

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130869/FO/2021

Date registered valid: 9 August 2021

Proposal: Elevational alterations including replacement windows and doors and replacement of a sloping roof, on the central part of the rear elevation, with a flat roof

Address: 1038 - 1044 Ashton New Road, Manchester , M11 4PE

Ward(s): Clayton & Openshaw Ward

Applicant: Mrs Janet Giang 1042 Ashton New Road, Manchester, M11 4PE

Agent (if any): Mohammad Rasul planningsolutions4u 35 Manchester Road, Manchester, M34 5PZ

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

Recommendation: Approve

Date of recommendation: 14 April 2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit:

Standard consultations:

Printed: 1 September 2021

Expired: 22 September 2021

Neighbour notifications

Printed: 1 September 2021

Expired: 22 September 2021

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 3/4 terraced shop units at the end of a terrace of 9 units at a local shopping centre close to the Manchester/Tameside boundary. No. 1038 is a three storey unit and nos. 1040 to 1044 are all two storeys high. Previously 1038-1044 Ashton New Road was a large single shop unit and planning permission was granted , in 2008, to convert the premises into 3 shop units (2 x single units and 1 x double unit) with associated elevational alterations (084791/FO/2007/N2).

A number of elevational alterations are proposed to the property. These comprise:

- An additional door on the front elevation
- Replacement of a sloping roof, on the central part of the rear elevation, with a flat roof.
- A small reduction in the size of 3 upper floor windows, in the front elevation.
- The introduction of 6 new windows in the upper floor of the rear elevation.
- Repositioning of a door on the main single storey rear elevation.
- The introduction of a top floor window, in the side, Transvaal Street, elevation (whilst this is identified as a proposed change, this window has already been installed).
- Window to WC at ground floor in rear elevation.

Consultations & Notification Responses

Local residents - One response was received from a resident who neither supported or objected to the application. they wished to point out that work had already started, prior to the application being made.

Highway Services - Makes the following comments:

No off-street parking is available. An existing bus stop and associated controlled area markings prohibit parking adjacent to the property frontage on Ashton New Road. It is accepted that the site offers good accessibility by public transport providing alternatives to private-vehicle travel, with bus and Metrolink stops within close proximity.

In line with MCC Residential Guidelines, secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit.

The pedestrian access arrangements are acceptable from a highway perspective. For the avoidance of doubt, all external entrance doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway.

It would be useful to understand the refuse arrangements in more detail, to ensure there is no obstruction on the highway.

These points largely relate to the additional residential units created, which are not subject of this application.

The point about doors internally opening has been provided to the applicant as an informative.

Strategic Area and Citywide Support Manager - Originally suggested a condition in relation to the acoustic insulation of the premises, but the flats are not subject of this application. A condition was also requested, in relation to construction hours, which has been included as an informative. They also sought confirmation that there would be sufficient space at the premises for the required full set of residential bins for each flat. Whilst not a necessary requirement, of this application, the applicant has indicated separate bin storage areas, for the retail and residential units in the rear yard area and Environmental Health have indicated that they are satisfied with the proposals.

Greater Manchester Police - Made the following recommendation:

Access control should be installed at the entrance to the upper floor flats and be operable by swipe card or fob, and not numeric key pads. It should be controlled by an audio intercom linked to the first floor flat, so that residents can vet callers to the building before allowing them access.

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

GM Ecology Unit - Made the following comments:

For this development the only theoretical issues would be roosting bats and nesting birds. Based on the location and nature of the extension proposed for demolition, they would regard the likelihood of bats being present as very low. They would be happy to recommend an informative along the following lines be applied to any permission

Whilst the development has been assessed as very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

No information or measures are required for nesting birds.

Tameside MBC - 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 Ashton New Road, and seeks to ensure that all new development, along these routes, is of the highest quality.

Principle - The works, which form this application, are purely the proposed external alterations, as indicated above. The principle of the elevational alterations is therefore considered to be acceptable, subject to assessment of individual details.

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 is a busy active frontage, and it is considered that the introduction of an additional door would have minimal visual impact in this parade of shops in a local shopping centre. The main change is the removal of an existing lean-to roof, at the rear, and changing to a flat roof, but this has the advantage of creating less mass, at the rear of the site. Otherwise the changes proposed are considered to be of a relatively minor nature, that would have minimal impact upon the overall visual appearance of the building.

Residential amenity - At the side of the building, there is open land between the site, and the nearest residential property, with a gap of approximately 22 metres. That property has a gable end and it is not considered that this window would impact upon the amenity of adjoining occupiers, which is already in place and is not to one of the new flats to be created. At the rear of the site there is a row of terraced residential properties that run parallel to the row of properties, which includes the application site. The rear windows, of those properties, would be approximately 17 metres from the proposed new windows in the rear elevation of the application property. The existing rear window, in no.1038, is already closer, to the properties at the rear, than any new windows proposed, and the new arrangement would not be dissimilar to the existing arrangement between upper floor residential accommodation, on the Ashton New Road properties, and the rear windows of the residential properties to the rear. There is also a ground floor window, to a WC, on the rear elevation, which adjoins the alleyway. A condition is therefore proposed, which requires this window to be obscurely glazed and non opening. On this basis, the proposed new window arrangement is considered to be acceptable, with regards to any potential impacts upon residential amenity.

Conditions/consultee comments - Comments were raised about matters such as acoustic controls and highways issues, in relation to the indicated residential units at the site. However, the residential accommodation is not the subject of this application, which relates to external alterations only. The applicant has nevertheless confirmed refuse arrangements and informatives are proposed in relation to other points made/conditions requested by consultees.

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 the external changes proposed and revised plans were required to be submitted.

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:

Site location plan, stamped as received by the City Council, as Local Planning Authority, on 24 July 2021

Waste Management Strategy dated 13 February 2022 and stamped as received by the City Council, as Local Planning Authority, on 13 February 2022.

The existing and proposed elevations indicated on drawing number 0002, dated 12 April 2022 and stamped as received by the City Council, as Local Planning Authority, on 12 April 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) The proposed ground floor window to the WC on the rear elevation adjoining the alleyway shown on drawing numbered 0002 shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale or such other alternative equivalent ; shall be a sealed non opening window, and shall remain so in perpetuity.

Reason - In the interest of residential amenity in accordance with policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) Construction/demolition works shall be confined to the following hours:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

3) Access control should be installed at the entrance to the upper floor flats and be operable by swipe card or fob, and not numeric key pads. It should be controlled by an audio intercom linked to the first floor flat, so that residents can vet callers to the building before allowing them access.

4) 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

5) all external entrance doors (with the exception of fire doors) should be inwardly opening in order to prevent obstruction on the adjacent footway.

2) Whilst the development has been assessed as very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Ecology Unit
Tameside Metropolitan Borough Council

913 Ashton New Road, Manchester, M11 4PB
1 Howgill Street, Manchester, M11 4RS
911 Ashton New Road, Manchester, M11 4PB
19 Howgill Street, Manchester, M11 4RS
5 Dargai Street, Manchester, M11 4PW
1 Dargai Street, Manchester, M11 4PW
7 Dargai Street, Manchester, M11 4PW
2 Seymour Road South, Manchester, M11 4PG
Wildrose Tattoos, 897A Ashton New Road, Manchester, M11 4PB
Flat Above, 1040B Ashton New Road, Manchester, M11 4PE
Flat Above, 1040A Ashton New Road, Manchester, M11 4PE
2A Dargai Street, Manchester, M11 4PN
7 Ronald Street, Droylsden, M11 4PL
5 Ronald Street, Droylsden, M11 4PL
1 Ronald Street, Droylsden, M11 4PL
2B Dargai Street, Manchester, M11 4PN
25 Howgill Street, Manchester, M11 4RS
23 Howgill Street, Manchester, M11 4RS
21 Howgill Street, Manchester, M11 4RS
13 Dargai Street, Manchester, M11 4PW
3 Dargai Street, Manchester, M11 4PW
Shop Rear Of 1018 To 1056, Ashton New Road, Manchester, M11 4DE
11 Ralph Street, Manchester, M11 4PF
7 Ralph Street, Manchester, M11 4PF
17 Ralph Street, Manchester, M11 4PF
Flat 1, 895 Ashton New Road, Manchester, M11 4PB
13 Ralph Street, Manchester, M11 4PF
907 - 909 Ashton New Road, Manchester, M11 4PB
1018 Ashton New Road, Manchester, M11 4PD
909 Ashton New Road, Manchester, M11 4PB
907 Ashton New Road, Manchester, M11 4PB
9 Dargai Street, Manchester, M11 4PW
1040A Ashton New Road, Manchester, M11 4PE
1038 Ashton New Road, Manchester, M11 4PE
21 Ralph Street, Manchester, M11 4PF
1044 Ashton New Road, Manchester, M11 4PE
1040B Ashton New Road, Manchester, M11 4PE
17 Howgill Street, Manchester, M11 4RS
15 Howgill Street, Manchester, M11 4RS
5 Ralph Street, Manchester, M11 4PF
23 Ralph Street, Manchester, M11 4PF
15 Ralph Street, Manchester, M11 4PF
9 Ralph Street, Manchester, M11 4PF
19 Ralph Street, Manchester, M11 4PF
3 Ronald Street, Droylsden, M11 4PL
Top Flat, 1046 Ashton New Road, Manchester, M11 4PE

Top Flat, 1052 Ashton New Road, Manchester, M11 4PE
Top Flat, 907 - 909 Ashton New Road, Manchester, M11 4PB
891A Ashton New Road, Manchester, M11 4PB
Top Flat, 913 Ashton New Road, Manchester, M11 4PB
Top Flat, 911 Ashton New Road, Manchester, M11 4PB
11 Dargai Street, Manchester, M11 4PW
1048 Ashton New Road, Manchester, M11 4PE
895 Ashton New Road, Manchester, M11 4PB
1054 Ashton New Road, Manchester, M11 4PE
1026 Ashton New Road, Manchester, M11 4PD
1020 Ashton New Road, Manchester, M11 4PD
889 Ashton New Road, Manchester, M11 4PB
13 Howgill Street, Manchester, M11 4RS
9 Howgill Street, Manchester, M11 4RS
1022 Ashton New Road, Manchester, M11 4PD
901 Ashton New Road, Manchester, M11 4PB
873 Ashton New Road, Manchester, M11 4PB
881 Ashton New Road, Manchester, M11 4PB
5 Howgill Street, Manchester, M11 4RS
Top Flat, 1054 Ashton New Road, Manchester, M11 4PE
1046 Ashton New Road, Manchester, M11 4PE
899 Ashton New Road, Manchester, M11 4PB
885 Ashton New Road, Manchester, M11 4PB
869 Ashton New Road, Manchester, M11 4PB
1056 Ashton New Road, Manchester, M11 4PE
871 Ashton New Road, Manchester, M11 4PB
1024 Ashton New Road, Manchester, M11 4PD
905 Ashton New Road, Manchester, M11 4PB
891 Ashton New Road, Manchester, M11 4PB
887 Ashton New Road, Manchester, M11 4PB
11 Howgill Street, Manchester, M11 4RS
7 Howgill Street, Manchester, M11 4RS
883 Ashton New Road, Manchester, M11 4PB
865 Ashton New Road, Manchester, M11 4PB
877 Ashton New Road, Manchester, M11 4PB
875 Ashton New Road, Manchester, M11 4PB
867 Ashton New Road, Manchester, M11 4PB
879 Ashton New Road, Manchester, M11 4PB
3 Howgill Street, Manchester, M11 4RS
893A Ashton New Road, Manchester, M11 4PB
Flat, 1056 Ashton New Road, Manchester, M11 4PE
863 Ashton New Road, Manchester, M11 4PB
1052 Ashton New Road, Manchester, M11 4PE
1050 Ashton New Road, Manchester, M11 4PE
903 Ashton New Road, Manchester, M11 4PB
893 Ashton New Road, Manchester, M11 4PB
1028 Ashton New Road, Manchester, M11 4PD
897 Ashton New Road, Manchester, M11 4PB
3 Bailey Street, Manchester , M11 4PJ
2 Ronald Street, Manchester, M11 4PL
4 Ronald Street, Manchester , M11 4PL
6 Ronald Street, Manchester , M11 4PL
8 Ronald Street, Manchester , M11 4PL
10 Ronald Street, Manchester , M11 4PL

12 Ronald Street, Manchester , M11 4PL
14 Ronald Street, Manchester , M11 4PL
16 Ronald Street, Manchester , M11 4PL
450 Ashton New Road, Manchester, M43 6QZ
450A Ashton New Road, Manchester, M43 6QZ
452 Ashton New Road, Manchester, M43 6QZ
454 Ashton New Road, Manchester, M43 6QZ
456 Ashton New Road, Manchester, M43 6QZ
458 Ashton New Road, Manchester, M43 6QZ
460 Ashton New Road, Manchester, M43 6QZ

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
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2