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## Appeal Decision

Site visit made on 31 January 2023

**by N Teasdale BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13<sup>th</sup> February 2023**

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**Appeal Ref: APP/Q4245/W/22/3308258**

**Land adjacent no's 11 and 32 Milwain Road, Stretford, Manchester M32 9BY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mr J Martucci against the decision of Trafford Metropolitan Borough Council.
  - The application Ref 108218/FUL/22, dated 29 May 2022, was refused by notice dated 18 August 2022.
  - The development proposed is erection of detached garage.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of detached garage on land adjacent no's 11 and 32 Milwain Road, Stretford, Manchester M32 9BY in accordance with the terms of the application, Ref 108218/FUL/22, dated 29 May 2022, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in complete accordance with the following approved plans: Proposed Floor Plan Drawing No. A0.1; Proposed Elevations Drawing No. A0.2; Site Plan Drawing No. A0.3; Hybrid Ariel Site Plan Drawing No. A0.4; Location Plan Drawing No. A0.5.
  - 3) The external surfaces of the development hereby permitted shall be constructed in facing brickwork, concrete roof tiles and UPVC windows.
  - 4) The garage hereby permitted shall not be used other than for the storage of motor vehicles of a domestic nature only and for no other purpose.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

3. The appeal site relates to a parcel of land fronting Milwain Road within a residential setting and is not associated with any of the residential properties nearby. A number of surrounding properties benefit from integrated or detached garage structures along with off street parking to the front and at my site visit, I was able to see the recently approved detached garages serving 11

Milwain Road and 23 Sandy Lane which both face Milwain Road and lie adjacent the site.

4. Whilst the proposed building would have a larger footprint than those garages nearby, the size of the plot is equally large and capable of accommodating a sizable garage without appearing cramped. The proposed garage would be single storey of a similar height to the adjacent garages and would sit at a lower level than the two storey properties surrounding the site whilst remaining in keeping with the appearance of other dwellings and garages nearby. As a result, it would not appear overly prominent or unreasonably discordant within its context.
5. Additionally, the proposed garage would be set back from the pavement towards the rear of the site and the property at No. 11 along with the positioning of the adjacent garages would substantially screen the development and it would therefore have very limited effect upon the street scene. The positioning of the proposed garage close to the boundaries is not an uncommon relationship in this location and given that views from the street are limited, the positioning of the garage would not appear dominant or overbearing.
6. The proposed development would also provide an area of hardstanding to accommodate a driveway and car parking to the front which is consistent with that found at nearby properties and would not therefore appear at odds with the general form of the area. Whilst I note concerns regarding the storage of vehicle accoutrements, there is no compelling evidence to suggest that this would be the case or that it would be any different to other garages nearby.
7. Although the proposed development would not relate to a host property, it would introduce a detached garage to enable the appellant to park his personal car in which is not uncommon in this location and is not dissimilar in terms of its use from the recently approved detached garages at No.11 and No.23. I note that the appellant resides on a different street. However, I also note that access to the garage serving No. 23 is also taken via Milwain Road despite the property being located along Sandy Lane to the rear of the site. Consequently, access via Milwain Road is already used for non Milwain Road residents. On this basis, subject to an appropriate condition restricting its use to domestic purposes, any potential impact to the functionality of the cul-de-sac and character would be no different to other garages in the area. There is also no compelling evidence that the use of this garage for domestic vehicles would lead to significant amount of comings and goings.
8. I conclude that the proposed development would not harm the character and appearance of the surrounding area. As such, it would accord with Policy L7 of the Trafford Core Strategy which amongst other things, requires development to be appropriate in its context. The proposed development would also accord with chapter 12 of the National Planning Policy Framework (the Framework) relating to achieving well designed places.

### **Other Matters**

9. The proposed development would provide a garage for domestic purposes and any movements associated with a development of this nature would not be likely to give rise to an unacceptable effect with regards to noise and disturbance nor would it lead to traffic/parking problems particularly given the off-street parking provision which would deter on-street parking.

10. A condition has been applied to ensure the proposed development is used for the storage of motor vehicles of a domestic nature only. Any further application would be subject to assessment in its own right.
11. The overall layout and scale of the proposed development coupled with acceptable separation distances would not harm the living conditions of neighbouring properties in relation to privacy, outlook and light. No compelling evidence has been provided regarding the loss of a valuable green space and at my site visit, I noted that access to the public is restricted with a gated entrance and is not therefore a useable space.

### **Conditions**

12. I have considered the Council's suggested planning conditions in light of the Framework and Planning Practice Guidance. As a result, I have amended these where necessary for clarity.
13. The standard time for commencement of development is necessary as well as a plans condition in the interests of certainty. A condition relating to materials is necessary to ensure that the appearance of the development is acceptable. A condition restricting the use of the development is necessary in the interests of living conditions of nearby occupiers although I have amended the suggested condition to ensure its use relates to domestic purposes only. I find that the restriction regarding the maintenance of vehicles is not reasonable and has therefore been omitted.

### **Conclusion**

14. For the reasons given above and having had regard to the development plan as a whole, the appeal should be allowed.

*N Teasdale*

INSPECTOR