

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132446/OO/2021

Date registered valid: 29 December 2021

Proposal: Outline application for the erection of a single side and rear extension to form enlarged ground floor retail unit (use class E) with matters of access and landscaping reserved

Address: 62 Burton Road, Manchester, M20 3EB

Ward(s): Old Moat Ward

Applicant: Ozma Khan 62 Burton Road, Manchester, M20 3EB

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

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

Recommendation: Approve

Date of recommendation: 16.02.2022

Application details

Type of application: Outline Consent

Development type: Minor Retail

Date of site visit: 14 January 2022

Standard consultations:

Printed: 5 January 2022 Expired: 26 January 2022

Neighbour notifications

Printed: 5 January 2022 Expired: 26 January 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 relates to a two storey end of parade property, comprising a commercial Class E use on the ground floor with a self contained flat above. The flat is accessed from the rear garden.



The property has forecourt to the front and side and there is a rear garden the width of the property and the side forecourt.



Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The parade to which the application site belongs is one of two parades on the north side of Burton Road at its Junction with Ridsdale Avenue. Whilst to the east is the remainder of the parade to the north is the side elevation and side garden of a residential property on Ridsdale Avenue. Facing the side elevation of the property across Ridsdale Avenue is the front elevation of a pair of houses and there are residential properties facing the site across Burton Road.

Description of development

This application has been amended and consent is now sought for the erection of a single storey wrap around extension to enlarge the retail unit.



The side extension projects approximately 3.7 metres at the front where it is set back slightly from the front elevation. The rear extension projects approximately 3 metres. The extension has a flat roof and contains a display window in the front elevation. There are no openings in the side elevation and the rear elevation contains a set of double doors and a new door leading to the rear access for the flat

The rear garden contains two distinct enclosures for the segregated storage of waste.

Consultations & Notification Responses

Local Residents/businesses

One letter has been received objecting to the impact of the first floor of the extension, now deleted from the scheme.

One letter has been received supporting the proposed development s it will enable this local facility to expand.

Environmental Health

Have requested conditions in respect of fume extraction, construction hours, delivery times, Noise insulation, noise insulation of external plant, a gas membrane and refuse storage.

Policies

Core Strategy

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

Issues

Principle

The proposed extension to a commercial use is considered to be acceptable in principle as it potentially allows a local facility to flourish.

Scale

The proposed extension projects 3.7 metres to the side and three metres to the rear . This is not considered to be excessive whilst the deletion of the first floor side extension from the scheme has reduced the scale significantly in terms of impacting in the street scene. On balance the scale of the proposed extension is considered to be acceptable.

Design

Whilst a flat is not normally considered to be ideal on a side extension, in this case the property has large projecting bays at first floor level which would make a pitched roof difficult to design and construct in a satisfactory manner. The proposed flat roof has a large oversail and this gives it a more contemporary feel. On balance the design of the proposed extension is considered acceptable.

Access to flat

It was originally proposed to create a second flat in the first floor of the proposed extension and a new access for both the existing and proposed flat would be created from Ridsdale Avenue. The omission of the first floor extension means that this is no longer possible and therefore the access remains from the rear garden, albeit the door is moved to the rear face of the extension so that it is not hidden. As this is the existing arrangement it is considered to be acceptable if not ideal.

Fumes

Environmental protection have requested a fumes condition. There is no indication that the proposed use will require a fume extraction system and therefore such a condition would be unreasonable.

Noise insulation

The proposed extension is not beneath the existing flat and it is therefore considered that an acoustic insulation condition which would only apply to the extension would be unreasonable.

Deliveries

This is an existing use and therefore a deliveries condition would be inappropriate and it would be being applied retrospectively to the use.

Refuse

The refuse is to be stored in two distinct enclosures within the yard which is considered to be acceptable.

Residential amenity

In terms of privacy there are no new windows in the rear elevation, consequently there will be no change with regard to overlooking or loss of privacy.

The proposed extension has a modest project to the rear and this would not impact significantly on the adjacent commercial unit.

On balance it is considered that there would be no significant impact on residential amenity.

Conclusion.

In its amended form the proposed extension is considered to be acceptable and accords with Council policies.

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 positive and 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) Applications for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission. The development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2) Approval of the details of the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Plans and particulars of the reserved matters shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason - To ensure the satisfactory development of the site and because this application is in outline only.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

P103 revision A received 29 December 2021

P105 revision B received 2 February 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.

4) The extension hereby approved shall be constructed using materials that match those used in the main 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.

5) The details of the approved scheme for the storage of refuse shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

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

6) The development shall include the installation of a proprietary gas protection membrane, in order to alleviate any possibility of landfill gas ingress to the building. Appropriate and comprehensive construction designs shall be submitted to and approved in writing by the City Council as local planning authority.

Reason - 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 Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Greater Manchester Police

2 Ridsdale Avenue, Manchester, M20 1FB
60A Burton Road, Manchester, M20 3EB
Flat Above, 62 Burton Road, Manchester, M20 3EB
Flat 7, 37 Burton Road, Manchester, M20 3GB
Flat 6, 37 Burton Road, Manchester, M20 3GB
Flat 5, 37 Burton Road, Manchester, M20 3GB
Flat 4, 37 Burton Road, Manchester, M20 3GB
Flat 2, 37 Burton Road, Manchester, M20 3GB
Flat 1, 37 Burton Road, Manchester, M20 3GB
Flat 3, 37 Burton Road, Manchester, M20 3GB
60 Burton Road, Manchester, M20 3EB
41 Burton Road, Manchester, M20 1HB
1B Ridsdale Avenue, Manchester, M20 1EQ
1A Ridsdale Avenue, Manchester, M20 1EQ
1 Ridsdale Avenue, Manchester, M20 1EQ

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH