

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132439/FO/2021
Date registered valid:	13 December 2021
Proposal:	Change of use of first and second floor office and storage to form one, 2-bedroom apartment with associated installation of new door, at front of property, and erection of single storey rear extension to form ancillary accommodation for retained retail use (Class E)
Address:	646 Hyde Road, Manchester, M18 7EE
Ward(s):	Gorton & Abbey Hey Ward
Applicant:	Mr Shoaib Choudhary 646 Hyde Road, Manchester, M18 7EE
Agent (if any):	M Farooq Building Design Services 6 Stock Close, Rochdale, OL12 6BB
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	25 February 2022

Application details

Type of application: Full Application Consent

Development type: Change of use

Date of site visit:

Standard consultations:

Printed: 15 December 2021

Expired: 5 January 2022

Neighbour notifications

Printed: 17 February 2022 Expired: 24 February 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:

This application relates to a mid-terraced property in Gorton District Centre. The property is two storeys high, with further accommodation in the roofspace, and has a Class E (opticians) use on the ground floor, with office and storage space above, lying in a parade of 7 similar properties.

It is proposed to convert the upper floors into a two bedroom apartment and to erect a single storey rear extension to form a kitchen and WC, for the ground floor use. The extension would have a pitched roof, which would slope down towards the rear alleyway, with an eaves height of approximately 2.5 metres and a maximum height of approximately 3.5 metres, where it links into the existing property. The extension would be set-back, from the rear alleyway, so there would be no encroachment, and would be constructed in brickwork and slate.

The proposal also includes a new gate, to the rear yard and a new door is proposed, on the front elevation, to provide access to the proposed apartment. No other external alterations are proposed in relation to the conversion of the upper floors.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Highway Services - Make the following comments:

The site is well served by sustainable modes with regular bus services routed along Hyde Road. Belle Vue Train Station is located within a walkable radius of the site, providing rail connections into Manchester City Centre.

There will be no car parking available.

It is requested that 100% secure and sheltered cycle parking provision is provided on site.

The proposed extension will be sited within the red line boundary of the site and will not impinge onto the adopted highway.

There are no boundary treatments noted.

All bins will be stored within the curtilage of the site and transferred for collection by the resident on collection day, this is acceptable to highways.

Strategic Area and Citywide Support Manager - Recommends that conditions are attached, to any permission, in relation to acoustic insulation, refuse and air quality. A directive is also requested, in relation to construction hours, which will be provide to the applicant as an informative.

Flood Risk Management Unit - Made the following comments:

The drainage of the site can be approved subject to the following recommendation:

The applicant should design and construct a 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 EN17 of the Manchester Core Strategy.

This has been provided, to the applicant, as an informative.

Greater Manchester Police -No comments received.

Issues

National Planning Policy Framework (July 2021) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. paragraph 126).

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

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 EN1 relates to design principles and strategic character areas and states that all development in Manchester will be expected to follow the seven principles of urban design listed below:

- Character: a place with its own identity
- Continuity and enclosure: a place where public and private places are clearly distinguished
- Quality of the public realm: a place with attractive, and successful outdoor areas
- Ease of movement: a place that is easy to get to and move through
- Legibility: a place that has a clear image and is easy to understand
- Adaptability: a place that can change easily
- Diversity: a place with variety and choice

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.

Unitary Development Plan - The site is unallocated in the plan.

Saved policy E3.3 relates to sites along radial and orbital routes, which includes Hyde Road and Pottery Lane, and seeks to ensure that all new development, along these routes, is of the highest quality.

Saved policy DC26.1 states that 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.

Principle - The residential use of the upper floors of this property, is allowed as permitted development. The works, which therefore form this application, are therefore purely the proposed single storey rear extension and associated boundary treatment and the proposed new door on the front elevation.

Impact of works - The works proposed are considered to be of a relatively minor nature. On the front elevation, where the new door is proposed, this part of the frontage is currently bricked up suggesting that there was a door there previously. In any event the proposed new door, would replace this brickwork and be more compatible with the existing frontage, of the property, and that of surrounding properties.

The rear extension is single storey only, adjoining a rear alleyway, which is gated. This structure is not therefore easily visible from the street. The additional works comprise a new gate and associated brickwork, which are basically to make good the rear boundary treatment. Overall, it is not therefore considered that the proposed works would have a negative impact upon the locality or surrounding occupiers.

Refuse - As a result of this development the property will comprise ground floor opticians with flat above, and clarification has not been provided in relation to the proposed residential/commercial refuse arrangements. An appropriate condition is therefore proposed.

Car/cycle parking - No dedicated car parking is provided, but this is common with other properties of this type and has not been raised as an objection, by Highway Services. In addition, as the flat represents permitted development, it is therefore considered that the application can be approved without dedicated car parking. Highway Services did request that secure cycle storage be provided, and this is indicated in the rear yard area.

Conditions - The applicant has agreed to pre-commencement conditions in relation to air quality and refuse. Environmental Health Officers also recommended a condition requiring the acoustic insulation, of the proposed apartment, against noise from Hyde Road. However, as the apartment represents permitted development, and is not subject of this application, this condition is not considered to be appropriate.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this case, clarification was sought in relation to any encroachment at the rear, boundary details and secure cycle provision.

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 site location plan and drawing numbered 1820/1, stamped as received by the City Council, as Local Planning Authority, on 7 December 2021, and drawings numbered 1820/2 and 1820/3, stamped as received by the City Council, as Local Planning Authority, on 8 February 2022.

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 used to construct the external elevations of the development hereby approved shall match the existing building, in terms of colour, type, and method of coursing and pointing.

Reason - In the interests of the character and appearance of the property and surrounding area, pursuant to policy DM1 of the Manchester Core Strategy.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no openings, including windows and doors, shall be inserted within the elevations of the extension, other than those shown on drawings numbered 1820/2 and 1820/3, stamped as received by the City Council, as Local Planning Authority, on 8 February 2022.

Reason - In the interests of the amenities of the occupiers of the neighbouring properties, pursuant to policy DM1 of the Manchester Core Strategy.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the exceptional circumstances of a proliferation of HMO's restricting housing choice and adversely affecting sustainability and in the interests of residential amenity, to safeguard the character of the area and to maintain the sustainability of the local community through provision of accommodation that is suitable for people living as families pursuant to policy 7.4 of the Guide to Development in Manchester: Supplementary Planning Document and Planning Guidance, the National Planning Policy Framework and policies SP1 and DM1 of the Manchester Core Strategy.

6) Prior to commencement of the development, an air quality impact exposure assessment and a scheme for clean air intake shall be submitted to and approved in writing by the City Council as local planning authority. Any agreed mitigation measures shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - To secure a reduction in air pollution from traffic or other sources in order to protect existing and future residents from air pollution, pursuant to policies EN16, SP1 and DM1 of the Manchester Core Strategy.

7) Before the development commences a scheme for the storage and disposal of refuse shall be submitted to and approved in writing by the City Council as local planning authority. The development shall have refuse storage space for segregated waste collection and recycling and internal and external storage areas are required. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

8) Before first occupation of the rear extension hereby approved the bathroom in the rear elevation as shown on drawings numbered 1820/2 and 1820/3, shall be obscure glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent properties from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

9) Before first occupation of the rear extension hereby approved, finalised details of the type of secure cycle storage arrangements in the location shown on plan ref: 1820/2 shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be implemented in accordance with the approved details.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Manchester Core Strategy (2012).

Informatives

1) The applicant should design and construct a 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 EN17 of the Manchester Core Strategy.

2) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

3) Construction/demolition works shall be confined to the following hours:
- Monday - Friday: 7.30am - 6pm
- Saturday: 8.30am - 2pm
- Sunday / Bank holidays: No work

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

7 Peacock Grove, Manchester, M18 7FL
1 Peacock Grove, Manchester, M18 7FL
Flat Above, 644 Hyde Road, Manchester, M18 7EE
650A Hyde Road, Manchester, M18 7EE
Top Flat, 642 Hyde Road, Manchester, M18 7EE
648A Hyde Road, Manchester, M18 7EE
638A Hyde Road, Manchester, M18 7EE
Ground Floor, 644 Hyde Road, Manchester, M18 7EE
642 Hyde Road, Manchester, M18 7EE
650 Hyde Road, Manchester, M18 7EE
644 Hyde Road, Manchester, M18 7EE
648 Hyde Road, Manchester, M18 7EE
640 Hyde Road, Manchester, M18 7EE
638 Hyde Road, Manchester, M18 7EE
4 Oakfield Grove, Manchester, M18 7FP
2 Oakfield Grove, Manchester, M18 7FP
5 Peacock Grove, Manchester, M18 7FL
3 Peacock Grove, Manchester, M18 7FL

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 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: NORTH2