

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131169/FO/2021

Date registered valid: 11 October 2021

Proposal: Change of use of property to form Hairdressers and Beauty Shop (Sui Generis Use)

Address: Former Public Convenience, Barlow Moor Road, Manchester, M20 6TR

Ward(s): Didsbury West Ward

Applicant: Mr Emrah Mansuroglu, Mansuroglu Ltd, 16 Redfern Avenue, 21 Bridge Street, M33 2TJ

Agent (if any): Mansuroglu Ltd, 16 Redfern Avenue, 21 Bridge Street, M33 2TJ

Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 December 2021

Application details

Type of application: Full Application Consent

Development type: Minor Retail

Date of site visit: 19 October 2021

Standard consultations:

Printed: 22 October 2021 Expired: 12 November 2021

Neighbour notifications

Printed: 15 October 2021 Expired: 5 November 2021

Site notice

Posted: Expired: Posted: 19 October 2021 Expired: 9 November 2021

Press advert

Published: 19 October 2021 Expired: 9 November 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a former public convenience located on Barlow Moor Road, which is a brick built single storey building with a pyramid concrete tiled roof.



Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: None

Description of area

The application site is located on the edge of Didsbury District Centre, which has a focus on leisure orientated shopping, restaurants and bars associated with the evening economy. Unlike other centres Didsbury does not provide a broad range of public services facilities.

Description of development

The applicant is seeking planning permission to change use of property to form Hairdressers and Beauty Shop (Sui Generis Use).

Consultations & Notification Responses

Local Residents/Public Opinion – Representations were received from one person who objected to the application as there are too many hairdressers in the area who are already struggling for business.

Highway Services – No objection - The trips generated as a result of the hairdressers and beauty salon are not expected to impact highway safety or operation.

The area is well served by public transport, no parking is proposed, and it is anticipated that all vehicular demand will contribute to the level of vehicles parked on street. Highways considered that this is acceptable in principle due to the excellent public transport in the area.

Recommended cycle parking is provided.

Raised that the drawing originally showed that the front entrance would open onto the public highway potentially impinging pedestrian movements.

Requested further details on refuse storage

Environmental Health – No objection - recommended conditions on Fumes but only if the applicant intends on doing nail treatment, opening hours, servicing hours, external plant and refuse storage.

Issues

Local Policy

Manchester Core Strategy Development Plan Document (2012) - The Core Strategy was adopted on the 11th July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Core Strategy** policies for this application are as follows:

SP1 – Spatial Principles
DM1 – Development Management 1
C2 – District Centres
C9 – Out-of-centre development

The relevant **UDP** policies for this application are:

DC 26 – Development and Noise

The Guide to Development in Manchester SPD

National Policy

National Planning Policy Framework (NPPF)

Principle – The application site is located on the edge of District Centre on Barlow Moor Road near to the junction with Wilmslow Road. On the opposite side of the road there are already ground floor commercial units and at least two of the these units are occupied by hairdressers.

The application is seeking to change of use of the former public convenience to form Hairdressers and Beauty Shop (Sui Generis Use)

There are no permitted development rights contained within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and the Town and Country Planning (Use Classes) Order 1987 (as amended) that permits this change.

It is considered that the following areas should be assessed in order to determine whether the proposed use is acceptable, impact on residential amenity, car parking, refuse storage.

It is also important to note that the application site is also located within a designated conservation area and an assessment on the impact of this designated heritage asset should also be taken into consideration.

The Use - In terms of the development plan it is important to note that Policy C6 of the Core Strategy seeks redevelopment opportunities for new development within and on the edge of the centre will be supported, provided they will enhance the range and quality of retail and dining and complement the overall character of the centre.

The former public convenience closed in September 2011 and has been unused since, therefore any changes to bring the use of the building back into use are welcomed.

In terms of the use hairdressing and beauty salon are already found within the district centres and therefore the proposed used is considered to be appropriate for this location. Concerns have been raised about the prospect of further hairdressers and the competition this will bring. However, competition is not a material planning consideration and therefore cannot be taken into consideration.

There are minor elevation alterations in the form of a new shop window and a composite panel that will frame the building and this will support the housing for a roller shutter. A condition is recommended to ensure that the composite panel is acceptable for both its location within the district centre and conservation area.

Residential Amenity – There appears to be a few residential properties located at first floor above the commercial parade of shops on the opposite side of the road to the application site. However, there are no residential properties to side or the rear of the application building.

It is recommended that hours are agreed prior to opening and environmental health have recommended a servicing hours condition which has been attached to the end of this report. Both conditions will help to protect the amenity of the nearby residents.

The applicant confirmed that no nail treatment will be offered and therefore there is no requirement for a fume extraction conditions and the drawings do not show any external equipment and therefore an acoustic assessment and treatment condition is not required.

Highways Impacts/Car Parking/Refuse Storage - It is unlikely that there will be any intensification of vehicle trips and therefore Highway Service have raised no highway capacity concerns, There is no proposed car parking provided on site, however the application is located within the district centre which is well served by sustainable modes of public transport. However, it is acknowledged there may be some impact on on-street car parking especially those not protected by TROs.

Whilst highways have recommended cycle storage, it should be noted that the footprint of the unit is constrained and cycle parking is available in the immediate vicinity.

No details have been provided regarding refuse storage or location. It is therefore recommended a condition is attached to ensure that these arrangements are acceptable as requested by Environmental Health.

Impact on the Conservation Area - Both policy EN3 and extant policy DC18 state that new proposals should preserve or enhance the conservation area. Furthermore, the NPPF requires that new development should protect and enhance the historic environment. Pursuing sustainable development involves seeking improvements in the quality of the historic environment, replacing poor design with better design that makes a positive contribution to local character and distinctiveness.

The proposed application if approved will bring back into use a vacant building albeit in a different one. The use as described above is considered to be acceptable for its location and there are conditions regarding materials which will help to protect the visual amenity and in turn the conservation area.

The proposal would result in a low level of less than substantial harm as defined by paragraph 202 of the NPPF, to the significance and setting of the designated heritage asset in this case the conservation area. As directed by paragraph 202 of the NPPF, it is now necessary to consider whether the public benefits required exist which outweighs any this harm.

In this case the public benefit will be bringing back into use a long term vacant building and its contribution to the street scene and conservation area.

Therefore, the proposal is in accordance with the NPPF, saved policy DC18.1 and policy EN3 of the Core Strategy.

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 and agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance the applicant sought pre-application advice prior to the submission of the application where the principle of the use, refuse and elevational alterations were discussed.

The scheme is considered to be in accordance with the guidance contained within saved policies of the Unitary Development Plan for the City of Manchester 1995 and the Core Strategy Development Plan Document 2012.

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:

2021/06-047, 2021/06-048 and 2021/06-049 received by the City Council as Local Planning Authority on the 17th September 2021

Roller Shutter Detail received by the City Council as Local Planning Authority on the 2nd December 2021

2021/06-043 received by the City Council as Local Planning Authority on the 6th December 2021

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) Prior to the first occupation of the development hereby approved, a schedule of days and hours of operation submitted to and approved in writing by the City Council as local planning authority. The development shall be operated in accordance with the approved details.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

4) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours: 07:30 to 20:00, Monday to Saturday, no deliveries/waste collections on Sundays/Bank Holidays.

Reason - In order to protect the amenity of local residents and in accordance with policies SP1 and DM1 of the Core Strategy.

5) Prior to the first occupation of the development hereby approved, a scheme for the storage and disposal of refuse 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 and accordance with policies SP1 and DM1 of the Core Strategy.

6) Prior to installation of the composite panels, samples and specifications of the panels to be used on the external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development should be carried out in accordance with the approved 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.

7) The development hereby approved shall only be implemented in accordance with the roller shutter specification details received by the City Council as Local Planning Authority on 2 December 2021. The development shall be implemented in accordance with the approved details and retained thereafter.

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Chorlton Voice
Blackburn Park Conservation Society
Didsbury Civic Society

17 Barlow Moor Road, Manchester, M20 6TN
17A Barlow Moor Road, Manchester, M20 6TN
15 Barlow Moor Road, Manchester, M20 6TN
Unit 1, 11 - 13 Barlow Moor Road, Manchester, M20 6TN
CHEADLE SUN BEDS LTD, Unit 3, 11 - 13 Barlow Moor Road, Manchester, M20 6TN
Unit 2, 11 - 13 Barlow Moor Road, Manchester, M20 6TN
Flat 4, 700 Wilmslow Road, Manchester, M20 2DN
Flat 3, 700 Wilmslow Road, Manchester, M20 2DN
Flat 2, 700 Wilmslow Road, Manchester, M20 2DN
Flat 1, 700 Wilmslow Road, Manchester, M20 2DN
Flat 10, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 9, Crossway House, 7 Crossway, Manchester, M20 6TE
698 Wilmslow Road, Manchester, M20 2DN
696 Wilmslow Road, Manchester, M20 2DN
694 Wilmslow Road, Manchester, M20 2DN
Didsbury Library, 692 Wilmslow Road, Manchester, M20 2DN
700 Wilmslow Road, Manchester, M20 2DN
Flat 8, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 5, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 2, Crossway House, 7 Crossway, Manchester, M20 6TE
7 Barlow Moor Road, Manchester, M20 6TN
Nueve, 9 Barlow Moor Road, Manchester, M20 6TN
Flat 7, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 6, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 4, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 3, Crossway House, 7 Crossway, Manchester, M20 6TE
Flat 1, Crossway House, 7 Crossway, Manchester, M20 6TE
5 Barlow Moor Road, Manchester, M20 6TN

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 - Blackburn Park Conservation Area 1979
Area Team Boundary - Name: SOUTH