

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132300/FO/2021

Date registered valid: 14 December 2021

Proposal: Erection of a part single/part two storey rear extension and change of use of first and second floor to form House in Multiple Occupation (C4 use)

Address: 480 Wilmslow Road, Manchester, M20 3BG

Ward(s): Old Moat Ward

Applicant: Mr Mehraan Sattar Atlas Property Group Limited 4 Park Range , Manchester, M14 5HQ

Agent (if any): Mr Nick Goodchild Goodchild Design Partnership (GDP) 132-134 Great Ancoats Street, Manchester, M4 6DE

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

Recommendation: Refuse

Date of recommendation: 07.02.2022

Application details

Type of application: Full Application Consent

Development type: Minor Dwellings

Date of site visit: 14 January 2022

Standard consultations:

Printed: 16 December 2021 Expired: 6 January 2022

Neighbour notifications

Printed: 16 December 2021 Expired: 6 January 2022

Site notice

Posted: 22 December 2021 Expired: 12 January 2022

Press advert

Published: 21 December 2021 Expired: 11 January 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to a two storey end of parade property with a three storey outrigger and a single storey outbuilding. The property also has a basement level. The property is currently used as a pharmacy and the upper floors are shown on the submitted drawings as storage, staff breakout and unused rooms. There is a yard at the rear of the property that fronts Gledhill Street.





Listed building: Not applicable

Conservation area: Withington Conservation Area 1983

Tree Preservation Order:

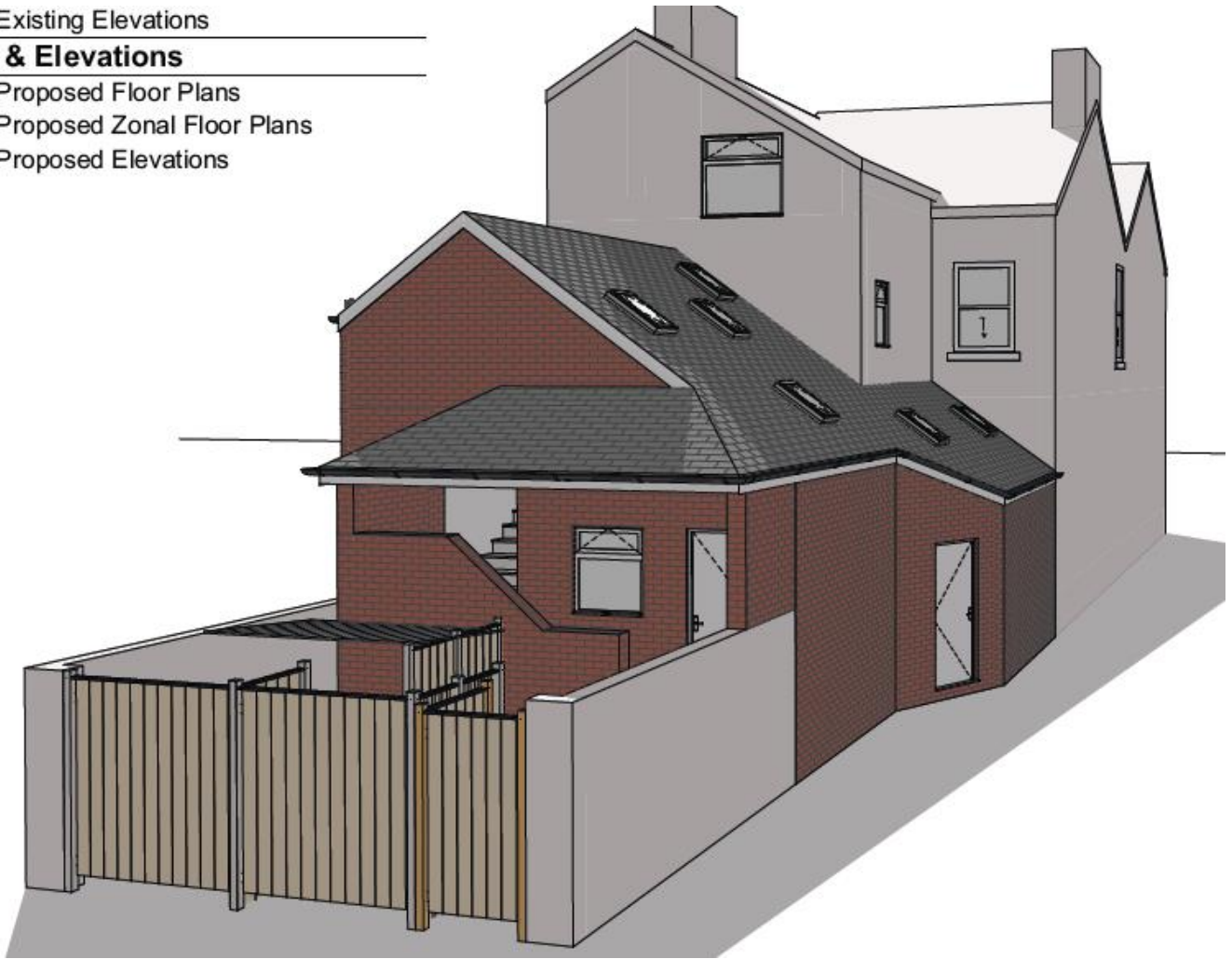
Description of area

The property is located within the Withington District Centre and Conservation Area. The property is at the southern end of the parade separated from another commercial parade by a narrow passage linking Wilmslow Road to Gledhill Street. Across Gledhill street are residential properties on Strathblane Close. Facing the site across Wilmslow Road are more commercial properties.

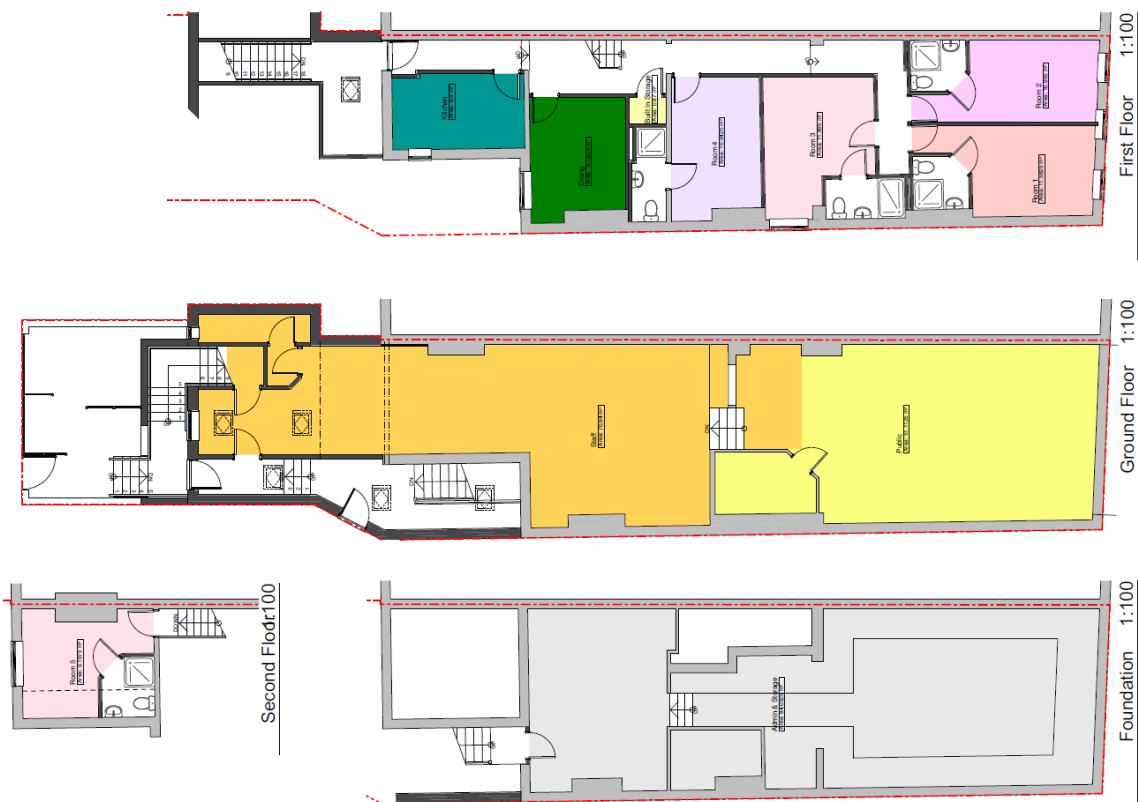
Description of development

Consent is sought to erect a part single part two storey extensions following the demolition of the outbuildings, The two storey extension would be on the rear of the outrigger and the single storey element at the side of the proposed extension and the outrigger. The extension would project approximately 5.8 metres from the rear face of the outrigger. It would be of brick construction with a dual pitch roof. On the rear elevation of the extension would be an external stair leading to an entrance vestibule to the first floor. The rear elevation would also contain an entrance to the ground floor use and a single window. The south elevation would contain a new door from the alley to the pharmacy and six roof lights in the extension.

- Existing Elevations
- s & Elevations**
- Proposed Floor Plans
- Proposed Zonal Floor Plans
- Proposed Elevations



The enlarged first floor and the existing second floor would be used as a five bed HMO each room having an en suite , There would also be a shared kitchen and dining room.



The remaining rear yard would contain segregated areas for the storage of refuse and secure cycle parking.

Consultations & Notification Responses

Local residents/businesses

No representations received

Withington Civic Society.

-The proposed extension is too large and amounts to an overdevelopment of a very confined space which lies at an important site in the heart of the Withington Village Conservation Area.

-It would result in the loss of two car parking spaces in an area where parking spaces are already in short supply.

-They are also concerned with the proposed waste management arrangements.

-The area is the subject of an Article 4 Direction, and already contains a large number of HMOs with all the problems this can cause. The Inspector in Planning Appeal

APP/B4215/W17/3189101:

“Areas that have a high concentration of HMOs, including student accommodation, often experience a conflict between the lifestyles of students and local residents. The generally transient nature of the occupants of HMO’s results in them often failing to integrate into the local community and makes it difficult to provide community services and facilities. This is exacerbated by the often seasonal nature of student occupation, with fluctuations in service needs as a result of students often vacating the properties outside term times. As a result, an over concentration of HMOs creates an imbalance in the housing provision in the local community which can have a harmful effect on the sustainability of the community. “

As the Inspector commented in Planning Appeal Ref APP/B4215/A/10/2139091 at paragraph 12:

“In the Withington ward in which the appeal is located, the number of HMO’s in the area has now reached the tipping point beyond which maintaining a sustainable community attractive to permanent residents would be difficult.”

This proposal, in combination with other HMOs in the area, would significantly harm the mix and balance of housing provision in the area.

-There is no good reason why the applicant cannot develop the property as a flat suitable for a family

Environmental Protection

More information is required in respect of the collection of refuse. Condition required in respect of acoustic insulation and air quality.

Policy.

The relevant Core Strategy policies are SP1, DM1 and H11

Policy SP1 sets down the spatial principles that guide development in the City including the creation of neighbourhoods of choice.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development and to design out crime.

Policy H11 seeks to restrict the increase in the number of HMO's in areas where there is a high concentration of such uses.

Issues

Principle

The principle of extending this property is considered acceptable, however, there are concerns about the creation of a HMO and the potential for the development to be vulnerable to Criminal or anti social behaviour.

Scale

The proposed extension is significantly smaller than the existing outrigger and with a projection of 5.8 metres is considered to be subservient to the host property. On balance the scale of the proposed extension is considered acceptable.

Design

The proposed extension has a contemporary feel with its large pitched roof. There are no substantive issues with the design of the extension.

HMO

The property is located within the Old Moat Ward in an area that is popular with students due to its proximity to the higher education campuses. As a consequence the area has a high concentration of HMO's. Concern is expressed that high concentrations of HMO's can adversely impact on the amenity of an area and the transient nature of the residents is such that they do not take any pride in it, and also it makes the provision of services more difficult, rendering such areas unpopular with families. The over concentration of HMO's therefore impacts on the sustainability of communities. On balance it is considered that the creation of a HMO would adversely impact on the concentration of HMO's in the area and detract from its sustainability. The proposed development is therefore contrary to the provisions of policy H11.

It should be noted that the applicant could create two self contained flats above the commercial unit without planning permission.

Standard of accommodation

Concern is expressed that one of the bedrooms does not appear to have a window in the submitted drawings whilst another room has a window that looks across the narrow passage to the gable of the adjacent property. As a HMO it is likely that tenant would spend more time in their rooms and thus it is considered that the proposal would provide a poor standard of accommodation.



Security

There are two areas of concern in this respect. The proposed new entrance from the alley into the pharmacy and the entrance to the proposed HMO.

The side entrance is off a narrow, unlit, alley linking Wilmslow Road and Gledhill Street. The opportunities for natural surveillance of the proposed entrance would be limited and as a consequence it is considered that the door would be vulnerable to either criminal or anti social behaviour.

The access steps from the yard to the accommodation are open and lead into a vestibule that has no outside door. Once in the vestibule people would not be visible from the street resulting in both the entrance to the accommodation and people using it vulnerable.

Refuse

Environmental Protect have sought clarification of where the bins would be emptied. Presumably this would be from Gledhill Street to the rear. The scheme shown segregated provision for the commercial and residential uses and would therefore be in principle acceptable.

Cycle Parking

The provision of secure cycle parking is in line with Council policy and is considered acceptable.

Loss of parking.

Currently there are two parking spaces within the rear yard. These are lost to the development. Whilst parking is an issue in the area the Council does not normally require off street parking within a district centre. There is also a large car park on Gledhill street. It is considered that the loss of parking could not therefore form the basis of a reason for refusing consent.

Impact on amenity

Having regard to the orientation of the property and the adjacent uses the proposed extension is unlikely to have any significant impact in terms of overbearing impact of loss of privacy,

Conclusion.

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

The proposal would not improve the social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There are no conditions which could reasonably have been imposed, which would have made the development acceptable and it is therefore not possible to approve the application.

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

1) The proposed development would result in the creation of a house in multiple occupation in an area where there is a high concentration of Houses in Multiple Occupation to the detriment of the sustainability of the area. The proposed development would therefore erode the range of accommodation necessary for the creation of sustainable communities and is therefore contrary to the provisions of Core Strategy policy H11.

2) The proposed development would result in a poor standard of accommodation in that the window to room 3 faces a blank gable across a narrow alley and room 4 has no natural light or means of ventilation. The proposed development would therefore be contrary to Core Strategy Policy DM1.

3) The proposed side entrance into the Pharmacy by reason of its position on a narrow alley with limited natural surveillance, would be vulnerable to criminal and/or anti social behaviour. The proposed door would therefore be contrary to policies SP1 and DM1 of the Core Strategy and fails to reflect the guidance contained in the National Planning Policy Framework.

4) The proposed entrance to the first floor living accommodation due to the open nature of the vestibule would restrict natural surveillance of the if the entrance leaving it vulnerable to criminal and/or anti social behaviour. The proposed door would therefore be contrary to policies SP1 and DM1 of the Core Strategy and fails to reflect the guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Withington Civic Society
Greater Manchester Police

484 Wilmslow Road, Manchester, M20 3BG
484A Wilmslow Road, Manchester, M20 3BG
Flat 3, 476A Wilmslow Road, Manchester, M20 3BG
Flat 2, 476A Wilmslow Road, Manchester, M20 3BG
Flat 4, 476A Wilmslow Road, Manchester, M20 3BG
3B Parsonage Road, Manchester, M20 4PB
Flat 2, 478 Wilmslow Road, Manchester, M20 3BG
Flat 2, 482A Wilmslow Road, Manchester, M20 3BG
Flat 1, 482A Wilmslow Road, Manchester, M20 3BG
482A Wilmslow Road, Manchester, M20 3BG
Ground Floor, 482 Wilmslow Road, Manchester, M20 3BG
478 Wilmslow Road, Manchester, M20 3BG
476 Wilmslow Road, Manchester, M20 3BG
475 Wilmslow Road, Manchester, M20 4AN
473 Wilmslow Road, Manchester, M20 4AN
Flat 1, 471 Wilmslow Road, Manchester, M20 4AN
467 - 471 Wilmslow Road, Manchester, M20 4AN
482 Wilmslow Road, Manchester, M20 3BG
Flat 1, 476A Wilmslow Road, Manchester, M20 3BG

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
Conservation Area - Withington Conservation Area 1983
Area Team Boundary - Name: SOUTH