

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132327/FO/2021

Date registered valid: 19 December 2021

Proposal: Retrospective application for the erection of a two-storey rear extension to create 7 apartments (Class C3), with associated car parking to the rear

Address: 197-201 Mount Road, Manchester, M18 7GG

Ward(s): Longsight Ward

Applicant: Mr Teja Sahotta, 6 Cross Lane, Marple, Stockport, SK6 6DJ

Agent (if any): Ms Ozma Khan, 6 Cross Lane, Marple, Stockport, SK6 6DJ

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

Recommendation: Approve

Date of recommendation: 08 March 2022

Application details

Type of application: Full Application Consent

Development type: Smallscale Major Dwellings

Date of site visit: 21 January 2022

Standard consultations:

Printed: 30 December 2021 Expired: 20 January 2022

Neighbour notifications

Printed: 30 December 2021 Expired: 20 January 2022

Site notice

Posted: 21 January 2022 Expired: 14 February 2022

Press advert

Published: 11 January 2021 Expired: 1 February 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site previously comprised a two storey, detached building incorporating a ground floor retail convenience to the front, operated by 'Simply Local', with the upper floor and roof space comprising 4 x 1 bedroom flats.

At the time of the site visit, it is clear that the extension subject to the application has been completed. The flats are not yet occupied and the associated ground works, including the rear car park have not yet been implemented. The rear access is presently gated off.

The property includes a forecourt and a car park/service area to the rear, accessed along the northern side of the building off Mount Road.

The site is adjoined by a Grade II listed church (Mount Olivet Apostolic Church) and its associated ground and rectory to the north and east. On all over sides, the site is neighboured by residential properties.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

With the exception of the ground floor shop within the host building and the adjoining church and associated rectory to the side and rear of the site, the immediate area is largely residential in character, mainly comprising two storey dwellinghouses. Neighbouring the site to the southern boundary, is a two-storey complex of cottage flats which face onto the site.

Description of development

Retrospective planning permission is sought for the erection of a two storey rear extension to create 7 apartments (Class C3), with associated car parking to the rear.

The application follows outline approval being granted for consideration of layout, scale, access and appearance for erection of a two-storey rear extension, including third floor to accommodate 7 self-contained apartments (Ref: 119782/OO/2018).

It is understood that the applicant misunderstood the nature of outline planning permission and proceeded to build-out the development. The current application now seeks to regularise the development in situ via full planning permission.

At the time of the site visit, it was clear that the extension has been fully erected, but not yet occupied. Site layout works including the car park area have not yet been implemented.

Consultations & Notification Responses

Local Residents/Occupiers – 2 representations have been received.

1 representation notes that the development has been completed. The other representation raises an objection based on scepticism of the rear area park being implemented.

Flood Risk Management – A condition recommending the inclusion of a surface water drainage layout be incorporated, is recommended.

Highways Services - The site plan shows 11 car parking spaces to the rear. This amount of off-street parking is considered acceptable.

It is required that each space is a minimum of 2.4 x 4.8m.

In relation to cycle storage, confirmation is sought that this is secure and sheltered and makes provision for the 7 units.

Whilst the bin storage area to the rear has been repositioned from that previously proposed, the means of access for refuse collection has been approved under a previous application and is therefore acceptable to Highways.

Pedestrian and vehicle access arrangements are acceptable from a highway perspective.

Environmental Health - Conditions are advised in relation to waste management and confirmation that a gas membrane has been installed for the extension.

Planning History

119782/OO/2018

Outline application for the consideration of layout, scale, access and appearance for erection of a two storey rear extension, including third floor to accommodate 7 self-contained apartments. *Approved 10 July 2018.*

Policy

- Saved policies DC5, DC19 and DC26 of the UDP.
- Policies DM1, SP1, T2, H1, H4, EN3, EN15, EN16, EN17 and EN19.
- The Guide to Development in Manchester (SPG/SPD) (2007).
- National Planning Policy Framework (NPPF).
- National Planning Guidance (NPG).

Issues

Principle

Having regard to the existing local planning policy framework and national planning guidance, the principle of additional residential accommodation is considered acceptable.

The proposal will contribute towards the housing growth strategy, ensuring that development takes place within the right areas to meet demands along with creating high quality places and neighbourhoods of choice.

The proposal will also add to the diversity of residential accommodation in the area and due to the position of the building adjacent to a relatively high frequency transport route, the density of the proposed number of flats can be supported in this location.

The proposal represents an appropriate and satisfactory form of development which meets key objectives to provide quality, residential accommodation which contribute to a vibrant and sustainable neighbourhood.

It is felt that given the surrounding environmental context, coupled with the design, scale and appearance of the extension, the proposed development enables the development to integrate into its surroundings without any undue harm to the amenity of nearby residents or the character and appearance of the area.

There are however more detailed matters that require consideration and these are set out below.

Residential Amenity

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

In this instance, the proposed development will introduce a more intensive residential use into the context of a principally residential area, adjacent to busy, main road.

Whilst it is acknowledged that there will be an increase in activity at the site, the limited amount of occupiers of the proposed development is unlikely to be so significant that the living conditions of neighbouring occupiers on along Mount Road and Netherbury Close would be so severely affected.

Due to the design of the building and the associated extension, coupled with the relationship of the building with the nearest occupiers, conditions have been applied which will require all windows to the side elevations to be obscurely glazed, in order to prevent any potential overlooking.

A further condition has been included to prevent the flats being occupied as HMOs so to prevent the over intensive use of the flats and again to safeguard residential amenity, due to concerns about the potential for higher levels of activity, noise and disturbance.

Design, Scale and Appearance

Previously, the rear of the building comprised a mixture of poorly designed and constructed flat roofed and pitched roof extensions.

The proposal rationalises the previous extensions within a part single, part two storey extension with dual pitched roof and central apex. The extension has infilled existing recesses formed by the mixture of extensions with their various rearward projections and projects no further than the previous single storey element, whilst maintaining the existing building lines to both side and ridge height of the original building.

The position of windows has been designed so that no undue overlooking towards the rear boundary will result, and with the attachment of a condition relating to the incorporation of obscure glazing up to 1.7m above internal floor levels the privacy prospective occupiers from the operation of the side access would be protected.

It is believed that due to the design and position of the extension and its relationship with neighbouring properties, there will be no significant or harmful impact to the amenity of adjoining occupiers in terms of any over-dominance, overshadowing or loss of privacy, subject to the attachment of appropriate conditions.

Heritage

S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Policy EN3 of the Core Strategy, along with paragraph 192 of the NPPF likewise refer to the need for the consideration to be given to the impact of new developments on heritage assets, whilst saved Policy DC19.1 seeks to preserve and enhance the setting of listed buildings by appropriate control over the design of new development in their vicinity.

The National Planning Policy Framework states at paragraph 197 that:

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness..

Paragraph 202 states further that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

This policy, guidance and legislation is applicable in this case as the application site neighbours a Grade II listed church.

The church is set within large grounds and set approximately 15 metres away from the shared boundary, with the existing building line to the side of the building maintained.

Due to this relationship, coupled with the existing site context and the improvements that would be gained by consolidating and rationalising a group of unattractive additions to the rear of the host building, away from the street views, together with the landscaping of an overgrown service yard, it is believed that on balance, the proposed development will not be harmful to the setting of the neighbouring listed church.

The historical significance of the church will be retained and the design, scale and appearance of the proposed development will have no significant impact upon the character of the area or the setting of the church or the preservation of this heritage asset. The proposed development will have a limited impact on the setting of the listed building, and no impact on the designated asset's historical or architectural significance.

Impact on the Highway

Whilst there are no parking standards enshrined in policy for the proposed use, it is considered that the provision of 9 off road spaces within a rear car park to serve 7 flats is as satisfactory ratio and unlikely to lead to any amenity issue or problems with on street parking demand.

The proposed car park will utilise an overgrown service yard accessed along the northern side of the building. Discussions with Highways have confirmed that there are no concerns surrounding the layout of the car park, access or servicing arrangements.

It is clear that the rear of the building is not used for the servicing requirements of the existing retail store and the large forecourt to the front of the store is capable of accommodating delivery and servicing vehicles off road, and is presently used for this purpose. The existing servicing arrangements will therefore be maintained.

Security

The proposed development offers the opportunity to introduce gated access to the rear car park and through further mitigation measures such as access controlled doors and external lighting, any impact upon security can be satisfactorily minimised. A condition to this effect has been included and will require security measures to be introduced prior to first occupancy of the additional flats proposed.

Waste Management

A communal refuse storage area to serve the development is proposed in a dedicated area to the rear of the building within a new purpose-built store to serve both the flats and the convenience store.

This arrangement is considered acceptable and will lead to the improvements in the existing situation, whereby the bins for the existing flats are stored in an ad hoc fashion within the rear yard. A bin store to the front of the building will also be relocated to the rear and therefore improvements to the appearance of the street-scene will be realised.

Environmental Health have requesting clarification surrounding the bin calculation and collection arrangements. A condition has therefore been included in this regard.

Air Quality

Given the existing residential use of the site, the number and position of the residential units and the modest increase in parking spaces, it is considered that the impact upon air quality would not be significant, particularly given the sustainable location and limited increase in the number of apartments.

Surface Water Drainage

Whilst the application is retrospective, the car park area has not yet commenced. As such, an appropriate condition based on the comments of the Flood Risk Management team has been included, which requires the submission and agreement of a surface water drainage scheme to be submitted prior to the apartments being occupied.

Affordable Housing

Due to the size of the site and the number of units proposed, the proposed development falls below the threshold prescribed by Policy H8 of the Core Strategy which requires consideration to be given to the provision of affordable housing.

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 hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings referenced P101 and P105/A received by the City Council as Local Planning Authority on 25 November 2021 and 26 February 2022 respectively.

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.

2) 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.

3) Prior to first occupation of the apartments hereby approved, details of the installed proprietary gas protection membrane shall be submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be occupied once the gas membrane installed has been agreed by the City Council as Local Planning Authority.

Reason - In order to alleviate any possibility of landfill gas ingress to the building and as 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 policies DM1 and EN18 of the Manchester Core Strategy.

4) Notwithstanding details submitted, the apartments hereby approved shall not be occupied 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 saved policy DC5 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

5) Notwithstanding the details submitted, the development shall not be occupied until full design details, including the proposed materials of the bin and cycles stores have been submitted to and approved in writing by the City Council as Local Planning Authority. The development shall only be implemented in accordance with the agreed details.

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.

6) The car park area indicated on the approved drawings shall be fully demarcated and surfaced prior to first occupation of the flats hereby approved and shall be solely available for use by the occupiers of flats.

Reason - To ensure sufficient off-street parking for the development, pursuant to saved policy DC5 of the Unitary Development Plan for the City of Manchester and policies DM1, T2 and SP1 of the Manchester Core Strategy.

7) The apartments hereby approved shall not be occupied until there has been submitted to and approved in writing by the City Council as Local Planning Authority, a plan indicating the design and material of the vehicular access gate to the car park area. Details shall include the access controls to be implemented and detail of how all users of the building will access the car

park and bin store. The development shall only be carried out in accordance with the approved details and shall thereafter be retained.

Reason - In the interests of visual amenity and security, pursuant to policies DM1, EN3 and SP1 of the Manchester Core Strategy.

8) The apartments hereby approved shall not be occupied until the cycle store shown on drawing referenced P105/A, received by the City Council as Local Planning Authority on 26 February 2022, has been implemented. The cycle store shall remain in situ and made available at all times whilst the flats are occupied.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting 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 Manchester Core Strategy.

9) No apartments hereby approved shall be occupied until details of crime prevention measures have been submitted to and approved in writing by the City Council as Local Planning Authority. Details shall include dusk till dawn lighting to all main entrances and the car park, access controls to communal entrances, security rated entrance doors and an alarm system. The apartments shall only be occupied in accordance with the approved security details and retained thereafter.

Reason - To reduce the risk of crime pursuant to policies SP1 and DM1 of the Core Strategy and to reflect the guidance contained in the National Planning Policy Framework.

10) The apartments hereby approved shall not be occupied until a hard and soft landscaping treatment scheme has been submitted to and approved in writing by the City Council as local planning authority. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

Reason - To ensure that a satisfactory landscaping scheme for the development is carried out that respects the character and visual amenities of the area, in accordance with policies SP1, EN9 and DM1 of the Manchester Core Strategy.

11) Before first occupation of the flats hereby approved the ground and first floor side windows in the side (southern) elevation, as shown on drawing referenced P105/A, received by the City Council as Local Planning Authority on 26 February 2022, 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. The same windows shall be non-openable and remain closed at all times.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking, perceived overlooking or disturbance, pursuant to saved policy DC5 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

12) Before first occupation of the flats hereby approved, the ground and first floor side windows in the side (northern) elevation, as shown on drawing referenced P105/A, received by the City Council as Local Planning Authority on 26 February 2022, shall be obscurely glazed to a specification of no less than level 5 of the Pilkington Glass Scale, or such other alternative

equivalent, and to a height of 1.7 metres above the floor of the room in which the window is installed, and shall remain so in perpetuity.

Reason - To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and in accordance with policies SP1 and DM1 of the Core Strategy.

13) Prior to the first occupation of the residential development hereby approved, details of electric car charging points shall be submitted for approval in writing by the City Council, as Local Planning Authority.

The approved details shall then be implemented as part of the development and be in place prior to the first occupation of any of the residential apartments and be retained thereafter.

Reason - In the interest of air quality, pursuant to policy EN16 of the Manchester Core Strategy.

14) Prior to the implementation of the car park hereby approved, a surface water drainage layout for the site, based on sustainable drainage principles shall be submitted to and approved in writing by the City Council as Local Planning Authority. This shall include evidence of acceptance of flows/connection where required. The development shall be constructed and completed in accordance with the approved details and details provided of how the scheme shall be maintained and managed after completion.

Reason - 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.

15) The residential apartments hereby approved shall be used only as private dwellings (which description shall not include serviced properties or similar uses where sleeping accommodation (with or without other services) is provided by way of trade for money or money's worth and occupied by the same person for less than ninety consecutive nights) and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

Appendix 1 – List of consultees & neighbours notified

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

Mount Olivet Apostolic Church, 195C Mount Road, Manchester, M18 7GG
195B Mount Road, Manchester, M18 7GG
Flat 7, 197A Mount Road, Manchester, M18 7GG
Flat 6, 197A Mount Road, Manchester, M18 7GG
Flat 5, 197A Mount Road, Manchester, M18 7GG
Flat 4, 197A Mount Road, Manchester, M18 7GG
Flat 3, 197A Mount Road, Manchester, M18 7GG
Flat 2, 197A Mount Road, Manchester, M18 7GG
Flat 1, 197A Mount Road, Manchester, M18 7GG
Ellen Kerr House, 2 Balmain Avenue, Manchester, M18 7PF
4A Balmain Avenue, Manchester, M18 7PF
194 Mount Road, Manchester, M18 7QS
186 Mount Road, Manchester, M18 7QS
180 Mount Road, Manchester, M18 7QS
4 Netherbury Close, Manchester, M18 7QE
35 Netherbury Close, Manchester, M18 7QE
2 Netherbury Close, Manchester, M18 7QE
3 Trust Road, Manchester, M18 7PH
11 Trust Road, Manchester, M18 7PH
4B Balmain Avenue, Manchester, M18 7PF
195A Mount Road, Manchester, M18 7GG
198 Mount Road, Manchester, M18 7QS
196 Mount Road, Manchester, M18 7QS
192 Mount Road, Manchester, M18 7QS
190 Mount Road, Manchester, M18 7QS
188 Mount Road, Manchester, M18 7QS
184 Mount Road, Manchester, M18 7QS
182 Mount Road, Manchester, M18 7QS
8 Netherbury Close, Manchester, M18 7QE
6 Netherbury Close, Manchester, M18 7QE
39 Netherbury Close, Manchester, M18 7QE
37 Netherbury Close, Manchester, M18 7QE
33 Netherbury Close, Manchester, M18 7QE
9 Trust Road, Manchester, M18 7PH
7 Trust Road, Manchester, M18 7PH
5 Trust Road, Manchester, M18 7PH
1 Trust Road, Manchester, M18 7PH

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH2