Unauthorised land use & unlawful expansion: The site does not benefit from the necessary consent. Any approval would regularise and intensify such breach. The neighbour raised concern about the path leading to 34 Ascot Road and the business' expansion towards Ascot Road.
- Pollution & environmental health risks: Concern is raised the use gives rise to environmental health risks from burning, exhaust fumes and waste handling.
- Noise and disturbance: The existing use is considered to give rise to adverse noise impacts and disturbance. The extension would exacerbate such existing impacts.
- Light pollution, overlooking and loss of amenity: A bright light shines into neighbouring properties. The unauthorised path leads to a loss of privacy for surrounding residents as the use has encroached further towards the residential properties.
- Increased comings and goings: There are increased comings and goings that adversely impact the character of the residential area.
- Granting consent would set an unwanted precedence on the land.

Highway Services

The following response was received from colleagues in Highway Services:

The site is located within a private unadopted area of land. The proposals will add to the length of an existing building. In doing so it reduces the amount of space that can be used by drivers of vehicles to pass the new end of the building.

The current submitted drawing 010 fails to demonstrate that a vehicle can reasonably be able to pass through the remaining gap whilst negotiating a 90° turn. The business or land furthest away (southwest corner) from the vehicle access, that leads to the public highways, should have vehicular access for a HGV 7.5 tonne as a minimum.

The applicant should provide a drawing that shows that vehicles entering from the public highway can continue into the site and access the area of land or the business furthest away from the public road access. This drawing should include the reduced lane width dimensions and show the vehicle tracked, entering from the public highway tracked up to the furthest point accessible to vehicles, then leaving the site in a forward gear.

Highways reviewed the following considerations and no further comments to make trip generation and junction capacity, site accessibility, off-site highways works, parking and access, EV charging, cycle parking, boundary treatments, refuse and servicing and construction management.

Further comments dated 2 December 2025:

Submitted drawing 012 sets out how a 7.5 tonne vehicle could enter to serve the buildings furthest away from the highway. It tracks the vehicle to show the vehicle can enter and leave in a forward gear going under the canopy.

Further comments were received in relation to the fire service and access to the site for the emergency services. Further comments were received in relation to the right for vehicles to travel freely through the site. Such comments are not considered relevant for this application.

Environmental Health

Environmental Health reviewed the application and requested, that if any noisy works take place in this area, then a NSE1 acoustic insulation scheme condition should be attached to any approval granted.

Further comments received 1 December 2025:

Environmental Health request that a condition be attached to any approval granted for the area to be storage only.

Issues

POLICY

The National Planning Policy Framework (NPPF) (December 2024)

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, and
- c) an environmental objective.

The following specific policies are considered to be particularly relevant to the proposed development:

Chapter 6. Building a strong, competitive economy
Chapter 8. Promoting health and safe communities
Chapter 9. Promoting sustainable transport
Chapter 12. Achieving well-designed places

Draft National Planning Policy Framework (16th December 2025)

The government has published a consultation National Planning Policy Framework which is intended to improve housebuilding rates through a clearer, more predictable and faster policy basis for decision and plan making.

Of relevance to the application proposals the draft NPPF makes it clear that local planning authorities should amongst other things:

- Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision.
- Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals.
- Decisions on development proposals should apply a presumption in favour of sustainable development and this means that for development within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

The following specific policies are considered to be particularly relevant to the proposed development:

E2: Meeting the need for business land and premises (Chapter 7. Building a strong, effective economy)

DP3: Key principles for well-designed places (Chapter 14. Achieving well-designed places)

TR3: Locating development in sustainable locations (Chapter 15. Promoting sustainable transport)

TR6: Assessing transport impacts (Chapter 15. Promoting sustainable transport)

HC1: Planning for healthy communities (Chapter 16. Promoting health communities)

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 201, updated March 2024 following adoption of Places for Everyone Joint Development Plan

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) (partially superseded by PfE);

Policy EC1 (Employment and Economic Growth in Manchester) (partially superseded by PfE);

Policy EC2 (Existing Employment Space);

Policy EC5 (East Manchester);

Policy EN1 (Design Principles and Strategic Character Areas);

Policy EN 16 (Air Quality) (partially superseded by PfE);

Policy EN18 (Contaminated Land and Ground Stability);

Policy EN19 (Waste);

Policy T1 (Sustainable Transport) (partially superseded by PfE).

Unitary Development Plan (1995)

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:

DC26.1 states 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; and b. the implications of new development being exposed to existing noise sources which are effectively outside planning control.

DC26.2 states new noise sensitive developments (including large scale changes of use of existing land or buildings) such as housing, schools, hospitals, or similar activities, will be permitted subject to their not being in locations which would expose them to high noise levels from existing uses or operations, unless the effects of the noise can realistically be reduced. In giving effect to this policy, the council will take account both of noise exposure at the time of receiving a planning application and of any increase that may reasonably be expected in the foreseeable future.

DC26.4 states where the council believes that an existing noise source might result in an adverse impact upon a proposed new development, or where a new proposal might generate potentially unacceptable levels of noise, it will in either case require the applicant to provide an assessment of the likely impact and of the measures he proposes to deal satisfactorily with it. Such measures might include the following a) engineering solutions, including reduction of noise at source, improving sound insulation of sensitive buildings or screening by purpose-built barriers b) layout solutions, including consideration of the distance between the source of the noise and the buildings or land affected by it and screening by natural barriers or other buildings or noncritical rooms within a building; and c) administrative steps, including limiting the operating times of the noise source, restricting activities allowed on the site or specifying an acceptable noise limit. Any or all these factors will be considered appropriate for inclusion in conditions on any planning permission

DC26.5 states the council will control noise levels by requiring, where necessary, high levels of noise insulation in new development as well as noise barriers where this is appropriate.

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 CABI 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 paragraphs 2.3, 2.7, 2.14 and 2.16.

Places for Everyone (2022-2039)

Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. 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 full weight in the planning balance.

The following policies are relevant:

JP- S1- Sustainable development

JP- S6- Clean Air.

ISSUES

Principle of Development

The current application seeks planning permission for the retention of existing canopy structure to provide additional storage for the engineering business. Whilst half of the canopy was constructed prior to October 2023, the other half was built on 1 October 2023 and finished on 1 November 2023. As such, the entire piece of development is subject to enforcement action. It is acknowledged that much of the steel buildings within the site do not benefit from consent. However, due to the time of such structures being in place, such buildings are immune from enforcement action and so consideration for this application relates solely to the canopy subject to this application.

It is acknowledged that businesses may seek to expand floorspace to in response to changing operational needs. However, such aspirations need to be balanced against any potential harm attributable to the development.

In this case, the development would have an incongruous relationship to the streetscene given the height and materiality of the structure and would be harmful to the character of the area. The retention of such structure would also harm the visual amenity of residents living in dwellinghouses along Rosebank Road and would create an unwanted precedence of structures of such height within the predominantly residential neighbourhood. The principle of the development is therefore considered to be unacceptable.

Design, Siting, Scale and Appearance

The canopy on the site sits within the middle of the site and sits behind the corrugated steel single storey structures which are first visible when entering the site from Rosebank Road, some of which relate to a reception area for the business. The canopy sits 15 metres from the highway of Rosebank Road. Although the canopy is set back from the street, the canopy is highly visible in the streetscene given the canopy at the highest point measures 5.4 metres (see Figure 3). The canopy extends above the existing corrugated single storey structures to the front of the site and results in an overly large and imposing structure within the site. Whilst it is noted the boundary treatment along Rosebank Road screens some of the harm from the canopy, such works are unlawful and are being pursued independently of this application by colleagues in Planning Enforcement. As such, the boundary treatment cannot be looked on favourably to help screen some of the harm of the structure.



Figure 3, Google Maps images of the site from Rosebank Road

The overall height of 5.4 metres exceeds the previous scale of buildings on the site and given the use of purpose made trusses and the use of the sloped roof, this further exemplifies the prominence of the structure within the streetscene.

The canopy is made from an 80mm galvanised steel deck roof finish, steel trapezoidal profile sheeting, a 50x50mm RHS purpose made trusses, corten finish, 100x100 RHS posts and a 75mm uPVC downpipe. The materials chosen are not considered to create a high quality structure within the business. The galvanised steel deck roof finish is considered to add an imposing feature to the surrounding residential area and is not considered an attractive feature within the business or wider area.

In short, the design and scale of the proposal is considered contrary in regard to the resultant appearance and so would be considered contrary to Policy DC1 of the UDP and Core Strategy policies SP1 and EN1.

Visual and Residential Amenity

During the course of the application, discussions took place with the agent in respect to the existing use of the canopy. The agent clarified that the canopy was to be used for the storage of vehicles only. On site, some of the vehicles underneath the canopy had the bonnets lifted, however no workers were seen on site on the day of the site visit undertaking works to those said vehicles. As such, given the declared description of development, it is understood the canopy is used for storage only.

Environmental Health requested an acoustic condition if noisy works are to take place under the canopy. As the agent has confirmed no noisy works are to take place under the canopy, there is no concern in respect of noise and disturbance to other residential properties from the development.

The canopy does not give rise to any residential amenity implications on the basis the canopy is used for storage, and given the canopy sits centrally within the site it would not give rise to any loss of light to surrounding properties, especially no.41 or no.37 Rosebank Road or any adverse privacy implications due to the nature of the proposed development.

However, the proposal is considered to create visual intrusion to the detriment of the surrounding residential properties and the wider streetscene. Due to the height of the structure (5.4 metres) and the further covering of the site, the canopy results in the further bleeding of the industrial works into the surrounding residential properties, which leads to visual intrusion. This is the case for no.41 Rosebank Road and to a lesser extent no.37 Rosebank Road (as the property is assumed to be connected with the business).

The proposal is visible from the streetscene and due to its height, scale and poor quality material again results in visual intrusion and an overly dominant feature to the wider streetscene.

Whilst the neighbour objection received raised several additional negative implications of the operation of the existing business, it is difficult to attribute such concerns solely to the piece of development in question.

In short, the scheme is considered to give rise to impacts to the surrounding neighbours which are not outweighed by the benefits of the additional storage for the garage business. As such the proposal is contrary to the City Council's Planning Policies SP1, EN1 and DM1 of

the Manchester Core Strategy (2012), the Guide to Development in Manchester SPD and the National Planning Policy Framework.

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 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. The application has been determined and issues raised from consultee responses have been addressed during the course of the application. However, in this instance the principle of the application proposals is contrary to the adopted development plan and would not improve the social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make the development acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Reasons for recommendation to refuse

- 1) The retention of existing canopy structure to provide additional storage for engineering business, by reason of its design, appearance, siting and scale forms an unduly prominent, incongruous, and obtrusive addition to the application site. This in turn would have a harmful impact to visual amenity and the appearance of the street-scene, contrary to saved policies DM1, EN1 and SP1 of the Manchester Core Strategy, policy JP-P1 of the Places for Everyone Joint Development Plan and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 2, 37 Rosebank Road, Manchester, M40 2UN
Flat 1, 37 Rosebank Road, Manchester, M40 2UN
37 Ascot Road, Manchester, M40 2TY
4 Midhurst Avenue, Manchester, M40 2WA
52 Rosebank Road, Manchester, M40 2UW
46 Rosebank Road, Manchester, M40 2UW
7 Homerton Road, Manchester, M40 2UJ
41 Rosebank Road, Manchester, M40 2UN
44 Ascot Road, Manchester, M40 2TZ
42 Ascot Road, Manchester, M40 2TZ
40 Ascot Road, Manchester, M40 2TZ
38 Ascot Road, Manchester, M40 2TZ
36 Ascot Road, Manchester, M40 2TZ
34 Ascot Road, Manchester, M40 2TZ
32 Ascot Road, Manchester, M40 2TZ
30 Ascot Road, Manchester, M40 2TZ
50 Rosebank Road, Manchester, M40 2UW
48 Rosebank Road, Manchester, M40 2UW
44 Rosebank Road, Manchester, M40 2UW
42 Rosebank Road, Manchester, M40 2UW
38 Rosebank Road, Manchester, M40 2UW
36 Rosebank Road, Manchester, M40 2UW
34 Rosebank Road, Manchester, M40 2UW
39 Ascot Road, Manchester, M40 2TY
35 Ascot Road, Manchester, M40 2TY
33 Ascot Road, Manchester, M40 2TY
3 Elstree Avenue, Manchester, M40 2UL
1 Elstree Avenue, Manchester, M40 2UL
9 Homerton Road, Manchester, M40 2UJ
5 Homerton Road, Manchester, M40 2UJ
3 Homerton Road, Manchester, M40 2UJ
11 Homerton Road, Manchester, M40 2UJ
1 Homerton Road, Manchester, M40 2UJ
2 Midhurst Avenue, Manchester, M40 2WA
43 Rosebank Road, Manchester, M40 2UN
35 Rosebank Road, Manchester, M40 2UN
33 Rosebank Road, Manchester, M40 2UN
40 Rosebank Road, Manchester, M40 2UW

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
Historic Landfill Site 50m Buffer -
Area Team Boundary - Name: NORTH AREA