

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130942/FO/2021

Date registered valid: 8 July 2021

Proposal: Erection of single storey, part first floor rear extension to form ancillary floorspace, following demolition of existing extension, together with elevational alterations to the rear

Address: 126 - 128 Moston Lane, Manchester, M9 4HU

Ward(s): Harpurhey Ward

Applicant: Ms. Asibo Martina Rita, 1 Dollond Street, Manchester, M9 4FF

Agent (if any): Mr. Niamat Ali, NA Design, 47 Egerton Road South, Chorlton Cum Hardy, Manchester, M21 0YW

Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 August 2021

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 11 August 2021

Standard consultations:

Printed: 20 July 2021 Expired: 10 August 2021

Neighbour notifications

Printed: 20 July 2021 Expired: 10 August 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

The application site relates to the rear of a two storey, end terraced property situated at the corner of Moston Lane and Hillier Street North.

Currently the premises is vacant and in a poor condition externally. The premises was formerly occupied as a furniture shop.

The premises forms one of three units within the terrace, which also incorporates a vacant hot food takeaway and vacant public house 'The Old Loom'.

The property to the front and side incorporates roller shutters to existing openings, together with a fascia signage and retractable awning. The brickwork has been partially painted over.

At the rear is a small external yard, enclosed by brick walls and which backs onto a rear alleyway.

The rear yard is almost entirely consumed by a dilapidated rear extension which incorporates a part lean-to and part flat roof. It is this area which is subject to the proposed extension.

At the time of the site visit, the extension was in the process of having the roof removed.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of the host terrace and areas of informal open space, the immediate area is principally residential in character, mainly comprising two storey, terraced dwellinghouses.

Description of development

Planning permission is sought for the erection of a single storey, rear extension and to form ancillary accommodation for the existing premises, together with a first floor extension to enclose a new staircase.

The extension which measures 22 sqm in area, infills an existing recess and will involve a flat roof extension, which extends the full width and length of the property. At first floor, a narrow two storey outrigger is proposed which incorporates a lean-to roof including a new roof-light.

At first floor level to the rear, two new windows are proposed to an ancillary office and WC.

Internally a waste storage area is proposed, with an external door to allow for access to the alleyway for collection.

During the course of the application, revised drawings were received to replace previously proposed composite cladding to the rear outrigger with that of masonry. A new rooflight has also been included.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Greater Manchester Police (Design for Security) – various security measures are recommended.

Environmental Health – Conditions are recommended in relation to waste management, external equipment, hour of use, servicing hours, construction management and requirement of the installation of a gas membrane.

Planning History

018599

Change of use of retail shop to ground floor restaurant and take-away hot food shop, with living accommodation above. *Refused 2 February 1983.*

Policy

The following policy and guidance is considered relevant to the consideration of this application:

- Policies DM1, EC1, EN18, EN19 and SP1 of the Manchester Core Strategy;
- Guide to Development in Manchester (SPD);
- National Planning Policy Framework (July 2021).

Issues

Principle

Extensions or improvements to existing employment premises are generally acceptable, provided that there is no overriding, undue impact upon either the character of the property, or upon the residential and visual amenity of nearby residential occupiers.

In this case, it is anticipated that the proposed extension will facilitate refurbishment and re-occupancy of the premises which in turn would enliven the street-scene and make effective use of an economic use and resultant levels of employment.

Given the limited floorspace proposed and an extension that is comparable to that which it partially seeks to replace, any impact to amenity is unlikely.

As such, the proposed extension is considered to accord with the aforementioned policy and guidance.

Specific planning issues are outlined further below.

Residential and Visual Amenity

The proposed extension relates to a commercial terrace and only neighboured by residential properties to the rear, which are situated beyond the adjoining alleyway that separates the site from properties along Hillier Street North.

Given that size and position of the extension, the existing site context, whereby the rear yard already incorporates an extension of similar proportions, it is not believed that there would be any significant or harmful impact as a result of an over-dominance, overshadowing or overlooking.

Whilst new first floor windows are proposed to the rear elevation, the relationship of windows within the rear first floor reflects a typical relationship in the area and the juxtaposition of the premises which faces onto a blank gable wall of 105 Hillier Street North, would not give rise to any undue overlooking. In order to protect levels of privacy, a condition has been included which ensures the new window to the first floor W.C is obscurely glazed.

Ground Conditions

As the site lies within 250 metres of a registered landfill site or in close proximity to a potential historical source of landfill gas, Environmental Health have advised that the proposed extension should incorporate a gas membrane, in order to protect future occupiers. An appropriate condition has been included.

Waste Management

The proposed development incorporates a ventilated, internal waste storage area with external access to the rear alleyway for collection.

The proposed store is to accommodate a 1 x 1100 litre bin for general waste to be collected by a private waste contractor.

Whilst the arrangement is considered satisfactory in principle, further details of recycling arrangements are required. A condition requiring further details has been included.

Construction Management

In order to ensure construction is effectively controlled and to prevent any disruption to existing occupiers in the area, air quality or the operation of the highway, a condition has been included which requires the submission and approval of a Construction Management Plan. This will need to detail working practices, safety measures, dust suppression, the parking of construction vehicles and the removal of waste.

Climate Change

The proposed development relates to a modest extension to an existing retail premises.

Given the small increase in floorspace proposed, and the associated level of vehicular trips which is expected to remain the same as to the existing use, it not considered that there would be significant change in air quality as a consequence of vehicular emissions, given the busy, mixed use context of the site and existing, authorised operations.

Whilst there will be limited impact to air quality during construction, this will be localised in nature and temporary in duration. It is believed that any impacts can be satisfactorily mitigated via the inclusion of a construction management plan to deal with matters such as dust suppression. An appropriate condition has been included.

Other Matters

A number of conditions have been suggested by Environmental Health including those relating to opening and servicing hours. However, as the proposal relates to an extension of an existing authorised use, it would be unreasonable in planning terms to impose such conditions to an existing operation. The proposed extension should be considered in physical terms only and given the floorspace proposed is unlikely to result in an intensification of use.

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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application.

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:

Location plan and drawings referenced NA-P01 and NA-P02, received by the City Council as Local Planning Authority on 16 August 2021. These plans show the omission of the side gable windows and the insertion of a roof-light to the outrigger.

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 materials to be used on the external surfaces of the extension hereby permitted, shall match those of the existing building in type, size, colour and texture.

Reason - To ensure 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 policy DM1 of the Manchester Core Strategy.

4) Prior to above ground works, a revised scheme for the storage and disposal of refuse, including full details of recycling arrangements, shall be 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 amenity and public health, pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

5) 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).

6) Prior to the commencement of development, a construction management plan outlining working practices during development shall be submitted to and approved in writing by the City Council as Local Planning authority, which for the avoidance of doubt should include;

- Measures to control noise and vibrations;
- Hours of working;

- Dust suppression measures;
- Compound locations where relevant;
- Location, removal and recycling of waste;
- Detail of an emergency contact telephone number;
- Parking of construction vehicles; and
- Sheeting over of construction vehicles.

The development shall only be carried out in accordance with the approved construction/demolition management plan.

Reason - To safeguard the amenities of nearby residents pursuant to policies SP1, EN19 and DM1 of the Manchester Core Strategy.

7) The first floor rear window to the W.C, as shown on drawings referenced NA-P01 and NA-P02, received by the City Council as Local Planning Authority on 5 July 2021, 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 safeguard privacy, pursuant to policies SP1 and DM1 of the Core Strategy.

Informative

1) Greater Manchester Police (Design for Security) advise the following:

-Any existing CCTV & intruder alarms should be reviewed to extend cover to the proposed extensions space or installed if not already in place.

-If any new external fittings are to be installed (i.e. windows or doors) then they should be certified to Secured by Design standards.

-Due to the single storey flat roof being incorporated as part of the extension, it is recommended that the first floor windows are certified to BS PAS 24.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Advertising Right 02033007 On Gable, 128 Moston Lane, Manchester, M9 4HU
105 Hillier Street North, Manchester, M9 4JB
Flat 2, 103 Hillier Street North, Manchester, M9 4JB
Flat 1, 103 Hillier Street North, Manchester, M9 4JB
Old Loom, 122 Moston Lane, Manchester, M9 4HU
124 Moston Lane, Manchester, M9 4HU
128 Moston Lane, Manchester, M9 4HU
120 Moston Lane, Manchester, M9 4HU

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1