

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132444/JO/2021

Date registered valid: 12 January 2022

Proposal: Variation of condition 2 (specified plans) and removal of condition 8 (store rooms) attached to planning permission referenced 129200/FO/2021 to allow changes to first floor layout to increase the size of two of the flats

Address: Willow Bank Residential Home, 134-136 Seymour Road South, Manchester, M11 4PS

Ward(s): Clayton & Openshaw Ward

Applicant: Victoria Sinclair Bricks and Soul Ltd Budley Barn, Mill Lane, Mottram St. Andrew , Macclesfield, SK10 4LW

Agent (if any): Mr Graham Lea Graham Lea Architecture Office 5 Newlands House, 60 Chainhouse Lane, Whitestake, Preston, PR4 4LG

Case officer: Ian Jarvis
Tel: 0161 234 4079
Email: ian.jarvis@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 February 2022

Application details

Type of application: Variation or Removal of Condition

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 13 January 2022 Expired: 3 February 2022

Neighbour notifications

Printed: 13 January 2022 Expired: 3 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 three storey building, including loft area with a church to the north, playing fields to the east, a community hall to the south, with housing beyond, and housing to the west. There is an existing ramp. steps and railings at the front of the property.

In August 2021, planning permission was granted to convert the premises into 7 x 1 bedroom flats (Class C3) with associated elevational alterations mainly comprising some resizing of windows and a new door in the side elevation. Also there is a small single storey element, to the rear, where it is proposed to replace a flat roof with a pitched roof (129200/FO/2021).

The development comprised 3 flats on the ground floor with 2 flats each on the first and second floors. On the first floor there was also an additional room next to each flat (2 in total) which was indicated as a landlords store room. The permission was granted, subject to conditions, which included the following :

(2) Specified plans condition

(8) The 2 first floor rooms, indicated as 'landlord's store', shall be used for storage purposes only, in connection with the use of the property as 7 flats, and shall not be used for any other purpose, including living accommodation, commercial storage or any trade or business use.

It is now proposed that these two store rooms be used as additional living accommodation, for the two first floor flats. At present these two flats have a combined lounge/kitchen and the

change would allow them to each have a separate lounge and kitchen. Each flat would therefore have an increased floor area of approximately 15 square metres, rising from 37.7 to 52.4 square metres and from 42.2 to 57.6 square metres respectively. The two flats would remain as one bedroom flats and the development, as a whole would still comprise of 7 x one bedroom flats. No other/external alterations are proposed.

Consultations & Notification Responses

Local residents/adjoining occupiers - No comments received.

Strategic area and Citywide Support Manager (Environmental Health) - No objections to the proposed change.

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 H1 'Overall Housing Provision' states that the proportionate distribution of new housing, and the mix within each area, will depend on a number of factors, in particular, the need to diversify housing stock in mono tenure areas by increasing the availability of family housing. High density developments (over 75 units per hectare) are appropriate in both the City Centre and parts of the Regional Centre given the accessible location. 90% of residential development will be on previously developed land. The re-use of vacant housing, including the renewal of areas characterised by poor quality housing, will be prioritised. New developments should take advantage of existing buildings where appropriate through refurbishment or rebuilding works. If this is not possible, development schemes should contribute to renewal of adjacent areas which contain vacant or derelict buildings.

Policy H1 goes on to state that new residential development should take account of the need to:

- Contribute to creating mixed communities by providing house types to meet the needs of a diverse and growing Manchester population;
- Reflect the spatial distribution set out above which supports growth on previously developed sites in sustainable locations and which takes account of the availability of developable sites in these areas;
- Contribute to the design principles of Manchester LDF including in environmental terms. The design and density of a scheme should contribute to the character of the local area. All proposals should make provision for appropriate usable amenity space. Schemes should make provision for parking cars and bicycles (in line with policy T2) and the need for appropriate sound insulation;
- Prioritise sites which are in close proximity to centres of high frequency public transport routes;
- Be designed to give privacy to both its residents and neighbours. .

Policy H4 relates to sites in East Manchester and states that, over the lifetime of the Core Strategy, East Manchester will accommodate around 30% of new residential development. Priority will be given to family housing and other high value, high quality development where this can be sustained. High density housing will be permitted within the parts of East Manchester that fall within the Regional Centre which are adjacent to the City Centre. These neighbourhoods include Ancoats, New Islington, Holt Town and Chancellor's Place; to the west of Alan Turing Way, and within Eastlands, Newton Heath, Openshaw and Gorton district centres as part of mixed-use schemes.

Policy H11 relates to Houses in Multiple Occupation and changes of use from a C3 dwelling house to a C4 HMO. It also states that all proposals for change of use of existing properties into houses in multiple occupation, and all proposals for conversion of existing properties into flats (which might not necessarily fall within Class C4), would be permitted only where the accommodation to be provided is of a high standard and where it will not materially harm the character of the area, having particular regard to the criteria in policy DM1.

Policy EN19 relates to waste and states that the Council will require all developers to submit a waste management plan to demonstrate how both construction and demolition waste will be minimised and recycled on site wherever possible and how the sustainable waste management needs of the end user will be met.

Policy T2 states that outside the City Centre all new development should provide appropriate car parking facilities, taking account of the guidance in Appendix B (of the Core Strategy). In all parts of the City proposals should have regard to the need for disabled and cycle parking, in line with appendix B (this indicates maximum car parking standards for various uses).

Notwithstanding the above, Policy T2 requires that consideration is given to the particular circumstances of each proposal to determine the appropriate levels of car parking that may be required. Policy T2 requires the provision of proportionate Traffic Impact Assessments and Travel Plans for all major applications and for any proposals where there are likely to be access or transport issues.

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 routes, and seeks to ensure that all new development, along these routes, is of the highest quality.

Saved policy DC5 relates to flat conversions

DC5.1 states that, in determining planning applications to convert property to flats, the Council will have regard to:

- a. the standard of accommodation for the intended occupiers of the premises;
- b. effects on adjoining houses as a result of noise from flats passing through party walls and affecting adjoining houses;
- c. adequacy of car parking, off-street car parking being normally required where practicable, and essential where there is so severe an existing on-street parking problem that unacceptable additional pressures would be created;
- d. general effects on the character of the neighbourhood, including the extent to which flat conversion schemes are a new or an established feature of the immediate area, avoiding the loss of front gardens and the retention of existing trees and shrubs;
- e. adequate private outdoor amenity space;
- f. the desirability of achieving easy access for all, including disabled people (as a minimum, access for disabled people will normally be required in conversions of ground floor accommodation);
- g. the satisfactory provision of refuse storage and collection facilities.

DC5.2 states that there will be a general presumption in favour of flat conversions within residential areas, on the upper floors of businesses within commercial areas and in properties on main road frontages, subject to other relevant policies of the Plan. They will be particularly welcome where large, old, difficult to re-use properties are involved, and where proposed schemes provide investment enabling the retention and improvement of housing stock.

DC5.3 States that, notwithstanding policy DC5.2, the Council will normally refuse permission for any developments in this category which:

- a. do not provide accommodation to the Council's current approved standards;
- b. are in tightly-packed residential streets where there is no scope for off-street car parking and where there is already an acknowledged problem of on-street congestion;
- c. involve conversion schemes without adequate private external amenity space;
- d. are schemes without satisfactory refuse storage and collection facilities.

DC5.4 States that, in determining applications of this kind, the Council will give particularly careful consideration to situations in which the conversion of small terraced properties are proposed; and where a scheme is the first in a street of otherwise single family dwellings, the Council will give weight to the desirability of maintaining the character of the street in that respect.

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.

The Guide to Development in Manchester Supplementary Planning Document and Planning Guidance was formally adopted in April 2007, and is therefore relevant in this case. At that time, Planning Policy Statement 3 'Housing' stated that to facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques.

In the City of Manchester, the relevant design tool is the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance. This guidance 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, that is character and context, continuity and enclosure, ease of movement, quality of the public realm, diversity, legibility, and adaptability.

The guidance advises that high quality design is a vital attribute of successful neighbourhoods, the design of streets should promote neighbourliness and design should respect and be informed by location. The guidance also advises that buildings should relate well to each other and building heights should be carefully considered. In terms of ease of movement, cul-de-sacs are discouraged, the street network should contribute to the character of the area, safe routes for cyclists and pedestrians will be promoted, and public transport should be easy to use. Places with attractive and successful public areas are encouraged with open spaces reflecting and accommodating future uses with children and young people being considered in the design and location of open spaces. Neighbourhoods should contain a mix of housing, safety and security are vital elements of the urban area, the impact of parking areas should be minimised and new developments should maximise access for disabled people.

Point 10.9 relates to external space and states that all residents should enjoy useable private amenity space wherever they choose to live in the City. All new developments should be designed to provide on-site amenity space which is fit for purpose and which is informed by, and relates to, the character of the area. Simply this means the provision of gardens that perform well as multi-functional space. Gardens are valuable within any development by contributing the following:

- A safe play area for children
- Additional storage outside the house
- The provision of outside drying area for clothes which additionally assists the environmental sustainability of a development
- Space in which to relax which helps the overall sense of well-being
- An increased amount of planting which enhances the quality of the natural environment
- The space to provide home grown food which benefits the health of the local community.

Manchester Residential Quality Guidance 2016 -Sets out the direction for the delivery of sustainable neighbourhoods of choice where people will want to live and also raise the quality of life across Manchester and was approved by the Executive at its meeting on 14 December 2016. The ambitions of the City are articulated in many places, but none more succinctly than in

the 'Manchester Strategy' (2016). The guidance has been produced with the ambition, spirit and delivery of the Manchester Strategy at its heart. The delivery of high-quality, flexible housing will be fundamental to ensuring the sustainable growth of Manchester. To achieve the City's target of carbon neutrality by 2050, residential schemes will also need to be forward thinking in terms of incorporating the most appropriate and up to date technologies to significantly reduce emissions. It is therefore essential for applicants to consider and integrate the design principles contained within the draft guidance into all aspects of emerging residential schemes. In this respect, the guidance is relevant to all stages of the development process, including funding negotiations, the planning process, construction and through to operational management.

The guidance sets standards for securing high quality and sustainable residential development in Manchester. The document includes standards for internal space within new dwellings and is suitable for applications across all tenures. It adopts the nationally described space standards and this has been applied to an assessment of the size and quality of the proposed houses. In relation to one bedroom, one person, units the minimum standard of accommodation is set at 37 square metres (where a shower room is proposed).

Changes to approved scheme - Previously two 'landlord store rooms' were shown on the first floor and it was not entirely clear how these rooms would be used (i.e. Would they be storage for general household items for the building, or would they be used for some other purposes, such as the storage of equipment/materials to be used off-site). Hence a condition was attached to ensure there was some control over these rooms. Whilst the condition referenced not being used as living accommodation, it was mainly attached to ensure that the rooms were not used for a purpose that was not ancillary to the building.

There are no objections to using these rooms as extended living accommodation for these two flats. In each case they enable a previously combined and lounge and kitchen to be split into two separate rooms and they enable larger one bedroom flats to be created, which increases the quality of accommodation in the development. No external, or other changes are proposed, and it is considered that the proposed change is unlikely to increase the number of people living in the property. It is not therefore considered that the proposed change has any detrimental impacts.

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. Discussions have taken place with the applicant through the course of the application, particularly in respect of the type of application needed to address this proposed change.

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:

The Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 23 July 2021.

Drawings numbered GL364R/00, GL364R/01, GL364R/02, GL364R/03, GL364R/04, GL364R/05, GL364R/06, GL364R/08, GL364R/09, GL364R/11 and GL364R/12, all labelled 'Drawn 07/2021' and stamped as received by the City Council, as Local Planning Authority, on 5 August 2021.

Drawing numbered GL364Z/07, labelled 'Drawn 07/2021' and stamped as received by the City Council, as Local Planning Authority, on 10 December 2021.

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 car parking shown on the approved plans shall be surfaced, demarcated and made available for use before the development is occupied. The car parking spaces shall then be available at all times whilst the building is occupied.

Reason - To ensure that there is adequate car parking for the development proposed when the buildings are occupied, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

4) The cycle storage arrangements shall be provided in accordance with approved plan ref: GL364R/06, before the development is occupied. Finalised detailed design of the cycle store shall be submitted to and approved in writing by the City Council as local planning authority. The development shall only be carried out in accordance with these approved details. These facilities shall then be permanently retained for bicycle storage.

Reason - To ensure that adequate provision is made for bicycle storage so that persons occupying or visiting the development have a range of options in relation to mode of transport, pursuant to policies T1 and DM1 of the Manchester Core Strategy.

5) Prior to first occupation of the development, the security measures to be incorporated into the development, which shall be to secured by design specification, and a timescale for their implementation, shall be submitted to and approved in writing by the City Council as local

planning authority. The development shall only be carried out in accordance with these approved details.

Reason -To reduce the risk of crime pursuant to policy DM1 of the Manchester Core Strategy.

6) Notwithstanding the details shown on plan ref: GL364R/12, prior to first occupation of the development, details of the elevation details and materials, for the proposed bin store, shall be submitted to and approved in writing by the City Council, as Local Planning Authority. The approved details along with the waste management details indicated on drawing numbered GL364R/06, stamped as received by the City Council, as Local Planning Authority, on 5 August 2021 and the Waste Management Strategy, stamped as received by the City Council, as Local Planning Authority, on 23 July 2021, shall be implemented as part of the development and the approved waste management arrangements shall remain in situ whilst the use or development is in operation.

Reason - In the interests of residential and visual amenity and public health pursuant to policies EN19 and DM1 of the Manchester Core Strategy Development Plan Document.

7) Prior to the occupation of any of the flats hereby approved, a Residential Travel Plan with the objective of reducing the dependency on the private car by future occupiers of the site and including particulars of its implementation and monitoring of its effectiveness and how measures to improve effectiveness shall be implemented, shall be submitted to and approved in writing by the City Council as local planning authority and shall thereafter be operated.

Reason - To assist promoting the use of sustainable forms of travel, pursuant to policies DM1, T2 and SP1 of the Manchester Core Strategy

8) 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.

9) 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 building, other than those shown on the approved drawings GL364R/06, GL364R/07, GL364R/08, GL364R/09, and GL364R/11 all labelled 'Drawn 07/2021' and stamped as received by the City Council, as Local Planning Authority, on 5 August 2021.

Reason - In the interests of residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and the guidance contained within the National Planning Policy Framework.

Informatives

1) The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements required for fit out/construction will need discussion and agreement with MCC Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

2) 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 Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health

Flat 7, 134 Seymour Road South, Manchester, M11 4PS
Flat 6, 134 Seymour Road South, Manchester, M11 4PS
Flat 5, 134 Seymour Road South, Manchester, M11 4PS
Flat 4, 134 Seymour Road South, Manchester, M11 4PS
Flat 3, 134 Seymour Road South, Manchester, M11 4PS
Flat 2, 134 Seymour Road South, Manchester, M11 4PS
Flat 1, 134 Seymour Road South, Manchester, M11 4PS
The Scoutmaster Boy Scouts, Seymour Road South, Manchester, M11 4PS
Clayton Methodist Church, North Road, Clayton, Manchester, M11 4LE
121 Seymour Road South, Manchester, M11 4PS
115 Seymour Road South, Manchester, M11 4PS
109 Seymour Road South, Manchester, M11 4PS
119 Seymour Road South, Manchester, M11 4PS
117 Seymour Road South, Manchester, M11 4PS
113 Seymour Road South, Manchester, M11 4PS
111 Seymour Road South, Manchester, M11 4PS
107 Seymour Road South, Manchester, M11 4PS

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: NORTH2