

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133056/FO/2022

Date registered valid: 12 April 2022

Proposal: Change of use of first floor flat to office (Class E)

Address: 4A Albert Road, Manchester, M19 3PJ

Ward(s): Levenshulme Ward

Applicant: Mr Saleem Shah 4A Albert Road, Manchester, M19 3PJ

Agent (if any): Mr Mudasir Nawaz NM Architectural Services Ltd 17 Standish Street, Liverpool, L3 2BD

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 June 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 3 May 2022

Standard consultations:

Printed: 20 April 2022 Expired: 11 May 2022

Neighbour notifications

Printed: 25 April 2022 Expired: 16 May 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

This application relates to the upper floor of a 2-storey pitched roof building located with a parade of shops, close the northern junction of Albert Road and Stockport Road and situated with Levenshulme District Centre. The immediate area is predominantly retail and commercial residential uses are located at 6 – 8 Albert Road. Levenshulme Railway Station is located to the west of the site and the district centre car park is located immediately to the north. Double yellow lines are located along the immediately adjacent section of Albert Road along with a light controlled pedestrian crossing.



Fig.1 – Views of the front and rear of 4 Albert Road

Description of development

The proposals would retain the existing ground floor offices. The upper floor offices would be self-contained and independently operated with access via the existing entrance from Albert Road. There would be no connectivity between the ground and the upper. Access to the yard area and related bin storage would be via gates located within the eastern site boundary to an alleyway leading to district centre car park. The proposed accommodation would comprise:

- i. Two offices and a reception;
- ii. Record room;
- iii. Welfare facilities.

The proposed opening hours would be:

Monday to Friday – 8.00 am to 6.00 pm
 Saturday and Sunday - Closed

Consultations & Notification Responses

Local residents – No comments received.

Highway Services – No objection but the following comments are made:

- i. In comparison to the former use, the level of trips is likely to be similar and not a concern to Highways;
- ii. Although the site has no car parking, it has access to sustainable modes of transport and public car parking facilities in the district centre. No on-street parking should occur along Albert Road due to parking restrictions;
- iii. It is recommended that secure and sheltered cycle parking provision be provided;
- iv. It is noted that in-curtilage bin storage is provided. It is advised that bins should be presented on collection day and returned to the storage area as soon as possible thereafter;
- v. The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams

Environmental Health – No objections.

Greater Manchester Police Design for Security – No objection but the following recommendations have been received:

- i. External doors should meet Secured by Design and British Standards criteria;
- ii. Dusk until Dawn lighting and CCTV cameras should be installed and maintained;
- iii. An operational management should be put in place to reduce the risk of crime.

Network Rail - No objection.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. It provides a mechanism through 'which locally-prepared plans for housing and other development can be produced.' It states that 'at the heart of the Framework is a presumption in favour of sustainable development.' However, the Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, the statutory status of the development plan remains as the starting point for decision making. In 'decision-taking', this means that development proposals that accord with the development plan should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 8: Promoting healthy and safe communities - States that planning decisions should aim to achieve healthy, inclusive, accessible and safe places, where crime and disorder (and the fear of crime) do not undermine the quality of life or community cohesion (paragraph 92). The development would not adversely affect the character of the existing streetscene as external works to the principal elevation are not proposed. The comments of GMP have been related to the development as an informative. No significant issues relating to on-site security would be presented by the development. Activity associated with the use would be related to day-time weekday use, thereby reducing potential harm to neighbouring residential uses. Any activity would be consistent with the existing relationship between commercial and neighbouring residential use. Chapter 8 would thereby be accorded with.

Chapter 9: Promoting sustainable transport - States that in assessing specific applications for development, it should be ensured that:

- i. The potential impact of development on transport networks can be addressed;
- ii. Provide opportunities for walking, cycling and public transport use (Paragraph 104).

It is considered that, given the magnitude of the development, the generation of traffic and vehicular movement would be predictable and capable of being accommodated within the local highway infrastructure and district centre. The site is highly accessible via public transport. The development would thereby be appropriately related to Chapter 9.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource and is relevant to key planning issues of significance to applicants and local authorities. In considering this application the following aspects of the PPG have been appropriately responded to:

- i. Consultation and pre-decision matters;
- ii. Health and well-being;
- iii. Noise.

It is considered that the development would be appropriately related to the above objectives for the reasons set out in the report.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

The development would make a positive contribution to the commercial offer in the district centre and positive contribution to local employment. The development would draw form the advantages of its sustainable location and access to public transport. Policy SP1 would thereby be accorded with.

Policy C 2 District centres - States that development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services. The development would be positively related to the viability and vitality of the district centre and thereby the objectives of policy C2.

Policy EN8 Adaptation to Climate Change - States that all new development will be expected to be adaptable to climate change in terms of the design, layout, siting and function of both buildings and associated external spaces. In this case, the development would utilise existing floorspace without an apparent environmental impact.

Policy EN19 Waste - Requires consideration of the submitted details relating to determine if the applicant has satisfactorily demonstrated how:

- i. Both construction and demolition waste will be minimised and recycled on site wherever possible;
- ii. The sustainable waste management needs of the end user will be met.

The applicant has demonstrated the site has the capacity to accommodate related waste and recycling bins in an enclosed yard. Policy EN19 would thereby be accorded with.

Policy T1 (Sustainable transport) - Relates to the delivery of sustainable, high quality, integrated transport system, which encourages a modal shift away from car travel to public transport, cycling and walking and prepare for carbon free modes of transport. In this case, the development would not generate significant traffic and the site is in a sustainable transport location with access to public car parking. Policy T1 would be appropriately responded to.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. Relevant considerations in this case are:

- o Impact on the surrounding areas with due regard to the character of the surrounding area;
- o Effects on amenity;
- o Accessibility - In relation to inclusive access and sustainable transport modes;
- o Community safety and crime prevention;
- o Design for health;
- o Refuse storage and collection.

The development has been related to the constraints of the application property, including the lack of inclusive access. The development would not depart from the existing levels of amenity. Issues relating to traffic generation would not be affected by the development and capable of being absorbed within the district centre. Policy DM1 would thereby be accorded with.

Unitary Development Plan (UDP) saved policies -The following saved UDP policies are also considered to be relevant:

Policy DC26 (Development and noise)

Policy DC26.1 - Has been related to the proposals contribution to the local noise environment, in relation to the operation of the proposed development the additional activity it may generate. In case, it is considered that noise disturbance would related day-time / weekday activity and given the nature of the use and the floor space involved would not adversely affect neighbouring residential uses. The development would thereby be positively related to policy DC26.

Guide to Development in Manchester - States that throughout the City, the Council will encourage development that complements Supplementary Planning Document and Planning Guidance. The Guide aims to support and enhance the on-going shaping of the City by providing a set of reasoned principles which will guide developers, designers and residents to secure satisfactory development in Manchester. It is considered that the development would be

satisfactorily related the Guide requirement for design and community, safety and crime prevention.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1 December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems which arise during the determination of the planning application.

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Sufficient information was provided with the application thereby allowing its full assessment without a requirement for further negotiation.

Principle of the development – The development is located within Levenshulme district centre and the proposed use is appropriate subject to a condition limiting the use to commercial offices with Class E. Conditions have been included relating to the operation of the development which, on balance, is considered to be acceptable.

Residential amenity – The limitation to the use within Class E would help to safeguard the amenities of neighbouring residential and ensure that any additional harm would not depart from the existing relationship between Class C3 and Class E uses, including noise and disturbance. Further safeguards to amenity would be secured through conditions relating the development to the opening hours as applied for.

Loss of residential accommodation – Within Levenshulme district centre residential and commercial uses are found above ground floor Class E uses. In this case, the quality of the residential accommodation is affected by the proximity to the nearby operational railway line and the limited available amenity space. In these circumstances that loss of the residential accommodation has been appropriately balanced against the provision of a sustainable use for the upper floor with a commensurate contribution employment and the local economy.

Waste management – The development benefit from access to a rear yard that is capable of accommodating the levels of segregated and recyclable waste generated by a Class E commercial use. Whilst the transition distance would exceed 35 metres, it is considered that these circumstances would not depart from the arrangements related to on-going residential use. These arrangements are therefore considered to be appropriate.

Car parking and sustainable transportation options – Given the constraints of the site and the upper floor location of the development site, the provision of cycle storage would not be feasible in this case. The development is located in a highly sustainable location given the proximity of rail and bus services. The existence of a TRO adjacent to the site would manage traffic generation with visitor and staff car parking demands are capable of being addressed through access to district centre car parking provision, including the adjacent car park.

Access – As the development is located on the first floor, inclusive access would not be achieved in this case.

Opening hours – Conditioned as applied for, ie, Monday to Friday – 8.00 am to 6.00 pm Saturday and Sunday – Closed.

Conclusion – On balance, the development would be positively related the character and viability of the district centre and is considered to be acceptable.

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

In this case, officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Sufficient information was provided with the application thereby allowing its full assessment without a requirement for further negotiation.

Condition(s) to be attached to decision for approval

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 stamped as received by the City Council on 25 February 2022, 21 March 2022 and 12 April 2022:

Planning application forms

Location plan with a red edge Ref: SSB-000

Existing floor plans Ref: SSB-001

Proposed floor plans Ref: SSB-002

4a Albert Road, Levenshulme, Manchester, M19 3PJ Statement of parking and office service

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 for the City of Manchester.

3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no part of the premises shall be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by The Town and Country Planning (Use Classes) (Amendment) (England)

Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) other than for the operation of a first floor commercial office.

Reason - To safeguard the amenities of the occupiers of nearby residential properties pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan.

4) The premises shall not be open outside the following hours:

Monday to Friday: 8.00 am to 6.00 pm;
Saturday, Sunday and Bank Holidays: Closed.

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

5) Deliveries, servicing and collections, including waste collections shall not take place outside the following hours:

Monday to Saturday - 7:30 am to 8.00 pm;
Sundays / Bank Holidays: No deliveries/waste collections.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policy DC26 of the Unitary Development Plan for the City of Manchester.

6) The development shall be implemented in accordance with the waste management plan comprising Waste Management proforma and drawing referenced Waste Management Plan Ref: SSB - 0003 received 21 March 2022. The approved details shall be in place upon commencement of the use and maintained in situ thereafter.

Reason - In the interests of residential amenity and to secure appropriate arrangements for the storage and collection of segregated waste and recycling, pursuant to policies SP1, EN19 and DM1 of the Core Strategy for the City of Manchester.

Informatives

1. Environmental guidance for developer can be found via the following link:

http://www.manchester.gov.uk/info/500207/planning_and_regeneration/1962/additional_planning_guidance/3

2. It is recommended that all new door, locks, lighting CCTV cameras and other security measures fitted as part of the development should accord with Secured by Design standards.

3. The applicant is advised that any requirements for licensing, hoarding / scaffolding and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highways Applications and Network Resilience teams via Contact Manchester (Tel. 0161 234 5004).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Network Rail

4A Albert Road, Manchester, M19 3PJ
2B Albert Road, Manchester, M19 3PJ
2 Albert Road, Manchester, M19 3PJ
Flat 4, 2A Albert Road, Manchester, M19 3PJ
Flat 3, 2A Albert Road, Manchester, M19 3PJ
Flat 2, 2A Albert Road, Manchester, M19 3PJ
Flat 1, 2A Albert Road, Manchester, M19 3PJ
2A Albert Road, Manchester, M19 3PJ
934 Stockport Road, Manchester, M19 3AB
930 Stockport Road, Manchester, M19 3AB
932 Stockport Road, Manchester, M19 3AB
Flat 2, 8 Albert Road, Manchester, M19 3PJ
Flat 1, 8 Albert Road, Manchester, M19 3PJ
918 Stockport Road, Manchester, M19 3AB
Adjacent 936 -938, Stockport Road, Manchester, M19 3NN
Flat 2, 6 Albert Road, Manchester, M19 3PJ
Flat 1, 6 Albert Road, Manchester, M19 3PJ
Flat Above, 936 - 938 Stockport Road, Manchester, M19 3NN
Flat Above, 920 Stockport Road, Manchester, M19 3AB
922A Stockport Road, Manchester, M19 3AB
Top Flat, 924 Stockport Road, Manchester, M19 3AB
8 Albert Road, Manchester, M19 3PJ
936 - 938 Stockport Road, Manchester, M19 3NN
6 Albert Road, Manchester, M19 3PJ
924 Stockport Road, Manchester, M19 3AB
922 Stockport Road, Manchester, M19 3AB
920 Stockport Road, Manchester, M19 3AB
4 Albert Road, Manchester, M19 3PJ
926 - 928 Stockport Road, Manchester, M19 3AB
940 Stockport Road, Manchester, M19 3NN

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 (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH2