

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130856/FO/2021

Date registered valid: 28 September 2021

Proposal: Erection of a part single/part three storey extension to form additional ground floor commercial space and formation of 2 no. residential flats and installation of dormer to side elevation and enlarged external stair.

Address: 129 Manchester Road, Manchester, M21 9PG

Ward(s): Chorlton Ward

Applicant: Yu Shing Property Limited, 129 Manchester Road, Manchester, M21 9PG

Agent (if any): Mr Gooding, LDM Surveyors, LDM House, 46 Great Ancoats Street, Manchester, M4 5AB

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 21.03.2022

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 17.12.2021

Standard consultations:

Printed: 15 October 2021 Expired: 5 November 2021

Neighbour notifications

Printed: 28 January 2022 Expired: 11 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

This application relates to a two storey end of parade commercial unit with residential accommodation above at the junction of Manchester Road and Cheltenham Road. There is a second floor within the roof void and a single storey lean to extension at the rear. There is an existing semi external stair on the Cheltenham Road frontage and a small yard at the rear which wraps around to the side of the property.





Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

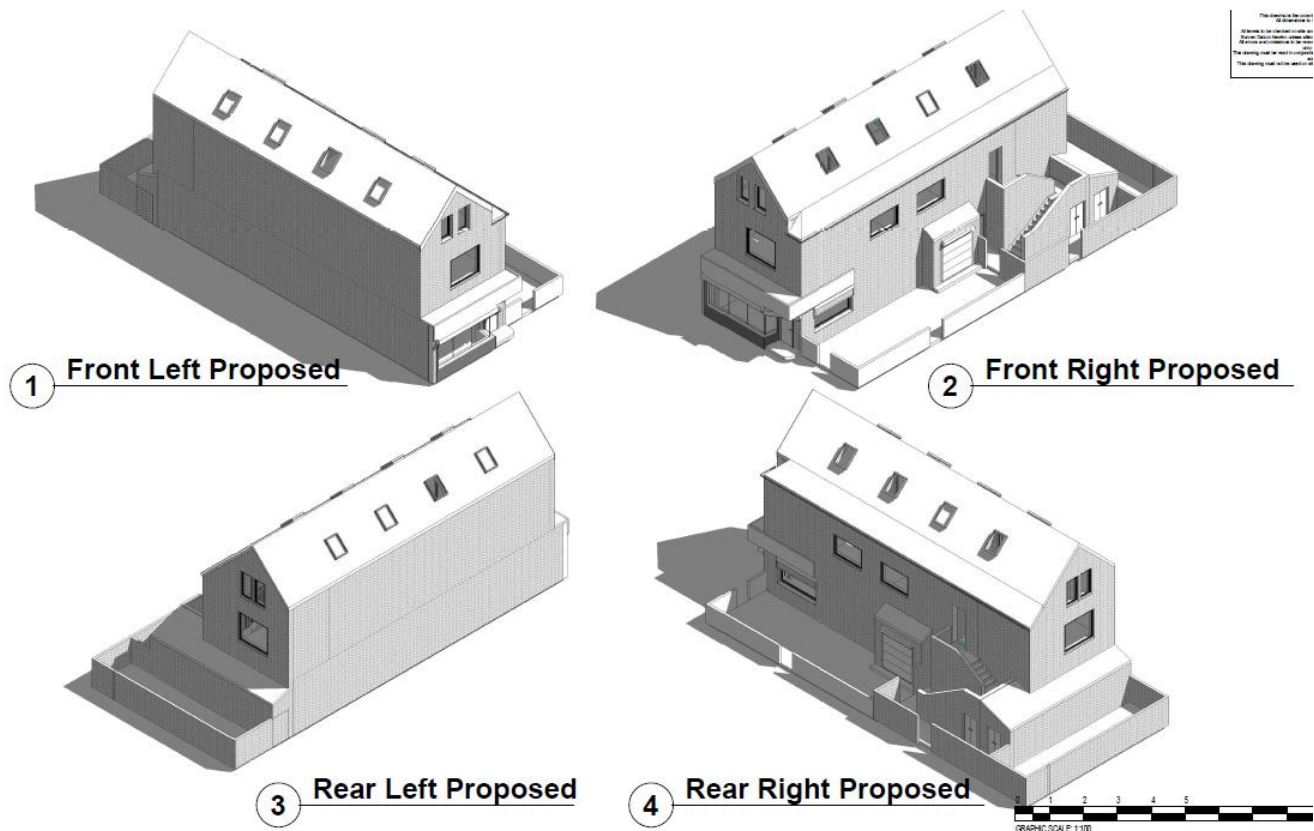
The site is located on the West side of Manchester Road at its junction with Cheltenham Road and the extreme northern end of Chorlton District centre. Adjoining the property to the south is the remainder of the parade with living accommodation above. The property immediately adjacent has an existing outrigger that extends the full depth of the property the subject of this application. To the rear separated by a narrow alley is the gable of a two storey residential property on Cheltenham Road. The property has a small front garden and a yard to the rear.

Across Cheltenham Road is the front elevations of residential properties. Whilst facing the site across Manchester Road is the site of Chorlton Baths.

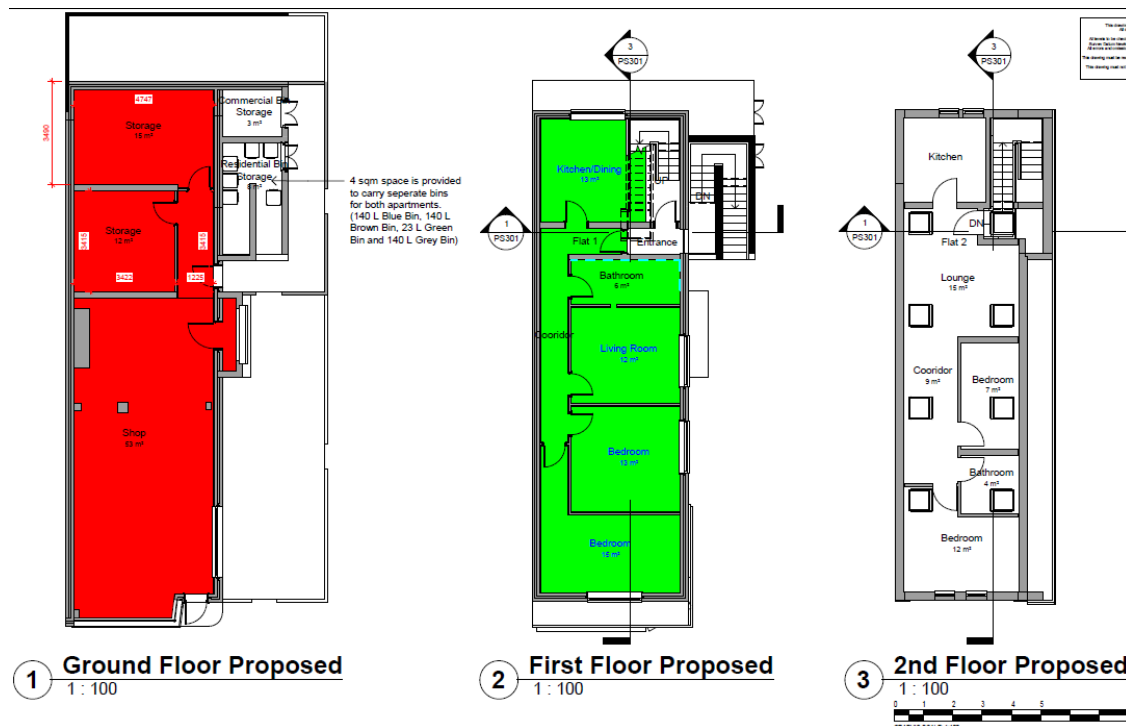
Description of development

Consent is sought to erect a part single part two storey rear extension with accommodation in the roof to create additional space for the existing ground floor retail unit and to facilitate the conversion of the upper floors into two self contained flats.

The proposed ground floor extension would project 3.5 metres beyond the rear face of the main building or 1.1 metres beyond the rear face of the existing lean to. It would extend across the full face of the rear elevation including the access stair. The extension would have a mono pitch roof. The extension would have no windows, although there would be a door in the side elevation giving access to an internal bins store for the commercial unit. The ground floor extension would form additional floorspace for the commercial unit.



The first floor extension would project 2.25 metres and have a dual pitch roof following the profile of the existing building. The extension would have a double window at first floor level and a single window in the gable. Each floor would provide a two bedroom flat. Access to the flats would be via the existing external stair to the first floor and an internal stair to the second floor. The first floor flat would be approximately 71 Square metre and the first floor flat 57.4 square metres. Refuse storage would be internally beneath the existing stairs. Part of the existing yard would be retained and a low wall constructed around the forecourt at the side of the property. There is no parking proposed for the development.



Consultations & Notification Responses

Local residents/Businesses

One letter has been received objecting to the proposed development. The issues raised are summarised below.

- The creation of additional flats will add to the parking issues in the area.
- The use of the ground floor as a take away would add to the noise and disturbance in the area.
- The extension as originally proposed was too large and out of character with the area.
- The original proposal showed bins stored at the side of the property. which would adversely impact on the area.
- The development will result in additional traffic and cars often ignore the existing parking restrictions which causes congestion in the area.

Highways

- The site is considered to be suitably accessible by sustainable modes and is in close proximity to a range of public transport facilities.
 - It is anticipated that the proposals are unlikely to generate a significant increase in the level of vehicular trips therefore they do not raise any network capacity concerns.
 - No on-site parking provision has been made and whilst it is acknowledged that the locality is accessible, as a minimum we would expect secure and sheltered cycle storage to be provided.
 - No details have been submitted in relation to the servicing requirements for the proposed restaurant and these are requested.
 - Limited waste management information has been provided to date and further details are requested. We have concerns that the number of bins associated with the development could adversely impact on the highway on waste collection days and we would therefore recommend that a waste management plan be conditioned as part of any approval.
- The pedestrian access arrangements are acceptable from a highway perspective. It is not currently clear what boundary treatments are to be provided and in this regard further details are sought.
- A construction management plan is required.

Following amendments to the scheme residents were renotified and no further representations were received.

Environmental Protection

In respect of the scheme as submitted the following comments were made:

- Residential bins look to be on the street, this is not acceptable
- There only seems to be one Eurobin for the shop, when the proforma says two. I also want to make sure they have accounted for all recycling streams too as 2 eurobins may not be enough
- If the shop is to be a restaurant we would need a kitchen extraction strategy including an odour risk assessment. We would also need an acoustic assessment for noise break out, transfer to the flats above and to assess the external plant noise.

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Issues

Principle

The principle of extending a commercial property and creating residential accommodation above within a district centre is considered acceptable and accords with Council policies which seek to encourage residential uses above commercial properties.

Scale

This scheme has been modified several times to reduce the impact of the rear extension and plans to enlarge the existing external stair have been dropped.

The proposed extension to the upper floors now projects the same amount as the existing lean to and takes the profile of the existing building. The single storey rear extension increases the projection by 1.1 metres which is not considered to be significant and retains sufficient amenity space for the property. On balance the reduced scale of the proposed extension is considered acceptable.

Design

The design of the proposed extension reflects the host property and subject to using matching materials is considered acceptable.

Standard of accommodation

The first floor flat exceeds the minimum space standard for a two bed flat. The second floor flat at 57.4 square metres is 3.6 metres below although it would be large enough for a one bed two person flat. However, under the provisions of Part 3 Class G it is permitted development to create up to two self contained flats above a class E use. On balance therefore it is considered that the extension would facilitate the creation of two better sized flats than could otherwise be created under permitted development and is therefore acceptable.

Ground floor Use

The ground floor is currently vacant and has been for some time. The last use was retail within what is now Class E. This application does not seek approval of any change of use of the ground floor and in that respect the use of the ground floor is not a material consideration for this application.

Refuse

The submitted drawings show internal refuse storage areas for the commercial and residential uses. The areas are segregated. The residential element can accommodate 3 bins, three per flat which is acceptable. It will also get some bins out of the rear alley which appears to be the preferred place to store the bins.



Amenity Space

The reduction in the scale of the extensions has resulted in an increase in the available amenity space for the residents. On balance it is considered that the amenity space is acceptable for flats within a district centre location.

Parking

This is a District Centre location with good access to public transport and local facilities. It is not the Council's normal practice to require parking for flats above shops in such locations.

Cycle storage

A condition is proposed requiring the provision of facilities for the storage of cycles.

Residential amenity

The principle property affected by the proposed development is the one adjoining to the south. The reduction in the projection of the extension and the orientation of the property is such that it is considered that the extension would not have an overbearing impact on the amenity of the occupiers of the adjoining first floor flats. New windows are located in the rear elevation, however, these face the gable of the adjacent residential property on Cheltenham Road, as such they will not result in overlooking or a loss of privacy. There are no privacy or overbearing impact issues in respect of the properties facing the site across Cheltenham Road.

In terms of the additional activity it is considered that this would not be significant given the location of the site within a busy district centre.

Character of the area.

The spaces between buildings form an important part of its character. By reducing the scale of the proposed extensions and dropping the enlargement of the external stair it is considered that the proposed development would no longer be visually intrusive and detract from the character of the area.

Conclusion.

This scheme has been extensively reworked and it is considered that it is now of a scale whereby it accords with Council policy and can be supported.

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 proactive manner based on seeking solutions to issues arising from the consideration of this 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:

PS132 revision O received 8 March 2022

PS134 revision O received 8 March 2022

PS222 revision O received 8 March 2022

PS301 revision O received 8 March 2022

PS432 revision O received 8 March 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 development hereby approved shall be constructed using materials that match those used in the original building in terms of size, colour and texture.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

4) The details of the refuse storage shown on the approved drawings shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In order to ensure that there are satisfactory arrangements for the storage of refuse pursuant to Core Strategy policy DM1.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than the purpose(s) of C3(a). For the avoidance of doubt, this does not preclude two unrelated people sharing a property.

Reason - 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 policies DM1 and H11 of the Core Strategy for Manchester and the guidance contained within the National Planning Policy Framework.

6) No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- o A construction programme including phasing of works;
- o 24 hour emergency contact number;
- o Expected number and type of vehicles accessing the site: o Deliveries, waste, cranes, equipment, plant, works, visitors; o Size of construction vehicles; o The use of a consolidation operation or scheme for the delivery of materials and goods; o Phasing of works;
- o Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction): Programming; Waste management; Construction methodology; Shared deliveries; Car sharing; Travel planning; Local workforce; Parking facilities for staff and visitors; On-site facilities; A scheme to encourage the use of public transport and cycling;
- o Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- o Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- o Locations for storage of plant/waste/construction materials;
- o Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- o Arrangements to receive abnormal loads or unusually large vehicles;
- o Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- o Any necessary temporary traffic management measures;
- o Measures to protect vulnerable road users (cyclists and pedestrians);
- o Arrangements for temporary facilities for any bus stops or routes;

- o Method of preventing mud being carried onto the highway;
- o Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Manchester City Council encourages all contractors to be 'considerate contractors' when working in the city by being aware of the needs of neighbours and the environment. Membership of the Considerate Constructors Scheme is highly recommended.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

7) Before the flats hereby approved are first occupied a scheme for the secure storage of cycles shall be submitted to and approved in writing by the City Council. The approved scheme shall be put in place and then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying the development have a range of options in relation to mode of transport in order to comply with policies SP1, T1 and DM1 of the Core Strategy.

Informative

- 1) Please be advised that the Thirlmere Aqueduct runs along Cheltenham Road and it would be prudent to contact North West Water before commencing work.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Chorlton Voice

2 Cheltenham Road, Manchester, M21 9QN
2A Cheltenham Road, Manchester, M21 9QN
125A Manchester Road, Chorlton, Manchester, M21 9PG
127A Manchester Road, Chorlton, Manchester, M21 9PG
1 Cheltenham Road, Manchester, M21 9GL
129A Manchester Road, Chorlton, Manchester, M21 9PG
6 Cheltenham Road, Manchester, M21 9QN
127 Manchester Road, Chorlton, Manchester, M21 9PG
3 Cheltenham Road, Manchester, M21 9GL
4 Cheltenham Road, Manchester, M21 9QN
125 Manchester Road, Chorlton, Manchester, M21 9PG

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
Area Team Boundary - Name: SOUTH