

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132314/FO/2021

Date registered valid: 30 November 2021

Proposal: Erection of single storey rear extension to existing office building (Class E) to form additional accommodation

Address: 75 Middleton Road, Manchester, M8 4JY

Ward(s): Crumpsall Ward

Applicant: Mr Gee 75 Middleton Road, Manchester, M8 4JY

Agent (if any): Mr Jason Cartwright P4BA 15 Memorial Road, Manchester, M28 3AQ

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 23 February 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 3 December 2021 Expired: 24 December 2021

Neighbour notifications

Printed: 14 February 2022 Expired: 21 February 2022

Site notice

Posted: Expired:

Press advert

Published: 7 December 2021 Expired: 28 December 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Crumpsall Lane Conservation Area 2004

Tree Preservation Order: No **NO**

The property that is the subject of this planning application is a 3 storey red brick terraced property. It sits within a block that is located at the junction of Middleton Road and Edilom Road. Number 75 is located within an attractive parade of five shops, with projecting traditional awnings, situated within the Crumpsall Lane Conservation Area. There is a small access road that runs to the rear of the parade of shops, which provides for parking and servicing to the commercial properties. Several of the adjacent buildings have had the benefit of extensions to the rear, some of these being 2 storey.

The area within which the property is located is a mix of commercial on the frontage of Middleton Road, with established residential properties on the side roads. In addition to the space to the rear of the units for parking, there is also space for parking in the form of a layby that runs to the front of the shops on Middleton Road.

The proposal is for the erection of a single storey extension to provide additional accommodation for the ground floor offices built in materials to match those of the existing building. The dimensions of the proposed extension would be :

There is an existing single storey rear extension measuring 7.67 metres in length by 4.96 metres width. The dimensions of the replacement extension measure 14m length x 4.5m and 3.6 width. There would be no windows proposed in the side elevations, and one door on the rear elevation.

Site History

111725/FO/2016/N1Erection of single storey rear extension to form ancillary storage to ground floor shop. Approved.

078454/FO/2006/N1Elevational alterations comprising changes to windows. Approved.

072038/FO/2004/N1Retrospective application for the retention of windows on the front elevation. Refused.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted and as result of the neighbour consultations the drawing were amended three times. As a result of the first consultation two objections were received from the occupiers of the same property raising concerns over the close proximity of the extension, lack of space to maintain the elevation and the blocking of light. The scheme was amended to pull away the side elevation from the area of concern and a further objection was received regarding maintenance of the side elevation. As a result of this objection the applicant revised the plans to allow for a gap between the properties which was deemed by the objectors to be satisfactory. However, a letter of objection was received regarding the ownership of the land and whether the extension would encroach. The details of this objection will be discussed in the issues section of the report.

The proposal was advertised in the local press as affecting a conservation area and no representation were received.

The Highways Team were consulted and raised no objection to the proposal and request that works that impact on the highway requires a license and an informative has been added to the consent.

Environmental health were consulted and recommend that a gas condition be attached to the consent and construction hours have been added an informative.

The Flood Team were consulted and they commented 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 EN 17 of the Core Strategy. An informative has been added to the consent.

Greater Manchester Police were consulted, and no representation was received.

Issues

Core Strategy

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key Development Plan Document in the Local Development Framework (LDF). It replaces significant elements of the existing Unitary Development Plan as the document that sets out the long term strategic policies for Manchester's future development, the Core Strategy is to be used as the framework that planning applications will be assessed against.

Policy EN 3 of the Core Strategy relates to Heritage. It states throughout the City, the Council will encourage development that compliments and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

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
- 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 DM1 of the Core Strategy states:

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- o Appropriate siting, layout, scale, form, massing, materials and detail.
- o 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.
- o Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- o Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- o Community safety and crime prevention.
- o Design for health.
- o Adequacy of internal accommodation and external amenity space.
- o Refuse storage and collection.
- o Vehicular access and car parking.
- o Effects relating to biodiversity, landscape, archaeological or built heritage.
- o Green Infrastructure including open space, both public and private.
- o The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- o Flood risk and drainage.
- o Existing or proposed hazardous installations.
- o Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques.

As set out within the issues section of this report below, the application proposals are considered to accord with policies SP1, DM1 and EN3 of the Core Strategy.

Unitary Development Plan

A number of policies within the adopted UDP have been saved following the adoption of the Core Strategy. The following saved policy is relevant in this case:

DC18.1 The Council will give particularly careful consideration to development proposals within

Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv) the effect of signs and advertisements;
- v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal

or replacement would benefit the appearance of character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Reasons :-

The Council is to pursue the above policies to encourage and help ensure the protection, preservation and enhancement of its Conservation Areas, which are areas of special character representing the rise and development of the world's first industrial city. The protection of such areas helps stimulate local pride and encourages both tourism and further investment. The policy

gives effect to the obligation placed on the Council by statute to give particular attention to the quality of developments within conservation areas, and reflects the general policy objectives set out in policy E3.8 in this plan.

It is considered that the proposal accords with policy DC18

The National Planning Policy Framework

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

-an economic role, contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- a social role, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities needs and support its health, social and cultural well-being; and

- an environmental role, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Issues

Principle- the principle of extending the commercial unit to provide additional floor space is considered to be acceptable in principle.

Design and Siting- the proposal is to the rear of the property. It has been designed with materials to match the existing property and it has a hipped roof, which reduces the massing against the adjacent boundaries.

Visual Amenity- It is not considered that the proposal would have a detrimental impact upon the character of the area nor the property itself. It is within a private area to the rear of the building, and, is sandwiched between 2 properties, both of the properties have single storey rear extensions, once the proposed extension to number 75 Middleton Road is implemented would be level with the neighbouring extensions while maintaining a gap to allow for maintenance of the equipment, including drainage on the neighbouring elevation. The extension would not be visible within the street scene.

Impact upon the conservation area- Given the location of the extension, and the fact that it is down a private internal access road, it cannot be readily viewed within the context of the conservation area. The extension remains subservient to the existing and adjacent properties. It is therefore not considered to have a detrimental impact on the conservation area.

Residential Amenity- it is not considered that the proposal would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties.

The extension has been designed to mimic the neighbouring extensions. Unlike the neighbouring extensions a 1m gap has been created to allow the neighbouring windows to open and a 600mm gap to allow for maintenance of the drain pipes and the elevation. As such it is not considered that the proposal would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties.

The increase in space may increase activity levels within the ground floor unit however the amount of staff has not been increases and the hours of operation are as such that it is considered there will be no loss of amenity given the commercial setting.

Highways

To the rear of the property there is a private alleyway which is shared with neighbouring properties, accessed via Edilom Road. The proposed extension is sited only within the curtilage of the site and does not impinge onto the adopted highway.

There are no anticipated changes to the existing staff levels, therefore there would be no additional increase in vehicular trips and pedestrian access will remain as existing, which is acceptable.

Bins

It is expected that refuse servicing will continue as present, bins will be stored within the curtilage and the existing refuse receptacles will remain the same and presented to the highway on waste collection days.

Other matters and response to objection

One letter of objection was received after the third revision of the application was submitted, raising the issue that the submitted drawings were incorrect in relation to the boundary. However, the applicant provided the land registry legal title plan, indicating the legal boundary along the outrigger. According to the legal plan, there is not a 300mm to 470mm gap.

Furthermore, in any event the granting of planning permission does not override the rights of those owners and permission would still be required through the relevant agreements under separate legislation. As indicated above the planning merits of the proposals have been assessed and are considered acceptable in this instance.

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 worked in a positive and proactive manner with the applicant to address the unauthorised use and to negotiate the submission of the correct information for the application. Therefore, the scheme has now been considered retrospectively and is acceptable and in accordance with the Development Plan.

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.

17021 05 Rev B

17021 06 Rev B

17021 07 Rev B, stamped as received on the 14 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 Core Strategy.

3) The external facing materials to be used on the extension hereby permitted shall match those of the existing buildings in terms of type, colour, texture and scale.

Reason - To ensure that the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the extension, pursuant to saved policies DC1 of the Unitary Development Plan for the City of Manchester and Policy DM1 and SP1 of Manchester's Local Development Framework: The Manchester Core Strategy

4) Prior to the commencement of development appropriate and comprehensive construction designs for the installation of a proprietary gas membrane, in order to alleviate any possibility of landfill gas ingress to the building, shall be submitted for approval to the City Council, as Local Planning Authority. The approved details shall then be implemented as part of the development.

Reason - the development site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas pursuant to policy EN18 of the Manchester Core Strategy (2012).

5) 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 the approved drawings, unless Planning Permission is specifically granted.

Reason - In the interests of the amenities of the occupiers of the neighbouring dwellinghouse, pursuant to saved policy DC1 of the Unitary Development Plan for the City of Manchester, and policy DM1 of the Manchester Core Strategy.

6) The offices hereby approved shall be used only as offices to carry out any operational or administrative functions as set out under part (g)(i) of Use Class E and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1995 as amended, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason - To safeguard the amenities of the neighbourhood by ensuring that other uses which could cause a loss of amenity do not commence without prior approval pursuant to Core Strategy policies SP1 and DM1 and to ensure the permanent retention of the accommodation for office purposes.

7) No development shall commence until a scheme for the storage (including segregated waste recycling) and disposal of refuse has been submitted to and approved in writing by the City Council as local planning authority. 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 residential amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy

Informatives

1) Construction works shall be confined to the following hours unless otherwise agreed in writing by the City Council as local planning authority:

Monday - Friday: 7.30am - 6pm

Saturday: 8.30am - 2pm

Sunday / Bank holidays: No work

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.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police

Flat At, Middleton Road Post Office, 73 Middleton Road, Manchester, M8 4JY
71 Middleton Road, Manchester, M8 4JY
77 Middleton Road, Manchester, M8 4JY
Middleton Road Post Office, 73 Middleton Road, Manchester, M8 4JY

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
Conservation Area - Crumpsall Lane Conservation Area 2004
Area Team Boundary - Name: NORTH1