

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 129304/FO/2021

**Date registered valid:** 26 March 2021

**Proposal:** Erection of single storey extensions to the side and rear to form additional storage and retail space for the shop premises and a 2 storey rear extension to form additional living accommodation.

**Address:** 9 - 11 Meldon Road, Manchester, M13 0TZ

**Ward(s):** Rusholme Ward

**Applicant:** Mr Malick Nelson, Arch Designs 9 - 11 Meldon Road, Manchester, M13 0TZ

**Agent (if any):** Mr Reuben Ramelize, Arch Designs Wilsons Park, C/o Mas, Monsall Road, Manchester, M40 8WN

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

**Recommendation:** Approve

**Date of recommendation:** 27.09.2021

## **Application details**

**Type of application:** Full Application Consent

**Development type:** Minor Retail

**Date of site visit:** 11 June 2021

### **Standard consultations:**

Printed: 8 June 2021      Expired: 29 June 2021

### **Neighbour notifications**

Printed: 8 June 2021      Expired: 29 June 2021

### **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 relate to a pair of semi detached properties that have been amalgamated to form a single unit and comprise a commercial use on the ground floor with residential above. The property sits on the north side of Meldon Road at its junction with Copthorne Crescent.



The property has a deep open forecourt and there is a yard to both sides and the rear with a decrepit concrete post and panel fence to the Copthorne Crescent elevation.

At the rear of the property is a two storey outrigger with a single storey extension on the Copthorne Crescent side. There is a single storey storage shed attached to the west side of the outrigger, and projecting to the rear of the property. It is construct of blockwork. There are two further open sided canopies one on the Copthorne Crescent elevation and the other attached to the rear of the outrigger.



**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

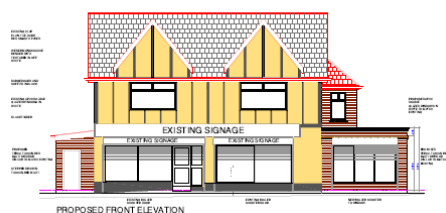
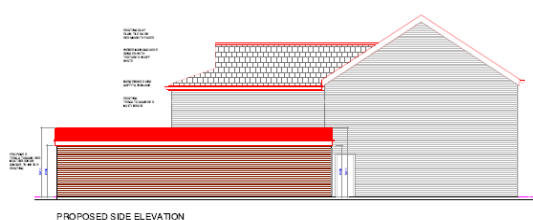
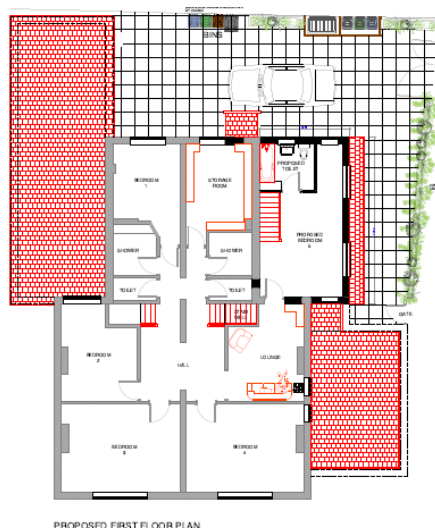
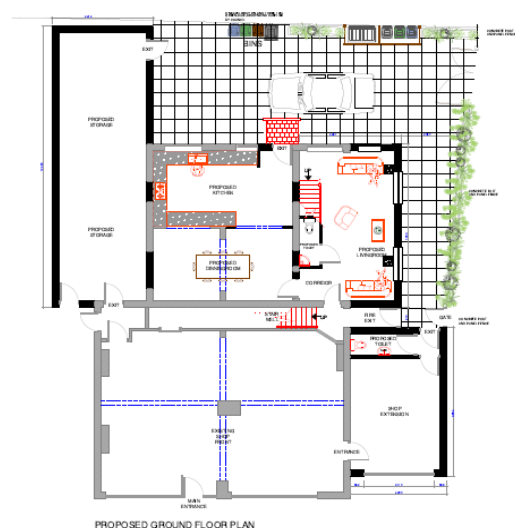
### **Description of area**

The application site is located with a small local centre based on Meldon Road. There are commercial properties on either side of the road. Adjoining the site to the rear and fronting Copthorne Crescent is a vacant piece of land on which planning permission reference 091523/FO/2009/S1 was granted for the erection of a house in 2010. To the north of the vacant site is the gable elevation of a residential property on Copthorne Crescent. Facing the site across Copthorne Crescent is the gable elevation of a house on the continuation of Meldon Road and the front elevation of a house on Copthorne Crescent.

### **Description of development**

There are a number of elements to this complex application. The canopy on the Copthorne Crescent frontage would be replaced with a single storey extension the full width of the land at the side of the property, 4.2 metres. This extension would have a flat roof behind a parapet and a display window in the front elevation. The extension would be set back from the front elevation and extend 6.6 metres toward the rear of the property where it adjoins a part single part two storey extension on the side of the outrigger and replacing the existing single storey extension. This extension has a mono pitch roof at ground floor level and a hipped roof to the first floor. It projects 4.5 metres from the side of the outrigger at ground floor level and 4 metres at first floor level. This extension is 8.1 metres long extension to the rear face of the original outrigger. In the front elevation there would be a single window at first floor level. In the side elevation there would be the main entrance to the living accommodation and two windows at ground floor level and two windows in the first floor. In the rear elevation there would be two windows in each of the ground and first floors of the extension. Finally, it is proposed to erect a single storey extension with a mono pitch roof on the site of the existing shed. The extension adjoins the rear face of the main building and the side of the outrigger and is 4.4 metres wide, infilling the space between the side of the outrigger and the site boundary to the west. The extension is 12.4 metres deep and thus projects 4.4 metres beyond the rear face of the outrigger to the rear boundary of the site. The extension would be used for storage as is the current shed and will

have two doors, one in the front elevation and one in the east elevation near to the bottom of the yard.



Segregated waste storage would be provided in the rear yard and would a parking space accessed off Copthorne Crescent.

## **Consultations & Notification Responses**

Local Residents/businesses

No representations received

Environmental Protection.

Have requested a condition requiring the developer to keep a watching brief for contamination.

## **Policy**

Core Strategy

The relevant Core Strategy policies are SP1, C8 and DM1

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

Policy C8 says that Local shopping and service provision in local centres should be retained where it remains viable and provides an important service to the local community. The provision of new small scale retail facilities will be encouraged where they would provide for local every day needs and would not be harmful to the vitality and diversity of nearby centres. Careful consideration will be given to the impacts of new commercial development on residential amenity,

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

## **Issues**

### Principle

The proposed development involves the extension of a convenience store within a small local centre serving local needs and well as improving living conditions for the family who run the business. The principle of improving this local facility is considered to be acceptable.

### Scale

The scheme has been redesigned and the extensions reduced in scale. There are in essence three elements to this proposal. The single storey extension to the retail area. This occupies the full width of the site at the side of the property, however by using a flat roof the scale is kept to an acceptable level that is not overly intrusive. The part single part two storey extension to the living accommodation is built onto the side of the outrigger and is considered to be of a scale that does not intrude significantly into the street scene, approximately 1.6 metres at first floor level. The rear extension to form the store and is quite low adjacent to the rear boundary. It replaces an existing shed. On balance, bearing in mind that this is a double unit it is considered that the scale of the proposed extensions is acceptable.

### Design

Each of the elements of the development follows a different design approach, the prominent side extension has a flat roof with a parapet so that it doesn't intrude to greatly into the street scene. It will also form part of the boundary replacing the dilapidated concrete Post and panel fence. The part single part two storey extension adopts a more traditional approach with hipped and pitched roofs that reflect the original design of the property. The storage shed is tucked away and is more functional in its design but does not detract from the appearance of the property and it is largely unseen from outside of the site.

Overall it is considered that the design is satisfactory.

### Refuse

The proposed development provides separate refuse storage of the residential and commercial uses in the rear yard. The scheme is acceptable, and an appropriate condition is proposed.

### Parking

The scheme retains an existing parking space within the rear yard area. This is considered acceptable.

## Residential Amenity

Any residential accommodation above 7 Meldon Road would look down upon the shed extensions and it is not considered that this would cause any significant loss of amenity. To the north is a vacant site previously granted consent for a residential development, although this was not implemented and has now lapsed. Any future development of the site will need to take into account anything that is constructed on this site. In terms of privacy there would be three additional windows in the rear elevation although these will be no nearer than the existing windows in this elevation and would face a gable. It is therefore considered that there would be no significant loss of privacy to the rear of the property. The extension is sufficiently far from the boundary for it not to have an overbearing impact. To the east the properties are separated by the width of the street and therefore it is considered that there would be no significant loss of privacy or overbearing impact.

Impact on the character of the area.

The application site sits on the north side of a short length of Meldon Road running between Birchfields Road and Copthorne Crescent. Previously the Council has granted consent for a single storey extension to no. 12 which is opposite the application site, whilst it has refused retrospective consent for a substantial side extension to no.1 This reflects the differing status of the two roads. Birchfields Road is a main distributor, through the area linking two important orbital routes Dickenson Road and Moseley Road. Copthorne Crescent on the other hand is a local road serving the housing on it or in the immediate environs. In this respect it is considered that extensions to the side of the properties adjacent to Copthorne Crescent have less impact than those adjoining Birchfields Road.

## HMO

The increase in the number of bedrooms means that the enlarged property could be used as a HMO. It is therefore proposed to attach a condition prohibiting the change of use of the property to a HMO.

## Conclusion

The proposed extensions have been reduced in scale and are now considered to be acceptable in all respects.

## **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) 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:

A1/04 revision A received 26 June 2021

A1/05 revision A received 26 June 2021

A1/06 revision A received 25 June 2021

A1/07 revision A received 25 June 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) The development hereby approved shall be constructed using the materials specified on the approved drawings.

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 boundary treatment shown on the approved drawings shall be implemented as part of the development and shall thereafter be retained.

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 in order to comply with saved policy E3.3 of the Unitary Development Plan for the City of Manchester and 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) In the event that ground contamination, groundwater contamination and/or ground gas are encountered on the site at any time before the development is occupied during the watching

brief, then development shall cease and/or the development shall not be occupied until a report detailing what measures, if any, are required to remediate the land (the Remediation Strategy), is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the agreed Remediation Strategy. If no contamination is found, then a post-completion report shall be submitted to evidence this.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety. Pursuant to Core Strategy policies DM1 and EN18.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no part of the development shall be used for any purpose other than the purpose(s) of Class C3(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in 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**

Environmental Health

Flat At, 9 - 11 Meldon Road, Manchester, M13 0TZ  
Top Flat, 7 Meldon Road, Manchester, M13 0TZ  
Flat 3, 12 Meldon Road, Manchester, M13 0TZ  
Flat 2, 12 Meldon Road, Manchester, M13 0TZ  
Flat 1, 12 Meldon Road, Manchester, M13 0TZ  
1A Copthorne Crescent, Manchester, M13 0RA  
13 Meldon Road, Manchester, M13 0TT  
7 Meldon Road, Manchester, M13 0TZ  
2 Copthorne Crescent, Manchester, M13 0GZ

## **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