

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132731/FO/2022

Date registered valid: 20 January 2022

Proposal: Erection of ground and first floor extension to form enlarged retail unit (Class E) with two residential apartments above (Class C3)

Address: 341 Barlow Road, Manchester, M19 3JF

Ward(s): Levenshulme Ward

Applicant: Malik Hanif, 15 Hawthorn Street, SK9 5EH

Agent (if any): Mr David Phillips FOB Design UK Limited, 72A Water Lane, Wilmslow, SK9 5BB

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

Recommendation: Refuse

Date of recommendation: 11 March 2022

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 24 February 2022

Standard consultations:

Printed: 25 January 2022 Expired: 15 February 2022

Neighbour notifications

Printed: 25 January 2022 Expired: 15 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

The application site relates to a detached, two storey building, situated at the corner of Barlow Road and Peter Moss Way.

The property comprises a ground floor retail unit, with a three bedroom flat to the first floor. The lower half of the side wall fronting Peter Moss Way is covered by a painted mural.



The host building appears to have been subject to various, historic, unauthorised works which has resulted in an irregular roof profile.

To the rear, the building includes a large two storey outrigger, which incorporate steep sided, mono roofs, juxtaposed to form a central valley.

To the side, fronting Peter Moss Way is a single storey side extension and attached to the rear wall is a further, single storey, lean-to extension, incorporating a roller shutter door. Access to the first floor flat is achieved by an entrance door within the rear elevation.



The site also includes a dilapidated, single storey garage/shed structure to the rear, beyond which, but outside of the site, is an enclosed sub-station.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of a number of small-scale commercial uses located sporadically along Barlow Road, the immediate area is predominantly residential in character, mainly comprising two storey dwellinghouses of various architectural styles. Immediately to the west, the application site is adjoined by a detached, three storey, house in multiple occupation, set within grounds.

Levenshulme district centre is situated a short distance to the west, which spans north to south along Stockport Road.

Description of development

Planning permission is sought for the erection of a ground and first floor extension to form an enlarged retail unit (Class E), together with two residential apartments above (Class C3).

The proposed extension involves infilling an existing recess to the eastern elevation fronting Peter Moss Way, which is formed by the single storey, lean to extension and the original, two storey building which is set further back. It is further proposed to square off a gap formed by two, facing sloping pitches roof to create a flat roof.

To the rear it is proposed to erect a two-storey extension to replace an existing single storey outrigger and involves a part flat, part mono-pitched roof which slopes towards the rear alleyway. The first floor incorporates the use of contrasting materials, involving lead/metal

feature panels and full height windows to the eastern elevation. At ground floor level, new openings are proposed, including metal louvre doors serving a bike and bin store, and new glazed entrance to the first-floor flats proposed.

The first floor includes new windows openings and notably, to the first floor, western elevation facing No.335, a new angled window on the common boundary.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Flood Risk Management – The drainage of the site is acceptable. An informative is recommended.

Highway Services – The following comments are made:

Trip Generation and Junction Capacity

The number of vehicular trips associated with site is expected to be minimal. It is therefore accepted that the adjacent highway network can facilitate such additional demands with no highway safety or capacity concerns.

Accessibility

Regular bus services are routed along Barlow Road and provides connections to Newton Heath, Crowcroft Park, Gorton, Chorlton, Levenshulme and Oldfield Brow.

The closest railway facility is Reddish North and provides regular connections to New Mills Central, Manchester Piccadilly and Sheffield.

Parking and Access

No parking is proposed within the application and considering the site's location and proximity to sustainable travel offer, this is acceptable in principle. As such, no parking concerns are raised from a Highways perspective.

Off-site highway works

The bin store and cycle store area will be built on an area of land that is currently used as storage and cites a shed/garage. Dropped kerbs are in place at this location and are redundant. The redundant dropped kerb should be reinstated, along Peter Moss Way where the proposed bin store and cycle store will be built.

Should the planning application be approved, the applicant will be required to enter into a Section 278/184 agreements for the alterations to the existing highways, and for the dropped kerbs to be removed on Peter Moss Way.

Cycle Parking

Secure and sheltered cycle parking provision should be made, within the curtilage of the site, at a provision of one-per-unit. A bike store with sliding opening doors is in place at the rear of the site. This arrangement is acceptable to Highways.

Boundary Treatment

It is recommended that all fencing / railings adjacent to the adopted highway are visually permeable from a distance of 600mm upwards to ensure adequate visual permeability for child pedestrians.

Servicing

Designated refuse storage has been accommodated at the rear of the property. Bins will be taken to/from the bin store by residents to the collection point on Peter Moss Way. Highways consider this to be acceptable.

Construction Management

The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams.

Greater Manchester Ecology Unit (GMEU) – No comments to make.

Environmental Health – Conditions are recommended in relation to construction hours, acoustic insulation and adherence to the submitted waste management strategy.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

The following saved policy of the UDP is relevant:

Saved Policy DC1 (Residential Extensions)

In determining planning application for extensions to residential properties, the Council will have regard to the general character of the property, the effect upon the amenity of neighbouring occupiers, the overall appearance of the proposal in the street-scene.

The policy goes on to state that extensions should not be excessively large or bulky or out of character with the style of development in the area. Two storey extensions with flat roofs will not normally be approved which would be visible from the highway.

Policy DC1.6 states that for the purposes of the policy, the criteria is relevant to domestic houses, flats, rest homes, houses in multiple occupation, rest homes and hotels.

In addition, the following policies within the Core Strategy are considered relevant:

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy SP1 refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

Paragraph 2.13 states

The scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings, enhance the street scene and consider their impact on the roof line and skyline.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

The Framework underlines a “presumption in favour of sustainable development”. This means approving development, without delay, where it accords with the development plan and where the development is absent or relevant policies are out-of-date, to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Relevant to this application, Section 12 provides design guidance – ‘Achieving Well-Designed Places’.

Paragraph 130 states:

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 visually 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.

Paragraph 134 goes onto state that:

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Procedural

The application is recommended for refusal based on the following drawings:

Drawings referenced PL01, PI05, PI06, PI08, PL09 and PL11 received by the City Council as Local Planning Authority on 20 January 2022.

Planning History

131595/FO/2021

Erection of three storey rear extension and creation of raised roof area to form 3 additional flats to create 4 flats in total (Class C3) above existing retail shop. *Refused 26 October 2021*

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions be made in accordance with the development plan, unless material considerations indicate otherwise.

In the case of this application, the principle of the proposed development is not considered acceptable and is in conflict with development plan policy and associated guidance. There are no material considerations to indicate otherwise.

It is maintained that the proposed development would have a harmful impact to both visual and residential amenity, as a consequence of its bulky design and the position of the window to the western elevation. In turn, the proposed extension would undermine the amenity of nearby residential occupiers in terms of perceived overlooking and the effects upon the character and appearance of the street-scene. Specific issues are outlined further below.

Visual Amenity

Policies SP1 and DM1 of the Core Strategy, as well as the Guide to Development (SPD) underline the importance attached to protecting the character and appearance of an area and the need to adhere to the Council's design principles. The aims are broadly consistent with the National Planning Policy Framework (NPPF).

In this case, it is considered that the proposed increase in roof height, coupled with the change in roof profile, including the addition of a flat roof and use of contrasting materials, would result in an over-dominant and visually intrusive feature in the street scene, to the detriment of visual amenity.

The host building occupies a prominent position in the street-scene, being located at the corner of Barlow Road and Peter Moss Way.

To the rear, the spacing between the roofs of the various additions and the gap formed by the space between the garage and neighbouring sub-station affords a feeling of openness in the street-scene. The infilling of the gaps between the roofs, together with the overall increase in roof height, the addition of flat roof elements and infilling of the existing recess to the side, would create an excessively bulky and imposing structure. The impact would be heightened by the use of contrasting materials, involving the use of lead/metal features panels to the first floor and the insertion of full height windows and ground floor metal louvred doors. These features serve to increase the bulkiness of the extension and present a rather austere elevation to Peter Moss Way.

The 'building up' of the existing rear elements would create an over-dominant feature in the street-scene and use of the proposed, contrasting materials, together with the inclusion of new openings lacks any kind of uniformity. This would result in a building that would be unsympathetic and at odds with the local context.

Development plan policy is clear that new development should consider the impact upon the surrounding area and the effects on amenity. The Council's supplementary design guidance contained within the Guide to Development in Manchester (SPD) further underlines that the scale of scale, position and external appearance of new buildings should respect their setting and relationship to adjacent buildings. Whilst the proposed development is not technically a new building, the proposal includes a bulky extension and the change in roof design in effect creates a new structure. It is therefore maintained that proposed development fails to relate well to its immediate surroundings and would result in harmful effects to visual amenity in terms of outlook, a feeling of openness in the street and the general character and appearance of the street-scene. On this basis, the proposed is considered unacceptable.

Residential Amenity

Policies DM1 and SP1 of the Manchester Core Strategy indicate that consideration should be given to the effects of development upon the amenity, living conditions and the well-being of residents.

Saved policy DC1 of the UDP seeks to protect the amenity of neighbouring occupiers for development involving residential extensions.

In this case, a new window is proposed to the side (western) elevation at first floor level. This window whilst angled, is positioned right on the boundary with the neighbouring residential building at 335 Barlow Road.

It is considered that due to the position of the window, its proximity to the common boundary and its relationship with the adjoining building and associated grounds, it would serve to form a harmful and visually intrusive feature.

The need to angle the window underlines the unsatisfactory relationship between the host and neighbouring building. Whilst there is unlikely to be any direct overlooking between neighbouring windows, the position of the windows will afford oblique views of the neighbouring grounds and would give rise to the perception of being overlooked. This in turn would undermine the amenity of neighbouring occupiers and negatively affect the enjoyment of the garden area. On this basis, it is believed the siting of the window is unsatisfactory and contrary to the aforementioned policy.

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: Refuse

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. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed extension, coupled with the proposed roof design, including the increase in roof height, change in roof profile and use of contrasting materials, would result in a bulky structure, which would form an over-dominant and visually intrusive feature in the street scene, to the detriment of visual amenity. The proposed development is therefore contrary to policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

2) The introduction of a first floor, angled window to the western elevation, would due to its position on the boundary with the adjoining property at No.335 Barlow Road, give rise to the perception of overlooking. This in turn would undermine the amenity of neighbouring occupiers, contrary to saved policy DC1 of the Unitary Development Plan for the City of Manchester, policies DM1 and SP1 of the Manchester Core Strategy and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
MCC Flood Risk Management
Greater Manchester Police
Greater Manchester Ecology Unit

1 Peter Moss Way, Manchester, M19 3JS
3 Peter Moss Way, Manchester, M19 3JS
338 Barlow Road, Manchester, M19 3JJ
342 Barlow Road, Manchester, M19 3JJ
340 Barlow Road, Manchester, M19 3JJ
336 Barlow Road, Manchester, M19 3JB
332 Barlow Road, Manchester, M19 3JB
334 Barlow Road, Manchester, M19 3JB
19 Peter Moss Way, Manchester, M19 3JS
17 Peter Moss Way, Manchester, M19 3JS
4 Peter Moss Way, Manchester, M19 3JS
Room 15, 335 Barlow Road, Manchester, M19 3JF
Room 14, 335 Barlow Road, Manchester, M19 3JF
Room 13, 335 Barlow Road, Manchester, M19 3JF
Room 12, 335 Barlow Road, Manchester, M19 3JF
Room 11, 335 Barlow Road, Manchester, M19 3JF
Room 10, 335 Barlow Road, Manchester, M19 3JF
Room 9, 335 Barlow Road, Manchester, M19 3JF
Room 8, 335 Barlow Road, Manchester, M19 3JF
Room 7, 335 Barlow Road, Manchester, M19 3JF
Room 6, 335 Barlow Road, Manchester, M19 3JF
Room 5, 335 Barlow Road, Manchester, M19 3JF
Room 4, 335 Barlow Road, Manchester, M19 3JF
Room 3, 335 Barlow Road, Manchester, M19 3JF
Room 2, 335 Barlow Road, Manchester, M19 3JF
Room 1, 335 Barlow Road, Manchester, M19 3JF
341A Barlow Road, Manchester, M19 3JF
335 Barlow Road, Manchester, M19 3JF
6 Peter Moss Way, Manchester, M19 3JS
2 Peter Moss Way, Manchester, M19 3JS

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH2